



CITY COUNCIL

MEETING AGENDA

February 7, 2019

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro Tem
Ralph B. Blasier, Council Member
Michael R. Sattem, Council Member
Peggy O. Schumann, Council Member

Patrick S. Jordan, City Manager
Phil DeMay, City Clerk
Ralph B. K. Peterson, 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, February 7, 2019, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL/CORRECTION(S) TO MINUTES –

Regular Meeting – January 17, 2019

Special Meeting – January 29, 2019

Special Meeting - February 4, 2019

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION(S)

BRIEF PUBLIC COMMENT(S)

PUBLIC HEARINGS

1. Condemnation Hearing – 1608 North 19th Street.

Explanation: Administration is requesting the condemnation of a residential home and shed located at 1608 North 19th Street, Escanaba Michigan. Administration advises the residential structures are deemed as unsafe, a public nuisance, and unfit for human occupancy.

UNFINISHED BUSINESS

NEW BUSINESS

1. Discussion - Possible Ordinance Restricting Commercial Marijuana in the City of Escanaba.

Explanation: City Council will discuss a possible ordinance restricting commercial marijuana in the city.

2. Approval: Resolution to Waive Penalties for Non-Filing of Property Transfer Affidavits.

Explanation: Administration is seeking Council approval of a resolution supporting to waive penalties for non-filing of property transfer affidavits.

3. Approval – Tree Trimming Bid – Electric Department.

Explanation: Administration is seeking Council approval to accept the Tree Trimming bid received from Bugle Contracting of Cornell, MI to conduct the tree trimming services required for the City as written in the RFP, at a cost not to exceed \$25,000. Funds for this project are allotted in the 2018/2019 FY Budget.

4. Council Confirmation of Hiring of Assistant Assessor.

APPOINTMENTS

BOARD, COMMISSION, AND COMMITTEE REPORTS

GENERAL PUBLIC COMMENT

ANNOUNCEMENTS

ADJOURNMENT

Respectfully Submitted,

Patrick S. Jordan
City Manager



CITY COUNCIL
MEETING AGENDA - ADDENDUM
February 7, 2019
7:00 p.m.

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro-Temp
Ralph B. Blasier, Council Member
Michael R. Sattlem, Council Member
Peggy O. Schumann, Council Member

Patrick S. Jordan, City Manager
Phil DeMay, City Clerk
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Regular Meeting - Addendum
Thursday, February 7, 2019, at 7:00 p.m.

NEW BUSINESS

5. Setting of Public Hearing - Obsolete Property Rehabilitation District (OPRA) No. 26 – 1601 Ludington Street.

Explanation: 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. 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. Administration is requesting Council schedule a public hearing for February 21, 2019, for the consideration of establishing Obsolete Rehabilitation District No. 26, in accordance with the requirements of PA 146 of 2000.

Respectfully Submitted


Patrick S. Jordan
City Manager

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, January 17, 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, Michael R. Sattem, and Peggy O'Connell Schumann.

Absent: Council Member Ralph B. Blasier.

Schumann moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to excuse Council Member Blasier.

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

Interim Clerk Weissert led Council in the Pledge of Allegiance.

Sattem moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from January 3, 2019, and Special Meeting Minutes from January 9, 2019, as submitted.

ADJUSTMENTS TO THE AGENDA

Beauchamp stated he would like an update on the new City Clerk placed on the agenda.

Tall stated he would like to ask Representative Beau LaFave to brief the Council on what is going on in Lansing.

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

CONFLICT OF INTEREST DECLARATION – None

STATE REPRESENTATIVE BEAU LAFAVE

State Representative Beau LaFave gave a brief overview on what is going on in Lansing, also discussed what committees he has been assigned to.

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS

Public Hearing – Citizen Participation – 2019/20 Fiscal Year Budget Preparation.

Each year, Council holds public hearings to facilitate input from citizens for the upcoming FY2019/20 fiscal year budget. This was the first 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.

UNFINISHED BUSINESS – None

NEW BUSINESS

Discussion – Fiscal Year 2018/19 City Audit.

Michael Sparling, CPA, a representative from the Accounting Firm Rehmann Robson provided an overview of the June 30, 2018 independent audit of the City of Escanaba's financial statements prepared in accordance with generally accepted accounting principles in the United States and the Single Audit Act.

Approval - Deficit Elimination Plan - Controller/Downtown Development Authority.

City Controller Melissa Becotte advised the Downtown Development Authority ended the fiscal year with a deficit fund balance of \$246,046. This was the result of the internal loan provided by the City to assist in payment for construction of the Marketplace. Controller Becotte advised the DDA would remain in a deficit position for the next couple of years. Controller Becotte recommended Council approval of a resolution for a deficit elimination plan as required by the Michigan Department of Treasury.

“NB-2 Resolved by Council Member Beauchamp, seconded by Council Member Schumann;

**RESOLUTION
DEFICIT ELIMINATION PLAN
FOR THE DOWNTOWN DEVELOPMENT AUTHORITY FUND**

Whereas, The City of Escanaba's Downtown Development Authority Fund has a \$246,046 deficit fund balance on June 30, 2018, and;

Whereas, 1971 PA 140 requires that a Deficit Elimination Plan be formulated by the local unit of government and file with the Michigan Department of Treasury;

Now therefore be it Resolved, That the City of Escanaba's City Council adopts the following as the City of Escanaba's Downtown Development Authority Fund Deficit Elimination Plan:

	2019	2020	2021	2022	2023
Unrestricted Net Position (Deficit) July 1	(\$246,046)	(\$168,477)	(\$102,020)	(\$30,050)	\$47,514
Revenue					
Taxes	285,000	285,600	291,312	297,138	303,081
Investment Earnings (Loss)	7,000	7,000	7,000	7,000	7,000
Other	27,000	12,000	12,000	12,000	12,000
Total Revenue	319,000	304,600	310,312	316,138	322,081
Expenditures					
Salaries, Wages and	92,346	94,193	96,077	97,999	99,959
Supplies	5,500	5,000	5,000	5,000	5,000
Professional Services	36,600	36,000	36,000	36,000	36,000
Telephones	2,650	2,650	2,650	2,650	2,650
Travel	250	250	250	250	250
Public Relations	20,100	20,100	20,100	20,100	20,100
Printing and Publishing	200	200	200	200	200
Insurance	2,570	2,100	2,100	2,100	2,100
Utilities	6,000	6,000	6,000	6,000	6,000
Maintenance of	19,500	18,000	18,000	18,000	12,000
Repairs to Structures	15,000	15,000	15,000	15,000	15,000
Repairs to Equipment	2,000	2,000	2,000	2,000	2,000
Rental of Equipment	3,000	3,000	3,000	3,000	3,000
Memberships and Dues	250	250	250	250	250
Education and Training	500	250	250	250	250
Capital Outlay	17,500	17,500	17,500	17,500	17,500
Books, Magazines and	500	250	250	250	250
Interest Expense	14,465	12,900	11,215	9,525	9,505
Contributions to Other Funds	2,500	2,500	2,500	2,500	2,500
Total Expenditures	241,431	238,143	238,342	238,574	234,514
Revenue Over Expenditures	77,569	66,457	71,970	77,564	87,567
Ending Net Position	(\$168,477)	(\$102,020)	(\$30,050)	\$47,514	\$135,081

Be it further Resolved, That the City of Escanaba's City Controller submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

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

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

RESOLUTION DECLARED ADOPTED.”

Approval – Purchase of (1) Water Service Truck – Water Department.

Administration requested approval to purchase one (1) Water Service Truck at a cost not to exceed \$27,000 from Riverside Chevrolet in Escanaba. Money for this purchase was budgeted in the 2018/2019 FY Budget.

NB-3 Sattem moved, Schumann seconded, to approve to purchase one (1) Water Service Truck at a cost not to exceed \$27,000 from Riverside Chevrolet in Escanaba.

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

Ayes: Sattem, Schumann, Beauchamp, Tall

Nays: None

MOTION CARRIED.

Approval – Marina Fees – Marina Department.

Administration requested approval to raise Transient rates by one step of the Waterways Rate Schedule, which would equate to a two dollar per night increase; also approve seasonal rates increase by 4%. This was presented and approved by the Harbor Advisory Committee on January 8, 2019.

NB-4 Beauchamp moved, Sattem seconded, to approve to raise Transient rates by one step of the Waterways Rate Schedule, which would equate to a two dollar per night increase; also approve seasonal rates increase by 4%.

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

Ayes: Beauchamp, Sattem, Schumann, Tall

Nays: None

MOTION CARRIED.

Approval – Service Contract – City Telephone Services.

Administration sought Council approval to retain TelNet Worldwide for continued telephone line service in the City Hall/Library Complex through January 2021 in an amount not to exceed \$12,600. This item was included in the current fiscal year budget.

NB-5 Schumann moved, Sattlem seconded, to approve to retain TelNet Worldwide for continued telephone line service in the City Hall/Library Complex through January 2021 in an amount not to exceed \$12,600.

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

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

MOTION CARRIED.

Approval – Flooring Replacement Bid - Library.

Administration sought Council approval to accept the Carpet Removal and Disposal, Flooring Purchase and Installation bid received from Henyssen-Selins at a cost not to exceed \$59,040.

NB-6 Schumann moved, Sattlem seconded, to approve to accept the Carpet Removal and Disposal, Flooring Purchase and Installation bid received from Henyssen-Selins at a cost not to exceed \$59,040.

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

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

MOTION CARRIED.

Update - New City Clerk

Manager Jordan stated new City Clerk Phil DeMay has completed the pre-employment testing and is set to start January 25, 2019.

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 – None

ANNOUNCEMENTS

- Photography Club will be starting on January 23, 2019 at 6:00p.m. at the Library.

Hearing no further public comment, the Council adjourned at 7:27 p.m.

Respectfully submitted

Tammy A. Weissert, CMC
Interim City Clerk

Approved:

Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Work Session Meeting
Tuesday, January 29, 2019**

Pursuit to a special meeting notice posted January 23, 2019, the meeting was called to order by the Honorable Mayor Marc D. Tall at 8:03 a.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 Department Heads, media, and members of the public.

ADJUSTMENTS TO THE AGENDA

Tall stated he would like to move New Business Item 2 to New Business Item 1.

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

CONFLICT OF INTEREST DECLARATION – None

NEW BUSINESS

Approval – Appointment of Legal Counsel for Unemployment Appeal.

Administration is seeking Council approval of an Appointment of Legal Counsel for Unemployment Appeal.

NB-1 Blasier moved, Schumann seconded, to approve of an Appointment of Legal Counsel for Unemployment Appeal.

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

Ayes: Blasier, Schumann, Beauchamp, Tall

Nays: None

Abstained: Sattem

MOTION CARRIED.

Discussion – New DEQ Rules Affecting the 19-20 Budget.

The City Water/Wastewater Superintendent Jeff Lampi led a discussion concerning the new DEQ Rules affecting the 19-20 budget. Mr. Lampi is preparing for

City Council Minutes
January 29, 2019 – cont.

the Department of Environmental Quality latest regulations. The new DEQ rules require more than just the removal of the pipe containing lead. The DEQ is now mandating cities to replace water lines up to the meters, which are usually located inside the home or dwelling. These new regulations conflict with current city policies and ordinance language. Currently the city is prohibited from working on or using public funds for work on private property. Since the decision was not time sensitive, Council members would like to think about how to handle these new rules and regulations. Council will revisit this discussion and advise Mr. Lampi their recommendations at a later date.

GENERAL PUBLIC COMMENT

William Gasman, an Escanaba resident, expressed his concerns with quality of workmanship the contractors will uphold. Also, suggesting proper inspections upon the completion of the job. He would like to see a follow up conducted to assure there is no issues.

Hearing no further public comment, the Council adjourned at 8:59 a.m.

Respectfully submitted,

Phil DeMay
City Clerk

Approved: _____
Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Special Council Meeting
Monday, February 4, 2019**

Pursuant to a meeting notice posted on February 1, 2019, the meeting was called to order by the Honorable Mayor Marc D. Tall at 9:00 a.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 Department Heads, media, and members of the public.

APPROVAL OF AGENDA

Schumann moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve the City Council agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

PUBLIC HEARINGS - None

NEW BUSINESS -

Declaration of Emergency

On February 1, 2019 a severe water main break in the area of 1st Ave. North and Ludington Street caused road closures for most of the day. As a result, traffic was rerouted, loss of water, overtime costs, and equipment issues. Therefore, the Mayor of the City of Escanaba in accordance with section 10 of Act 390, P.A. 1976 as amended, has declared a "State of Emergency".

Robert Berbohm (Delta Schoolcraft Emergency Management Coordinator) stated Governor Whitmer declared a "State of Emergency" for the entire state on January 29, 2019, in anticipation of the extreme cold weather forecasted. The extreme cold weather is believed to have contributed to the main water break on February 1, 2019. "Because the governor declared ahead of us, it's sort of new for us", said Berbohm. It is still unknown whether Governor Whitmer will open up the contingency fund (Section 19) to provide assistance to counties and municipalities that declared emergencies. The key point for (Section 19) is that the incident was 1 percent or more of the affected agency's annual general fund operating budget or \$30,000, whichever is less. It is at the point and above that we are looking at qualifying for (Section 19).

City Controller Melissa Becotte believes the total costs related to the water main

City Council Minutes
February 4, 2019 – cont.

break to be at least \$50,000. Only a portion of that would be eligible for reimbursement. For instance, the city can only be reimbursed for overtime pay. Since most of the work on the incident was done during regular operating hours, the city anticipates only around \$5,000 in wages will be reimbursable. The threshold for us to reach is \$23,000, which is 1 percent of the Water Department operating expenditure budget. It's unknown if the threshold can be met. It will come down to what other entities that aided us are going to send the city for bills. At this point we don't have that information. It is recommend by Controller Becotte to continue with the process until we gather all information for submission.

City Manager Patrick Jordan recommended that we move forward with the declaration of a "State of Emergency" and continue to track our costs to meet the threshold and deadline the state has set.

NB-1 Blaiser moved, Beauchamp seconded, to support the Mayor's Declaration of Emergency.

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

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

MOTION CARRIED.

ADJOURNMENT

Hearing no further public comment, the Council adjourned at 9:11 a.m.

Respectfully submitted,

Phil DeMay
City Clerk

Approved: _____
Marc D. Tall, Mayor

P.H. -1
C.C. 2/7/19

MEMO

TO: Patrick Jordan, City Manager
FROM: Blaine DeGrave, Planning & Zoning Administrator
DATE: December 21, 2018
RE: Condemnation Proceedings – 1608 North 19th Street

Request for the City Council to approve the condemnation, and if required, demolition of the residential home and shed of 1608 North 19th Street. The structures on the property are in extremely poor condition. The neighbors have been complaining about the extreme smell due to mold issues. Electric service has been disconnected since August 2017. There are no records of water service for the building. The property owner was Ben Levinsky, who is now deceased.

As required by Property Maintenance Code 108.3 Notice, a Correction Notice was posted on the property on November 26, 2018 asking for repairs to be made to bring the building up to the City of Escanaba's Property Maintenance Code or to demolish the structure. No responses have been received.

All visible signs show that the property is blight and a Public Nuisance by definition under section 302.1 DEFINITION "PUBLIC NUISANCE". The building condition reflects all parts of paragraphs 1, 2, 3, 4, 5, 6, 7, and 8.

The property is also in violation of the City of Escanaba's Property Maintenance Code PM-108.1.1 Unsafe Structure. The building's condition reflects most, if not all parts, of paragraphs: A, B, C, E, F, G, H, I, and J.

In conclusion, it is my opinion that the building located at 1608 North 19th Street should be completely demolished for health and safety reasons stemming from the physical condition of the structure.

It is requested that this matter be put on the January 3, 2019 City Council agenda, so that a Public Hearing date may be set for February 7, 2019.

Daily Press 1-18-19

Escanaba

PUBLIC NOTICE

The Escanaba City Council will hold a public hearing for the proposed condemnation and demolition of the residential structures located at 1608 North 19th Street. This meeting will be held in the City Council Chambers located at 410 Ludington Street, Escanaba, MI during the regularly scheduled Council Meeting on Thursday, February 7, 2019 at 7:00 p.m.

The City of Escanaba will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon five (5) days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba Interim City Clerk Tammy A. Weissert in writing to 410 Ludington Street, Escanaba, MI 49859 or by calling (906) 786-1194.



P.O. Box 948 • Escanaba, MI 49829-0948 • (906)786-9402 • fax (906) 786-4755

TDD (800) 649-3777

January 7, 2019

To Whom It May Concern
1608 North 19th Street
Escanaba, MI 49829

RE: Public Condemnation Hearing Condemnation
1608 North 19th Street – Parcel #051-370-2919-126-002
LOT 10 OF BLK 40 OF THE I STEPHENSON COS 2ND ADDITION

To whom it may concern:

In accordance with Section PM-110.1 Demolition, of Escanaba's Property Maintenance Code, a **Public Condemnation Hearing** has been scheduled before the Escanaba City Council on **February 7, 2019 at 7:00pm**. The meeting will be conducted in the Council Chambers of City Hall, which is located at 410 Ludington Street. You are invited to attend this hearing so that you can present any information of pertinent facts to the City Council so a decision can be made.

For a statement of defects and what must be done to bring the buildings into compliance so they are no longer a nuisance to public health or safety, please see the Correction Notice dated November 26, 2018 which was previously posted on premises. A copy of the Correction Notice can also be viewed in the Community Preservation department at City Hall.

Sincerely,

A handwritten signature in cursive script that reads "Blaine R. DeGrave".

Blaine R. DeGrave
Community Preservation Department
(906) 786-9402
bdegrave@escanaba.org

Mission Statement:



Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.
The City of Escanaba is an equal opportunity employer and provider.

January 7, 2019

«Owner_Name»
«Owner_Address»
«City», «State» «Zip»

RE: Public Condemnation Hearing – 1608 North 19th Street

Dear Property Owner/Occupant:

A meeting of the Escanaba City Council has been scheduled for **Thursday, February 7, 2019, at 7:00pm** in the Council Chambers of the Escanaba City Hall/Library Complex, 410 Ludington Street. The following item will be on the agenda:

Condemnation/Demolition – 1608 North 19th Street, Escanaba

**A Public Hearing has been scheduled for the proposed condemnation and demolition of the residential structures located at 1608 North 19th Street.
A presentation on the condition of the structures shall be heard.**

You are cordially invited to attend this meeting should you have any comment concerning this agenda item. If you have questions or concerns, but are unable to attend this meeting, please submit your written concerns to the City of Escanaba prior to February 7, 2019. All written and signed concerns will be read into the record.

The City of Escanaba will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five (5) days' notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba at (906) 786-9402.

Sincerely,



Blaine R. DeGrave
Community Preservation Department

PROOF OF SERVICE – MAILING

This document was enclosed in sealed envelope, first class postage fully prepaid, and deposited in the U.S. Government Mail.

Addressee(s):	Assessed Property Owner/Occupant 300' Radius of 1608 North 19 th Street
Mailing Date:	January 7, 2019
Attested To By:	Roxanne Spencer City of Escanaba - City Hall

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300 ft from 1608 N 19th St

Physical Address	Owner Name	Owner Address	City	State	Zip
1619 North 19th Street	Amy DeGraves	317 Main St	Norway	MI	49870-1221
1526 North 19th Street	Anne Kelly	1526 N 19th St	Escanaba	MI	49829-1820
1801 16th Avenue North	Arthur & Carolyn Beauvais	1801 16th Ave N	Escanaba	MI	49829-1809
1601 North 19th Street	Brent Papineau	1601 N 19th St	Escanaba	MI	49829-1821
1617 North 19th Street	Brian Seppala	263 Explorer St	Gwinn	MI	49841-2917
1606 North 19th Street	Cory & Roberta Kositzky	1606 N 19th St	Escanaba	MI	49829-1822
1600 North 19th Street & 1604 North 20th Street	Dave Heath	1410 N 19th St	Escanaba	MI	49829-1723
1606 North 20th Street	Dean Preaseau	1414 1st Ave N	Escanaba	MI	49829-2804
1611 North 19th Street	Jason Branstrom	1611 N 19th St	Escanaba	MI	49829-1821
1620 North 19th Street	Jean Stanchina	1620 N 19th St	Escanaba	MI	49829-1822
1912 16th Avenue North	Jeffrey Verbrigge	1912 16th Ave N	Escanaba	MI	49829-1812
1612 North 20th Street	John Homernik	1612 N 20th St	Escanaba	MI	49829-1825
1608 North 18th Street	Karie Huskey	1608 N 18th St	Escanaba	MI	49829-1818
1604 North 18th Street	Linda & Timothy Sovey	1604 N 18th St	Escanaba	MI	49829-1818
1606 North 18th Street	Lisa Larsen	1408 Ludington St Apt 2	Escanaba	MI	49829-2843
1603 North 18th Street	Michael & Andrea Meyer	1603 N 18th St	Escanaba	MI	49829-1817
1610 North 18th Street	Nick Erickson	1610 N 18th St	Escanaba	MI	49829-1818
1609 North 18th Street	Richard & Bonnie Norman	1609 N 18th St	Escanaba	MI	49829-1817
1809 16th Avenue North	Richard & Margaret Vandewiele	1809 16th Ave N	Escanaba	MI	49829-1809
1615 North 18th Street	Rose Mary Nevala Life Estate	1615 N 18th St	Escanaba	MI	49829-1817
1612 North 18th Street	Roy & Mary Henderson	1612 N 18th St	Escanaba	MI	49829-1818
1621 North 18th Street	Tim & Katie Hansen	1621 N 18th St	Escanaba	MI	49829-1817
1600 North 18th Street	Tina Sexton	1600 North 18th Street	Escanaba	MI	49829-3532

November 26, 2018

To Whom this May Concern:
1608 North 19th Street
Escanaba, MI 49829

RE: 1608 North 19th Street Escanaba, MI

Dear Sir/Madam:

The City of Escanaba has been working on getting this building located at 1608 North 19th Street Escanaba, MI into code compliance with Escanaba's Property Maintenance Code, or demolished, in that it has become blight to the community and is considered an unsafe structure in accordance with Section PM-108.1 of Escanaba's Property Maintenance Code.

CORRECTION NOTICE - PROPERTY MAINTENANCE CODE

GENERAL DEFINITIONS AND REQUIREMENTS

PM - 101.2 Scope: This code is to protect the public health, safety and welfare in all existing structures, residential and nonresidential, and on all existing premises by establishing minimum requirements and standards for premises, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; fixing the responsibility of owners, operators and occupants; regulating the occupancy of existing structures and premises, and providing for administration, enforcement and penalties.

PM - 101.3 Intent: This code shall be constructed to secure its expressed intent, which is to insure public health, safety and welfare insofar as they are affected by the continued occupancy and maintaining of structures and premises. Existing structures shall be altered or repaired to provide a minimum level of health and safety as required herein.

PM - 101.4 Referred Standards: The standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

PM - 101.5 Existing Remedies: The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

PM - 101.6 Workmanship: All repairs, maintenance work, alterations or installations which are caused



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directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner.

PM - 101.7 Application of Other Codes: Any repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes and NFPA 70.

SECTION PM - 105.0 DUTIES AND POWERS OF CODE OFFICIALS

PM - 105.1 General: The code official shall enforce all of the provisions of this code. (Implemented: Ordinance 907 as of May 17, 1996) **PM - 105.2 Notices and Orders:** The code official shall issue all necessary notices or orders to ensure compliance with the code. (Implemented: Ordinance 907 as of May 17, 1996)

PM - 105.3 Right of Entry: The code official is authorized to enter the structure or premises at reasonable times to inspect. Prior to entering into a space not otherwise open to the general public, the code official shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the code official shall pursue recourse as provided by law. (Implemented: Ordinance 907 as of May 17, 1996)

PM - 105.4 Access by Owner or Operator: Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code. (Implemented: Ordinance 907 as of May 17, 1996)

PM - 105.5 Identification: The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code. (Implemented: Ordinance 907 as of May 17, 1996)

PM - 105.6 Coordination of Enforcement: Inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any other department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not, however, delay the issuance of any emergency orders. (Implemented: Ordinance 907 as of May 17, 1996)

~~**PM - 105.7 Rule-Making Authority:** The code official shall have power as necessary in the interest of public health, safety and general welfare, to adopt the promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code or of violating accepted engineering practice involving public safety. (Implemented: Ordinance 907 as of May 17, 1996)~~

PM - 105.8 Organization: The code official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority. The code official is authorized to designate an employee as deputy who shall exercise all the powers of the code official during the temporary absence or disability of the code official. (Implemented: Ordinance 907 as of May 17, 1996)

PM - 105.9 Restriction of Employees: An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the Board of Appeals established under the provisions of Section

PM-111.0, shall not be engaged in, or directly or indirectly connected with, the furnishings of labor, materials or appliances for construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee engage in any work that conflicts with official duties or with the interests of the department. Exception: An official or employee connected with the administration and enforcement of city funded rehabilitation projects can engage in assisting the property owner with bid specifications, Property Maintenance Codes – Page 4 material specifications and awarding of city funded rehabilitation contracts.

PM - 105.10 Relief From Personal Responsibility: The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of building inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of the official duties in connection therewith.

PM - 105.11 Official Records: An official record shall be kept of all business and activities of the department specified in the provisions of this code, and all such records shall be open to public inspection at all appropriate times and according to reasonable rules to maintain the integrity and security of such records.

SECTION PM - 108.0 UNSAFE STRUCTURES AND EQUIPMENT

PM - 108.1 General: When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

PM - 108.1.1 Unsafe Structure: An unsafe structure means a building or structure that has one or more of the following defects or is in one or more of the follower conditions:

A. A door, aisle, passageway, stairway or other means of exit does not conform to the approved Escanaba Property Maintenance Code adopted by the City of Escanaba.

B. A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Escanaba Property Maintenance Code adopted by the City of Escanaba for a new building or structure, purpose or location.

C. A part of the building or structure is likely to fall, become detached or dislodged or collapse and insure persons or damage property.

D. A portion of the building or structure has settled to such an extent that wall or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Escanaba Property Maintenance Code adopted by the City of Escanaba.

E. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

F. The building, structure or a part of the building or structure is manifestly unsafe for the purpose for which it is used.

G. The building or structure is damaged by fire, wind or flood or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

H. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer determines is likely to cause sickness or disease, or is likely to injure the health, safety, or general welfare of people living in the dwelling.

I. A building or structure is vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

J. An unsafe structure is one that is found to be dangerous to life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or completely collapse is likely.

PM - 108.1.2 Unsafe Equipment: Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

PM - 108.1.3 Structure Unfit for Human Occupancy: A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

PM - 108.1.4 Unlawful Structure: An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

PM - 108.2 Closing of Vacant Structures: If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM - 108.3 Notice: Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section PM-107.3. The notice shall be in the form prescribed in Section PM-107.2.

PM - 108.4 Placarding: Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment, a placard bearing the word "condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

PM - 108.5 Prohibited Occupancy: Any person who shall occupy a placard premises or shall operate placard equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placard premises or operate placard equipment shall be liable for the penalties provided by this code.

PM - 108.6 Removal of Placard:

The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

SECTION PM - 109.0 EMERGENCY MEASURES

PM - 109.1 Imminent Danger: When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "Do Not Enter... Unsafe to Occupy". It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

PM - 109.2 Temporary Safeguards: Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding-up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

PM - 109.3 Closing Streets: When necessary for the public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

PM - 109.4 Emergency Repairs: For the purpose of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

PM - 109.5 Cost of Emergency Repairs: Cost incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the code official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

PM - 109.6 Hearing: Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

PM - 110.1 General: Any dwelling, rooming house or other structure covered by the provisions of this code may be condemned as unfit for human habitation or a public nuisance in that it or they are a nuisance to public health and/or safety, by the City Council. Such condemnation shall occur only after a detailed report by the code official is filed with and submitted to the City Manager with his/her recommendations to the City Council. If the City Council decides to proceed with the condemnation it shall set a date and time for a public hearing on the matter not less than four (4) weeks after the date of the meeting which it decides to proceed. The City Manager shall have the name of the owners and any interested parties determined from the property records in the office of the County Register of Deeds or the City Assessor Office. Written notice of the proposed condemnation action shall be served on the owner and any others having an interest, setting forth the date, time and place of the public hearing, a legal description of the property, a statement of the defects in the building(s) or structure(s),

and a statement of what must be done to the buildings or structures to place them in a condition so they are no longer a public nuisance to the public health and/or safety. Such notices may be served on the interested party or parties in person, or by certified mail, or if unknown or whereabouts unknown, by posting for not less than ten (10) days in two (2) conspicuous places on the buildings or structures in question.

If a property owner, by his/her own decision or in compliance with a condemnation order of the City Council, proposes to proceed with demolition of any building or structure, he/she shall apply to the Building Inspector for a demolition permit as provided for in the Uniform building Code. Such permit shall be taken out in the name of the owner of the property at the time of the condemnation proceedings. The permit shall list the name and residence address of the owner, the name of the demolition contractor if there be one, the time the property is to be cleared of the buildings and structures, both starting and completion date. The permit shall also require that the premises be cleaned up by removal of all scrap Property Maintenance Codes – Page 9 material and rubbish, and basement or other depression be filled in and the lot left clean and level. If the demolition is not to be performed by a bonded contractor, the code official may, if in his/her opinion in circumstances and conditions make it desirable so to do, require a cash deposit of not less than fifty dollars (\$50.00) or more than one thousand dollars (\$1,000), as a guarantee of the faithful performance of the terms of the demolition permit. The amount of such cash deposit shall be returned to the applicant upon completion of the work to the satisfaction of the code official. At no time will the completion date of a building or structure exceed ninety (90) days from date of condemnation.

PM - 110.2 Order: All notices and orders shall comply with Section PM-107.0.

PM - 110.3 Failure to Comply: If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be razed and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such razing and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM - 110.4 Salvage Materials: When any structure has been ordered razed and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of razing and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such surplus does not remain to be turned over, the report shall so state.

PM - 202.0 Definition "Workmanlike": Executed in a skilled manner; e.g., generally plumb, level, square, in-line, undamaged, and without marring adjacent work.

PM - 302.1 Definition "Occupant": Any person living or sleeping in a building; or having possession of a space within a building.

PM - 302.1 Definition "Operator": Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

PM - 302.1 Definition "Owner": Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PM - 302.1 Definition "Public Nuisance": Includes the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law; or
2. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
3. Any premises that has unsanitary sewerage or plumbing facilities; or
4. Any premises designated as unsafe for human habitation; or
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or
7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

PM - 302.1 Definition "Exterior Property": The open space on the premises and on adjoining property under the control of owners or operators of such premises.

PM - 302.1 Definition "Garbage": The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

PM - 302.1 Definition "Rubbish": Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

PM - 303.4 Weeds: It shall be unlawful and constitute an immediate public nuisance of the owner or owners of property within the boundaries of the City of Escanaba, to allow real property to become overgrown with weeds. Between June 1 and October 30 of each year, all platted and/or developed premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds shall be prohibited. Weeds and/or plant growth shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Exception: Unplatted and/or undeveloped properties over 2 acres in size are required to cut a 50 foot swath between the adjacent platted and/or developed premises or exterior property line/boundary. Additionally, a 50 foot swath is required on all exterior premises or exterior property with adjacent to a roadway or other public way.

PM - 306.3.2 Containers: The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, leakproof approved containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

PM - 402.1 Definition "Habitable Space": Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

CODE VIOLATIONS

PM - 108.1 General: When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code. (Implemented: Ordinance 907 as of May 17, 1996)

PM - 108.1.1 Unsafe Structure: An unsafe structure means a building or structure that has one or more of the following defects or is in one or more of the following conditions:

- A.** A door, aisle, passageway, stairway or other means of exit does not conform to the approved Escanaba Property Maintenance Code adopted by the City of Escanaba.
- B.** A portion of the building or structure is damaged by fire, wind, flood, or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Escanaba Property Maintenance Code adopted by the City of Escanaba for a new building or structure, purpose or location.
- C.** A part of the building or structure is likely to fall, become detached or dislodged or collapse and insure persons or damage property.
- D.** A portion of the building or structure has settled to such an extent that wall or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Escanaba Property Maintenance Code adopted by the City of Escanaba.
- E.** The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the support, or for other reason, is likely to partially or completely collapse or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

F. The building, structure or a part of the building or structure is manifestly unsafe for the purpose for which it is used.

G. The building or structure is damaged by fire, wind or flood or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

H. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer determines is likely to cause sickness or disease, or is likely to injure the health, safety, or general welfare of people living in the dwelling.

I. A building or structure is vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

J. An unsafe structure is one that is found to be dangerous to life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or completely collapse is likely.

REMEDY: BECAUSE THE BUILDING IS MANIFESTLY UNSAFE FOR THE PURPOSE FOR WHICH IT IS USED AND CAN BE DEFINED AS A PUBLIC NUISANCE AND BECAUSE THE BUILDING IS DETERIORATED AND DAMAGED TO A POINT THAT THE STRENGTH AND STABILITY OF THE BUILDING IS APPRECIABLY LESS THAN IT WAS BEFORE IT BECAME DELAPIDATED AND DETERIORATED AND DOES NOT MEET THE MINIMUM REQUIREMENTS OF THE ESCANABA PROPERTY MAINTENANCE CODE AS ADOPTED BY THE CITY, THE BUILDING IS GOING TO HAVE TO BE BROUGHT UP TO MINIMUM ORDINANCE STANDARDS OR DEMOLISHED AND REMOVED.

TIME LIMITATION FOR COMPLIANCE

A VIABLE BUILDING RESTORATION PLAN OF ACTION THAT OUTLINES THE IMPROVEMENTS THAT WILL BE MADE TO THE BUILDING AND WHEN THE IMPROVEMENTS WILL BE MADE MUST BE SUBMITTED TO THE CITY OF ESCANABA FOR REVIEW AND DISCUSSION NO LATER THAN DECEMBER 18, 2018, AT 12:00 P.M.

IN THE EVENT A PLAN IS NOT SUBMITTED, REVIEWED AND ACCEPTED BY DECEMBER 18, 2017, THE MATTER WILL BE BROUGHT BEFORE THE ESCANABA CITY COUNCIL AT THEIR REGULARY SCHEDULED MEETING JANUARY 3, 2019, SO THAT A CONDEMNATION HEARING CAN BE SCHEDULED BEFORE THE

COUNCIL AT THEIR REGULARY SCHEDULED MEETING FOR FEBRUARY 7, 2019. IN THE EVENT YOU ELECT TO DEMOLISH THE BUILDING ON YOUR OWN ACCORD, A DEMOLITION PERMIT MUST BE OBTAINED FROM THE CITY OF ESCANABA AND ALL WORK MUST BE COMPLETED BY JANUARY 31, 2019.

PM - 110.1 General: Any dwelling, rooming house or other structure covered by the provisions of this code may be condemned as unfit for human habitation or a public nuisance in that it or they are a nuisance to public health and/or safety, by the City Council. Such condemnation shall occur only after a detailed report by the code official is filed with and submitted to the City Manager with his/her recommendations to the City Council. If the City Council decides to proceed with the condemnation it shall set a date and time for a public hearing on the matter not less than four (4) weeks after the date of the meeting which it decides to proceed. The City Manager shall have the name of the owners and any interested parties determined from the property records in the office of the County Register of Deeds or the City Assessor Office. Written notice of the proposed condemnation action shall be served on the owner and any others having an interest, setting forth the date, time and place of the public hearing, a legal description of the property, a statement of the defects in the building(s) or structure(s), and a statement of what must be done to the buildings or structures to place them in a condition so they are no longer a public nuisance to the public health and/or safety. Such notices may be served on the interested party or parties in person, or by certified mail, or if unknown or whereabouts unknown, by posting for not less than ten (10) days in two (2) conspicuous places on the buildings or structures in question.

If a property owner, by his/her own decision or in compliance with a condemnation order of the City Council, proposes to proceed with demolition of any building or structure, he/she shall apply to the Building Inspector for a demolition permit as provided for in the Uniform building Code. Such permit shall be taken out in the name of the owner of the property at the time of the condemnation proceedings. The permit shall list the name and residence address of the owner, the name of the demolition contractor if there be one, the time the property is to be cleared of the buildings and structures, both starting and completion date. The permit shall also require that the premises be cleaned up by removal of all scrap Property Maintenance Codes – Page 9 material and rubbish, and basement or other depression be filled in and the lot left clean and level. If the demolition is not to be performed by a bonded contractor, the code official may, if in his/her opinion in circumstances and conditions make it desirable so to do, require a cash deposit of not less than fifty dollars (\$50.00) or more than one thousand dollars (\$1,000), as a guarantee of the faithful performance of the terms of the demolition permit. The amount of such cash deposit shall be returned to the applicant upon completion of the work to the satisfaction of the code official. At no time will the completion date of a building or structure exceed ninety (90) days from date of condemnation.

IMPORTANT ADMINISTRATIVE INFORMATION –
PLEASE READ CAREFULLY

PM - 106.1 Unlawful Acts: It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of

this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

PM - 106.2 Penalty: Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not more than five hundred dollars (\$500.00) or imprisonment for a term not to exceed ninety (90) days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

PM - 106.3 Prosecution: In case of any unlawful acts, the code official shall institute an appropriate action or proceeding at law to exact the penalty provided in Section PM-106.2. Also, the code official shall ask the jurisdiction's legal representative to proceed at law or in equity the person responsible for the violation for the purpose of ordering the person:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such structure;
3. To require the removal of work in violation; or
4. To prevent the occupancy of the structure that is not in compliance with the provisions of this code.

PM - 107.2 Form: Such notice prescribed in Section PM - 107.1 shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why the notice is being issued; and
4. Include a correction order allowing a reasonable time for the repairs and improvement required to bring the dwelling unit or structure into compliance with the provisions of this code.

Exception: In an owner, operator or tenant has previously received two (2) notices to abate any violation as stated in Section PM – 303.0 Exterior Property Areas within the preceding twelve (12) months, and another violation is verified, then that property will be considered in habitual violation of the ordinance and the City may abate the nuisance violation without any further notice to the property owner, operator or tenant. The cost that the City incurs in the abatement of the violation shall be actual costs thereof, plus twenty-five percent (25%) for the cost of inspection and other incidental costs in connection with the enforcement of the code and shall be recorded as a lien with the Delta County Treasurer's Office.

PM - 107.5 Transfer of Ownership: It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee, lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or

repairs required by such compliance order or notice of violation.

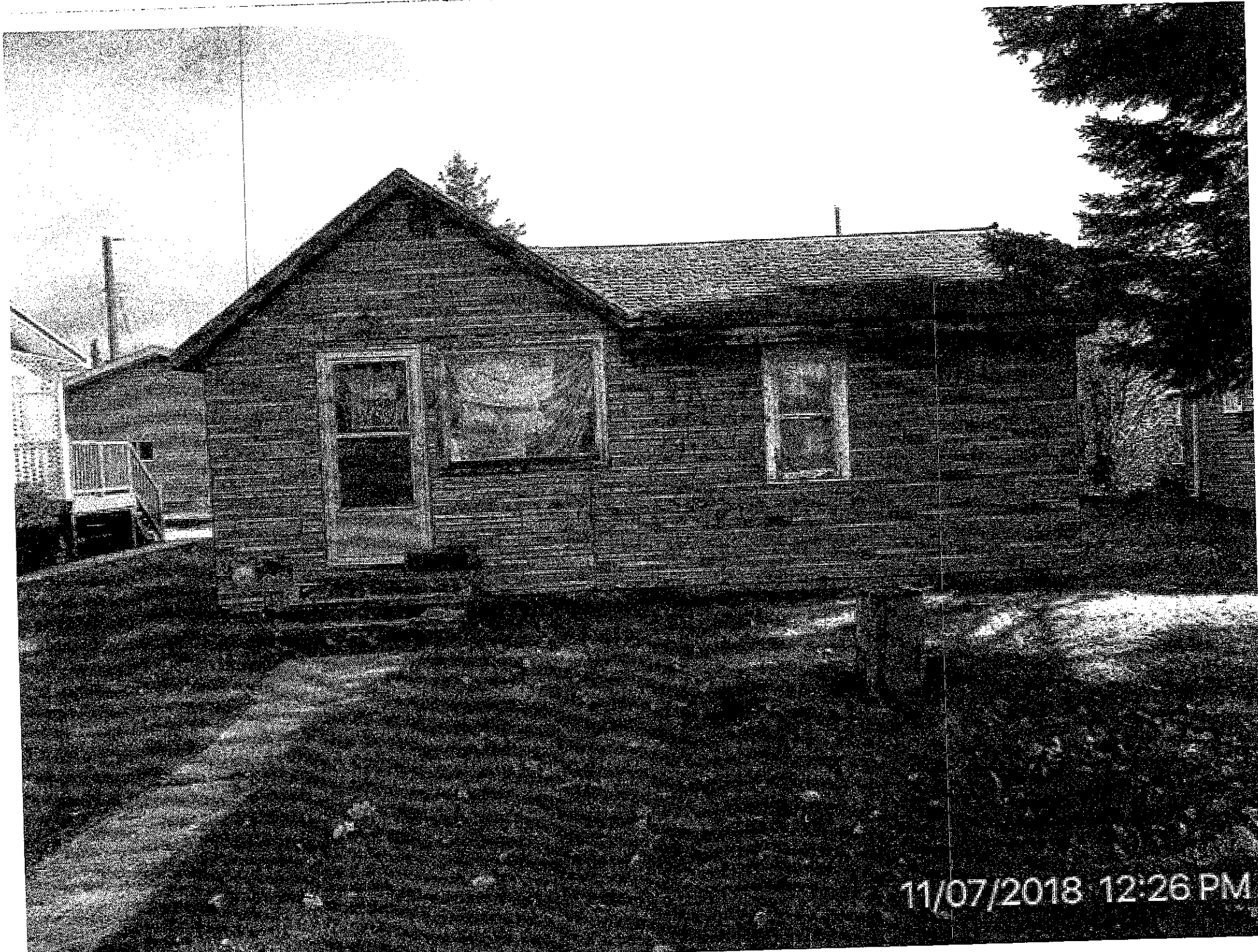
PM - 111.1 Application for Appeal: Any person affected by a decision of the code official or a notice of order issued under this code shall have the right to appeal to the Board of Zoning Appeals, provided that a written application for appeal is filed within ten (10) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the code of the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of this code are adequately satisfied by other means. The Zoning Board of Appeals shall not have the authority to alter or change this code; provided, however, that in interpreting and applying the provisions of this code, the requirement shall be the spirit and intent of the code but not the granting of a special privilege.

If you have any questions concerning this matter, please telephone me.

Sincerely,



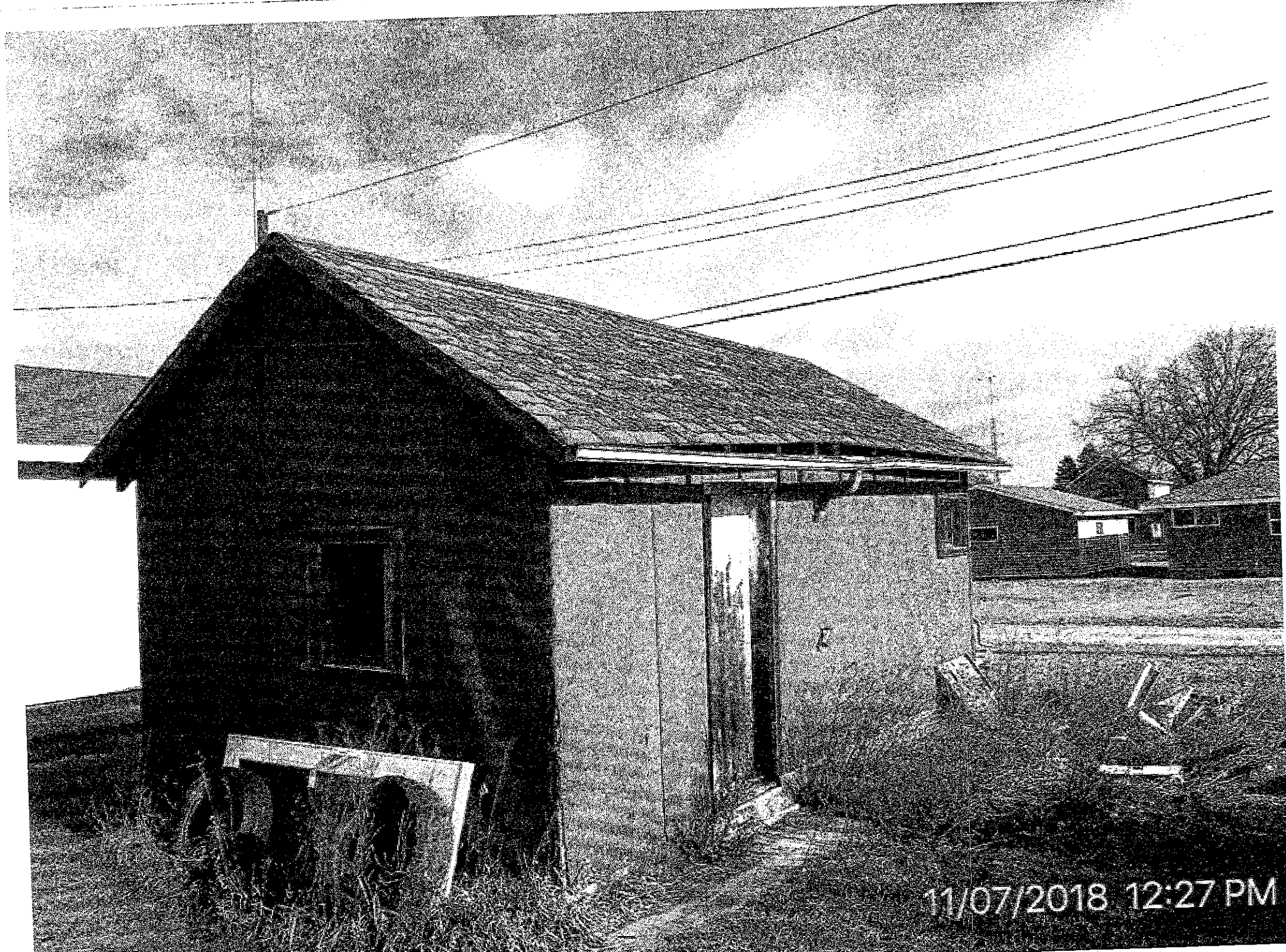
Blaine R. DeGrave
Community Preservation Department
(906) 786-9402
bdegrave@escanaba.org



11/07/2018 12:26 PM



11/07/2018 12:27



11/07/2018 12:27 PM



11/07/2048 12:28



11/07/2018 12:27 PM



Deceased

File

1608 N. 19th St

Escanaba Public Safety Department -- (906) 786-5911
1900 3rd Avenue North, Escanaba MI 49829

Incident No: 17-003693

Status: Closed

Date Reported: Tue 06/20/2017 23:14:00 Occurred Between: Tue 06/20/2017 23:14:00

Dispatch Time: 23:17:00 Arrival Time: 23:19:00 Clear Time: 00:00:00

CFS Number: 2017118827

Officers: LAFAVE, SGT Detective:

Classification: SUSPICIOUS SITUATION (Cars, Persons, Packages, etc) -- (98007)

Location: 1620 N 19TH ST, ESCANABA Section / Nbh: /

Description: SUSP SIT/PERSON Entered: CADIMPORT

Complainant: (98007 SUSPICIOUS SITUATION (Cars, Persons, Packages, etc))

STANCHINA, JEAN, ANN DOB: 05/07/1962 Age: 55
1620 N 19TH ST Phone: (906)241-5130
ESCANABA, MI 49829
Race: White Sex: Female

Complainant: (98007 SUSPICIOUS SITUATION (Cars, Persons, Packages, etc))

RICKEL, STEVEN, MICHAEL DOB: 03/21/1956 Age: 61 Soc. Sec: 381-70-4833
3241 18 TH RD Phone: (906)233-1719 (Home)
ESCANABA, MI 49829 Phone: (906)789-2772 (Home)
Ops: R240777603229 / MI Ethnicity: Unknown
Race: White Sex: Male
Height: 5.09 Weight: 190 lbs.

Subject: (98007 SUSPICIOUS SITUATION (Cars, Persons, Packages, etc))

LEVINSKI, BEN, GARY, JR DOB: 12/25/1948 Age: 68
1608 N 19TH ST Phone: (906)553-5363 (Home)
ESCANABA, MI 49829 Phone: (906)280-6096 (C)
Ops: L152085271977 / MI Ethnicity: Unknown
Race: White Sex: Male
Height: 0.00
Known Aliases: LAVINSKI, BEN
LEBINSKI, BEN

INITIAL INCIDENT

Reporting Officer: LAFAVE, SGT

DATE/TIME:

June 20, 2017/ Approximately 2314 hours.

VENUE:

1608 N 19th Street
Escanaba, MI, 49829

INFORMATION:

PSO's Chaillier, Kurtz and I were dispatched to the above venue for a possible break in. Upon arriving we met with the complainants/neighbors. They advised that Ben, the neighbor who lives at 1608 recently had a medical

Reported By: _____

Reviewed By: _____

Date Printed: 07/10/2017

issue and has not been home for a few days. They believe he was brought to the hospital in Marquette. They advised when they got home minutes ago, they noticed that the back door of his house was partially open. A light was on inside and a radio was on. This is normal they said but their concern was the open door.

As we stood at the backside of the house we could smell a nasty, strong odor coming from inside. PSO Kurtz and I made an entry to clear the house. The inside had a horrible, strong stench that was not tolerable. We quickly cleared the house. No one was inside. The house was extremely dirty, with garbage and all sorts of items stacked and piled everywhere. After looking at the door there was no sign of forced entry. It was an old, beat up door that appeared like it could not be secured very well.

Due to the horrible condition of the house this report will be forwarded to Blaine Degrave.

Sgt LaFave



SEARCH OBITUARIES



[View All](#)

Escanaba ☎ (906) 786-0074 Bark River ☎ (906) 466-2211

☰ Menu

Obituary



Ben G. Levinski, Jr.

RESIDED IN ESCANABA, MI

Died July 5th, 2017

Ben G. Levinski, Jr., 68, of Escanaba, passed away on Wednesday, July 5, 2017 at U.P. Health System – Marquette.

He was born on December 25, 1948 on Escanaba son of Ben and Pauline (Perepelka) Levinski, Sr. Ben graduated from Newberry High School in 1970.

Ben was a Merchant Marine.

Ben was previously employed as a janitor at St. Thomas Church and Andex Industries.

Ben could often be found helping at the Senior Center and enjoyed his daily walks to Vian's Market for his coffee and

Privacy

TITLE SEARCH

Prepared by:
DELTA ABSTRACT & TITLE AGENCY, INC.
201 LUDINGTON ST., P.O. BOX 585
ESCANABA MICHIGAN 49829
PHONE: (906) 786-3582 FAX: (906) 786-3581

Order No.: 736425

DESCRIPTION OF REAL ESTATE

LAND SITUATED IN THE CITY OF ESCANABA, DELTA COUNTY, MICHIGAN

Lot 10, Block 40 of I. Stephenson Co.'s Second Addition to North Escanaba, according to the plat thereof, as recorded in Liber B of Plats, Page 13, Delta County Records.

A SEARCH OF THE RECORDS OF THE DELTA COUNTY REGISTER OF DEEDS BETWEEN THE DATES OF OCTOBER 17, 1994 AT 8:00 A.M. AND DECEMBER 28, 2018 AT 8:00 A.M. DISCLOSED THE FOLLOWING:

1. DEED-----Liber 429, Page 782
2. DEED-----Liber 642, Page 292

Tax I.D.#(s): 21-051-370-2919-126-002

Examiner: DK CP

2018 Summer Tax: \$341.15
2018 Winter Tax: \$268.52
2018 Taxable Value: 9,320
2018 Homestead: 0%

Property Address: 1608 North 19th Street, Escanaba, Michigan 49829

3. Note: Tax I.D.# (s) are shown for information purposes as a courtesy and SHOULD BE VERIFIED AS TO ACCURACY.
4. Taxes through the year of 2017 are paid.
5. Taxes for the year of 2018 are Due and Payable.
6. Special Assessments and Utilities were not examined.
7. Personal Property Taxes were not examined.

8. Except any taxes which are a lien pursuant to Public Act 143 of 1995 and any other taxes and/or assessments which become a lien or become due or payable subsequent to the effective date.

Except any taxes and assessments which become due and payable, including taxes or assessments which may be added to the tax rolls or tax bill as a result of the taxing authority disallowing or revising an allowance of a tax exempt status.

MINERALS AND/OR MINERAL RIGHTS HAVE NOT BEEN RESEARCHED AND ARE NOT INCLUDED IN THIS SEARCH.

THIS IS A SEARCH AND IS NOT TO BE CONSTRUED TO INSURE OR ASSURE MARKETABILITY OF TITLE. NO GUARANTY IS GIVEN HEREIN AS TO BOUNDARY LINES, ITEMS NOT RECORDED IN THE DELTA COUNTY REGISTER OF DEEDS, INCLUDING BUT NOT LIMITED TO BANKRUPTCIES, JUDGMENTS OR COURT ACTIONS NOR ANY MATTERS APPEARING OF RECORD PRIOR TO THE CERTIFICATION DATE. THIS IS NOT TO BE USED FOR ENVIRONMENTAL SEARCH MATTERS.

LIENS RECORDED PRIOR TO THE CERTIFICATION DATE HAVE NOT BEEN CHECKED AND ARE NOT CERTIFIED HEREIN UNLESS SPECIFICALLY STATED. LIENS WITHIN THE CERTIFICATION DATE, WHICH HAVE BEEN DISCHARGED, AND TERMINATED NOTICE OF COMMENCEMENTS ARE NOT INCLUDED IN THIS SEARCH. CERTIFICATES OF FORFEITURE OF REAL PROPERTY FOR WHICH A CORRESPONDING COUNTY TREASURER REDEMPTION CERTIFICATE HAS BEEN RECORDED, ARE NOT INCLUDED IN THIS SEARCH.

ANY LIABILITY INCURRED DUE TO RELIANCE ON THIS SEARCH IS LIMITED TO THE AMOUNT PAID TO DELTA ABSTRACT & TITLE AGENCY FOR THIS SEARCH. WHEN PAYMENT IS TENDERED FOR THIS SEARCH, THE CLIENT ACKNOWLEDGES AGREEMENT WITH THE TERMS AND CONDITIONS LISTED HEREIN.

A handwritten signature in black ink, appearing to be 'D. S. S.', is written over a horizontal line.

AUTHORIZED SIGNATORY

Michigan Department of Treasury, LPS
L2370 (Rev. 4-82)

STATE TREASURER DEED
Issued under authority of Section 211.67a, MCL.

173846

On this 3rd of May, 1994, the grantor, Douglas B. Roberts, State Treasurer of the State of Michigan, by his authorized representative Donald Bengel, Administrator, Local Property Services Division, Department of Treasury, quit-claims the following described premises to the State of Michigan, whose address is, Department of Natural Resources, Real Estate Division, P.O. Box 30448, Lansing, Michigan, 48909-7848.

Title became absolute in the State of Michigan by court decree of the Circuit Court of the county named below and nonredemption from the 1993 tax sale within the statutory period. Under section 67a of P.A. 206 of 1993, as amended, the grantor, for and in consideration of the premises, conveys to the grantees, State of Michigan, the following:

DELTA County, State of Michigan

City of Escanaba SN951
ASSESSORS PLAT NO 2
Lot 5 Blk 3
21051030293148200490

City of Escanaba SN1000
STEPHENSON COS 2ND ADDITION
Lot 10 Blk 40
21051370291912600290

City of Escanaba SN1024
Town 39 North, Range 22 West Section 18
That part of the following desc parcel lying S of the N ln of Gov
Lot 3 Sec 18. Comm at the W 1/4 cor th S 89d 06m 50s E 3920.49
ft to E row ln of EALS RR th S 1d 50m 30s E alg row ln 210.10 ft
th N 84d 59m E 754.45 ft to pob th N 10d 0m E 769.92 ft th S 80d
0m E 670.0 ft th S 10d 0m W 590.00 ft th S 84d 55m W 693.81 ft to
pob. 10 Ac m or l Total 2.06 Ac in City
21051420291840009990

City of Gladstone SN1043
ORIGINAL PLAT
Lot 13, 14 Blk 16
21 052 016 013 00

Witnesses:

Kay R. Soderquist
Kay B. Soderquist
Donna Landis
Donna Landis

DOUGLAS B. ROBERTS, State Treasurer

By: Donald Bengel L.S. (Seal)
Donald Bengel

Drafted by: Deborah Hunter
Local Property Services Division
Treasury Building
Lansing, Michigan 48922

STATE OF MICHIGAN)
County of Ingham) ss

On this 12th day of September 1994, the foregoing instrument was acknowledged before me by
Donald Bengel, authorized representative of the State Treasurer.

My commission expires June 03, 1997

Deborah L. Hunter
Deborah L. Hunter - Notary Public, Ingham County, Michigan

For Register of Deeds

DELTA COUNTY
LIBER 429 PAGE 782
34 OCT 17 1994

This deed is exempt from Real Estate Transfer Tax under the provisions of Section 207.605 (4), MCL, as amended

1055 Blk 3 Assessor's Office ✓ GLB 18-39-98
1110 Blk 40 Ingham. Road
2051314 Blk 16 Orig. Plat

9



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES

No. 178667

DEED under Section 131c, Act 206, Public Acts 1891, as amended.

THIS DEED, Made this 13th day of May, 1994

BY AND BETWEEN, The DEPARTMENT OF NATURAL RESOURCES for the STATE OF MICHIGAN, by authority of Act 17, P.A. 1921, as amended, and Act 388, P.A. 1965, as amended, hereafter called "First Party," and Ben G. Levinsky, a single person
1606 North 19th Street
Escanaba, Michigan 49829

hereafter called "Second Party".

WITNESS, that the following described land was sold and bid in to the State of Michigan at the 1993 tax sale and title vested in the State of Michigan, and under the provisions of Section 131c, Act 206, Public Acts of 1891, as amended, was withheld from sale, and the Treasurer of the State of Michigan has certified to the First Party that the delinquent taxes or special assessments which had been assessed or were a lien at the time title vested in the State, together with interest and penalties thereon, have been paid.

The First Party, acting for and in behalf of the State of Michigan, by authority of Section 131c, Act 206, P.A. 1891, as amended, hereby grants, conveys, releases and quit-claims unto the Second Party, and to Second Party's heirs, successors, and assigns, all the right, title and interest acquired by the State of Michigan by virtue of the above mentioned tax sale in and to the following described land located in the county of Delta, State of Michigan.

City of Escanaba SN1000
I STEPHENSON COS 2ND ADDITION
Lot 10 Blk 40
21051370291812600290

RECORDED 17 Apr 2002
AT 9:08 o'clock AM
LIBER 642 PAGE 292
Thomas D. Kolesch
DELTA COUNTY REG. OF DEEDS

Exemption from State Transfer Tax is claimed under authority of Section 6 (h) (1), Act 255, P.A. 1994 (205.526, Compiled Laws.)
Exemption from County Real Property Transfer Fee is claimed under authority of Section 5(b), Act 134, P.A. 1986 (207.503, Compiled Laws.)

IN WITNESS WHEREOF, the First Party, by its Chief, Real Estate Division, has signed and affixed the seal of the Department of Natural Resources the day and year first above written.

Signed, Sealed and Delivered in Presence of:

Janet Griffin
Janet Griffin
Janice Childers

DEPARTMENT OF NATURAL RESOURCES
FOR THE STATE OF MICHIGAN

Rodney A. Stokes
Rodney A. Stokes, Chief
Real Estate Division

STATE OF MICHIGAN) ss.
County of Ingham

The foregoing instrument was acknowledged before me this 21st day of February, 1994
by Rodney A. Stokes, Chief, Real Estate Division
of the Department of Natural Resources for the State of Michigan.

Recorded in Liber 360 of Deeds, Page 167
(Real Estate Division Records)

Prepared by Lois A. Hinkle
DEPARTMENT OF NATURAL RESOURCES
Real Estate Division
Box 30013
Lansing, Michigan 48909

Roxanne L. Harris
Notary Public
Ingham County, Michigan

My Commission Expires February 21, 1999

LIBER 0642 PAGE 292

Brunette & Son, Inc.

5372 K.5 Road
 Escanaba, Mi 49829

Phone # (906) 789-6179

Fax # (906) 789-6118

Estimate

DATE	ESTIMATE NO.
10/31/2018	1563

NAME / ADDRESS
Blaine DeGrave City of Escanaba 410 Ludington Street Escanaba, MI 49829

PROJECT

QTY	DESCRIPTION	TOTAL
	Demolition and removal of home on 1608 N. 19th Street	7,900.00
	Price includes all utility disconnects and topsoil for restoration	
	No lead/asbestos testing/abatement in this price. Responsibility of home owner. Please provide documentation to us prior to start of project.	
	MI sales tax	0.00
We look forward to doing business with you		
	TOTAL	\$7,900.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

BEN G LEVINSKI JR ESTATE
302 S 13TH ST
ESCANABA MI 49829

1006

DATE 11/14/2018

Pay To
The Order Of

City of Escanaba

\$ 3,333.74

Thirty three hundred thirty three ⁷⁴/₁₀₀

DOLLARS

GREAT LAKES FIRST FED CREDIT UNION
Escanaba, MI 49829

Memo

demo of his home



Allen Crawford

⑆ 291472640⑆ 1851459⑆ 1006

THE BACK OF THIS DOCUMENT CONTAINS CHECK SECURITY WATERMARK AND COIN REACTIVE INK

We are holding this money in the
Jeopardy account until the home
is demolished. Once done, this will
be moved to the general fund to cover
these expenses.

NB-2
C.C 2/7/19

MEMORANDUM

January 30, 2019

TO: Patrick Jordan, City Manager
Phil DeMay, City Clerk

FROM: James McNeil, Assistant City Assessor

SUBJECT: Resolution to Waive Penalties for Non-Filing of Property Transfer Affidavits

The State Tax Commission, per MCL 211.10f, has jurisdiction to determine substantial compliance with the requirements of the General Property Tax Act. Local units of government that do not meet one or more of the minimum requirements must submit a corrective action plan detailing how and when the deficiencies will be resolved.

In 2021, the City of Escanaba will be reviewed by the State Tax Commission under the Audit of Minimum Assessing Requirements (AMAR).

Question number eight of the AMAR Review Sheet asks, "Does the local unit follow the requirements under MCL 211.27b to levy the interest and penalty for failure to file a Property Transfer Affidavit? If waived did the local unit waive the interest and penalty by resolution and is that resolution kept on file?"

The Assessing Department uses Property Transfer Affidavits to verify arm's length transactions. Valid sales are used to conduct a sales study, ultimately adjusting property values to the market.

To my knowledge, Escanaba's Assessing and Treasury Departments have never levied this penalty. The Property Transfer Affidavit is usually timely filed, and the Assessing Department makes efforts to collect any that are not filed. The amount of interest and penalty vary depending on property class. I have attached a copy of the Property Transfer Affidavit, which describes the penalty on the second page.

It is my recommendation that the City of Escanaba pass a resolution to waive penalties for non-filing of property transfer affidavits.

I would ask that this resolution be placed before the City Council at the February 21st regular council meeting.

Property Transfer Affidavit

This form is issued under authority of P.A. 415 of 1994. Filing is mandatory.

This form must be filed whenever real estate or some types of personal property are transferred (even if you are not recording a deed). **The completed Affidavit must be filed by the new owner with the assessor for the city or township where the property is located within 45 days of the transfer.** The information on this form is NOT CONFIDENTIAL.

1. Street Address of Property		2. County	3. Date of Transfer (or land contract signed)
4. Location of Real Estate (Check appropriate field and enter name in the space below.) <input type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village		5. Purchase Price of Real Estate	
		6. Seller's (Transferor) Name	
7. Property Identification Number (PIN). If you don't have a PIN, attach legal description. PIN. This number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.		8. Buyer's (Transferee) Name and Mailing Address	
		9. Buyer's (Transferee) Telephone Number	

Items 10 - 15 are optional. However, by completing them you may avoid further correspondence.

10. Type of Transfer. <u>Transfers</u> include, but are not limited to, deeds, land contracts, transfers involving trusts or wills, certain long-term leases and business interest. See page 2 for list. <input type="checkbox"/> Land Contract <input type="checkbox"/> Lease <input type="checkbox"/> Deed <input type="checkbox"/> Other (specify) _____			
11. Was property purchased from a financial institution? <input type="checkbox"/> Yes <input type="checkbox"/> No		12. Is the transfer between related persons? <input type="checkbox"/> Yes <input type="checkbox"/> No	
13. Amount of Down Payment			
14. If you financed the purchase, did you pay market rate of interest? <input type="checkbox"/> Yes <input type="checkbox"/> No		15. Amount Financed (Borrowed)	

EXEMPTIONS

Certain types of transfers are exempt from uncapping. If you believe this transfer is exempt, indicate below the type of exemption you are claiming. If you claim an exemption, your assessor may request more information to support your claim.

- Transfer from one spouse to the other spouse
- Change in ownership solely to exclude or include a spouse
- Transfer between certain family members *(see page 2)
- Transfer of that portion of a property subject to a life lease or life estate (until the life lease or life estate expires)
- Transfer between certain family members of that portion of a property after the expiration or termination of a life estate or life lease retained by transferor ** (see page 2)
- Transfer to effect the foreclosure or forfeiture of real property
- Transfer by redemption from a tax sale
- Transfer into a trust where the settlor or the settlor's spouse conveys property to the trust and is also the sole beneficiary of the trust
- Transfer resulting from a court order unless the order specifies a monetary payment
- Transfer creating or ending a joint tenancy if at least one person is an original owner of the property (or his/her spouse)
- Transfer to establish or release a security interest (collateral)
- Transfer of real estate through normal public trading of stock
- Transfer between entities under common control or among members of an affiliated group
- Transfer resulting from transactions that qualify as a tax-free reorganization under Section 368 of the Internal Revenue Code.
- Transfer of qualified agricultural property when the property remains qualified agricultural property and affidavit has been filed.
- Transfer of qualified forest property when the property remains qualified forest property and affidavit has been filed.
- Transfer of land with qualified conservation easement (land only - not improvements)
- Other, specify: _____

CERTIFICATION

I certify that the information above is true and complete to the best of my knowledge.

Printed Name		
Signature		Date
Name and title, if signer is other than the owner	Daytime Phone Number	E-mail Address

Instructions:

This form must be filed when there is a transfer of real property or one of the following types of personal property:

- Buildings on leased land.
- Leasehold improvements, as defined in MCL Section 211.8(h).
- Leasehold estates, as defined in MCL Section 211.8(i) and (j).

Transfer of ownership means the conveyance of title to or a present interest in property, including the beneficial use of the property. For complete descriptions of qualifying transfers, please refer to MCL Section 211.27a(6)(a-j).

Excerpts from Michigan Compiled Laws (MCL), Chapter 211

****Section 211.27a(7)(d):** Beginning December 31, 2014, a transfer of that portion of residential real property that had been subject to a life estate or life lease retained by the transferor resulting from expiration or termination of that life estate or life lease, if the transferee is the transferor's or transferor's spouse's mother, father, brother, sister, son, daughter, adopted son, adopted daughter, grandson, or granddaughter and the residential real property is not used for any commercial purpose following the transfer. Upon request by the department of treasury or the assessor, the transferee shall furnish proof within 30 days that the transferee meets the requirements of this subdivision. If a transferee fails to comply with a request by the department of treasury or assessor under this subdivision, that transferee is subject to a fine of \$200.00.

***Section 211.27a(7)(u):** Beginning December 31, 2014, a transfer of residential real property if the transferee is the transferor's or the transferor's spouse's mother, father, brother, sister, son, daughter, adopted son, adopted daughter, grandson, or granddaughter and the residential real property is not used for any commercial purpose following the conveyance. Upon request by the department of treasury or the assessor, the transferee shall furnish proof within 30 days that the transferee meets the requirements of this subparagraph. If a transferee fails to comply with a request by the department of treasury or assessor under this subparagraph, that transferee is subject to a fine of \$200.00.

Section 211.27a(10): "... the buyer, grantee, or other transferee of the property shall notify the appropriate assessing office in the local unit of government in which the property is located of the transfer of ownership of the property within 45 days of the transfer of ownership, on a form prescribed by the state tax commission that states the parties to the transfer, the date of the transfer, the actual consideration for the transfer, and the property's parcel identification number or legal description."

Section 211.27(5): "Except as otherwise provided in subsection (6), the purchase price paid in a transfer of property is not the presumptive true cash value of the property transferred. In determining the true cash value of transferred property, an assessing officer shall assess that property using the same valuation method used to value all other property of that same classification in the assessing jurisdiction."

Penalties:

Section 211.27b(1): "If the buyer, grantee, or other transferee in the immediately preceding transfer of ownership of property does not notify the appropriate assessing office as required by section 27a(10), the property's taxable value shall be adjusted under section 27a(3) and all of the following shall be levied:

- (a) Any additional taxes that would have been levied if the transfer of ownership had been recorded as required under this act from the date of transfer.
- (b) Interest and penalty from the date the tax would have been originally levied.
- (c) For property classified under section 34c as either industrial real property or commercial real property, a penalty in the following amount:
 - (i) Except as otherwise provided in subparagraph (ii), if the sale price of the property transferred is \$100,000,000.00 or less, \$20.00 per day for each separate failure beginning after the 45 days have elapsed, up to a maximum of \$1,000.00.
 - (ii) If the sale price of the property transferred is more than \$100,000,000.00, \$20,000.00 after the 45 days have elapsed.
- (d) For real property other than real property classified under section 34c as industrial real property or commercial real property, a penalty of \$5.00 per day for each separate failure beginning after the 45 days have elapsed, up to a maximum of \$200.00.

Excerpt of the minutes of a regular meeting of the Escanaba City Council held on February 7, 2019 at the City Hall, 410 Ludington Street, Escanaba, MI, at 7:00 p.m.

Present: Mayor Marc D. Tall, Council Members, Ronald J. Beauchamp, Ralph B. Blasier, Michael R. Sattem and Peggy O. Schumann

Absent: None

NB-2 "By Council Member _____, seconded by Council Member _____ ;

RESOLUTION

Waive Penalties for Non-Filing of Property Transfer Affidavits under MCL 211.27b

WHEREAS, MCL 211.27a(10) requires the buyer, grantee, or other transferee of the property shall notify the appropriate assessing office in the local unit of government in which the property is located of the transfer of ownership of the property within 45 days of the transfer of ownership, on a form prescribed by the state tax commission that states the parties to the transfer, the date of the transfer, the actual consideration for the transfer, and the property's parcel identification number or legal description and

WHEREAS, MCL 211.27b(1) requires that if the buyer, grantee, or other transferee in the immediately preceding transfer of ownership of property do not notify the appropriate assessing office of the transfer, then penalties as described in MCL 211.27b(1)(c) or (d) are levied and

WHEREAS, MCL 211.27b(5) provides that the governing body of a local tax collecting unit may waive, by resolution, the penalty levied under MCL 211.27b(1)(c) or (d).

NOW THEREFORE BE IT RESOLVED that the City of Escanaba waives the penalty for failure to file the Property Transfer Affidavit following a transfer of ownership pursuant to the local unit's authority contained in MCL 211.27b.

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

Ayes:

Nays:

RESOLUTION DECLARED ADOPTED."

I the undersigned, being duly qualified and acting City Clerk of the City of Escanaba, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Escanaba City Council and the City of Escanaba, County of Delta, Michigan, at a regular City Council Meeting held on Thursday, February 2, 2019, and that said meeting was conducted and public notice was given pursuant to and in full compliance with the Open Meeting Act, Act 267, Public Acts of Michigan, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Phil DeMay, City Clerk

MEMORANDUM

To: Patrick Jordan

From: Mike Furmanski *MF*

Date: 31JAN19

Re: Tree Trimming Bid Recommendation

On January 29, 2019, the Electric Department received bids for tree trimming near our power lines in various locations on our system. The bid request included some defined areas that were to be bid on a lump-sum basis and hourly rates. The bid was advertised on facebook, the City website and the newspaper and 2 bids were received. Both bidders that submitted a bid are qualified to do this type of work.

The lump-sum bid and hourly rates submitted by the bidding contractors were as follows:

Bidder	Bugle Contracting	Klee Logging and Tree Service
Defined locations	\$14,000	\$20,500
Hourly - 2 man crew	\$107	\$120

I am recommending accepting the bid from Bugle Contracting of Cornell, MI for a not to exceed amount of \$25,000. There is \$25,000 in the current budget for a tree trimming contractor. The bid noted that this contract could have a total value of \$25,000.

NOTICE TO BIDDERS

Sealed bids will be received by the City of Escanaba at the office of the City Clerk, on or before 2:00 p.m. - local time - on January 29, 2019.

Request for Proposal – Line Clearing and Tree Trimming Services

The bids will be publicly opened and read in the City Clerk's Office at said time and date.

Bidder's proposals and/or specifications may be obtained from the office of the City Clerk, located at 410 Ludington Street, Escanaba, Michigan 49829. No bid will be considered unless the proposal is enclosed in a sealed envelope marked:

Request for Proposal – Line Clearing and Tree Trimming Services

In addition, the City of Escanaba, Michigan, will not consider any proposal which has not been received prior to the published time, date and year of bid opening. FAX transmittals will not be accepted.

A certified check, cashier's check, or Bidder's Bond, drawn payable - without condition - to the City of Escanaba, Michigan, in an amount not less than \$1,000 will be submitted with each proposal as a guarantee that if the bid is accepted, the bidder will furnish materials or services as stated in his/her proposal. On failure of the successful bidder to fulfill the conditions of his/her proposal, he/she shall forfeit said deposit to the City of Escanaba, Michigan, as liquidated damages. The acceptance of the proposal will be contingent upon the bidder's acceptance of this provision.

The City of Escanaba, Michigan, reserves the right to reject any or all bids, or any part thereof, at its discretion and to waive any irregularities in the bidding. The City of Escanaba, Michigan, may also split bids at its discretion. The City further reserves the right to negotiate directly with any and all bidders concerning any matter related to any bid.

All City of Escanaba, Michigan, bids are prepared so as to afford all vendors the equal opportunity for fair and equitable competition. The City of Escanaba, Michigan, assumes no liability or responsibility for any errors or oversights in the preparation and/or publication of bids.

Any questions concerning this bid should be directed to the City of Escanaba Electric Superintendent, Mike Furmanski @ (906) 786-0061 or mfurmanski@escanaba.org.

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Instructions to Bidders

1. Scope of the Bid

- 1.1 The City of Escanaba, Michigan invites bids for **Line Clearing and Tree Trimming Services** hereto referred as **"Work"**. The Work is specified in greater details later in this document.

2. Eligible Bidders

- 2.1 This Invitation for Bids is open both to both local and national (United States of America) bidders.
2.2 All City of Escanaba, Michigan bids are prepared to afford all vendors the equal opportunity for fair and equitable competition.
2.3 Bidders must submit, as an integral part of their Official Bid, any and all applicable required documents or forms contained within the bid request.
2.4 The City of Escanaba, Michigan reserves the right to ask the Bidders to submit additional documents to enable The City of Escanaba, Michigan to fully evaluate the eligibility of the bidder.

3. Corrupt, Fraudulent, Collusive, and Coercive Practices

- 3.1 The City of Escanaba, Michigan requires that all bidders, manufacturers, contractors, or distributors observe the highest standard of ethics during procurement and execution of all contracts. The City of Escanaba, Michigan shall reject any Bids put forward by Bidders or, where applicable, terminate their contract if it is determined that they have engaged in corrupt, fraudulent, collusive, or coercive practices. In pursuance of this document, the City of Escanaba, Michigan, defines, for the purposes of this provision, the terms set forth below as follows:
- a. "corrupt practice" means the offering, giving, receiving, or soliciting directly or indirectly any thing of value to influence the action of the Procuring/Contracting Entity in the procurement process or in contract execution;
 - b. "fraudulent practice" is any acts or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, the Procuring/Contracting Entity in the procurement process or the execution of a contract, to obtain a financial gain or other benefit to avoid obligation;
 - c. "collusive practice" is an undisclosed arrangement between two or more Bidders designed to artificially alter the results of the tender procedure to obtain a financial gain or benefit;
 - d. "coercive practice" is impairing or harming, or threatening to impair or harm, directly or indirectly, any participant in the tender process to influence improperly its activities in a procurement process, or after the execution of a contract.
- 3.2 The City of Escanaba, Michigan will reject a proposal for award if it determines that the Bidder recommended for award has engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the contract in question.

4. Content of the Bidding Document

- 4.1 The following documents shall comprise the Official Bidding Documents (hereinafter referred to as the "Documents")
- a. Invitation to Bid
 - b. Instruction to Bid
 - c. Technical Specifications
 - d. Bid Form & Official Bid Template

- 4.2 Bidders are expected to fully read and examine the contents of all the documents comprising the Official Bidding Documents and must fully comply with all the requirements set forth in the Documents. The City of Escanaba, Michigan reserves the right to reject any or all bids that do not comply with any provision in the "Documents".

5. Clarification of the Bidding Documents

- 5.1 All clarification regarding any provision/item in the bidding document should be sent by e-mail to cityelectric@escanaba.org. The City of Escanaba, Michigan will respond by e-mail or phone to requests for clarification received not later than 2 days before the deadline of the submission to bids. The City of Escanaba, Michigan may circulate to all bidders, the questions/clarification request and its answers. Additionally, Bidders should include contact email addresses in the event that the City of Escanaba wishes to release additional details to clarify the Bidding Documents further.

6. Amendments to the Bidding Documents

- 6.1 At any time prior to the deadline for submission of bids, the City of Escanaba, Michigan, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, may modify the bidding documents by amendment.
- 6.2 All prospective bidders that have received the bidding documents will be notified of the amendment in writing and will be binding to them.
- 6.3 In order to allow prospective bidders reasonable time in which to take the amendment into account in preparing their bids, the City of Escanaba, Michigan, at its discretion, may extend the deadline for the submission of bids.

7. Cost of the Bidding

- 7.1 Bidders shall bear all costs associated with the preparation and submission of their bid. The City of Escanaba, Michigan shall not bear any responsibility and shall not be held liable for any cost the Bidders may incur while preparing their bid, regardless of the final outcome of the bidding process.

8. Period of Validity of the Bids

- 8.1 Bids shall remain valid for a period of at least 30 days from the date of bid opening prescribed in this document. The City of Escanaba, Michigan reserves the right to reject any or all bids that do not comply with this requirement.
- 8.2 In exceptional circumstances, prior to expiry of the bid validity, the City of Escanaba, Michigan may request that the bidders extend the period of validity for a specified additional period of 15 days. The request and the bidders' responses shall be made via e-mail or in writing.

9. Submission of the Bids & Use of Official Bid Template

- 9.1 Bidders shall be provided with a hard copy of the Official Bid Template of this project. Additionally, a soft copy will be made available on the City of Escanaba website, www.escanaba.org. Bidders should use the Official Bid Template when preparing their bids in order to avoid errors or miscalculations.
- 9.2 Bidders should submit their official bids using the official bid template, and must be signed by their authorized representative or stamped by the company's official seal. Additional submission information shall be included as an attachment to the Documents.

10. Clarification of the Bids

- 10.1 During the evaluation of the bids, the City of Escanaba, Michigan may, at its discretion, ask the Bidder for a clarification of its bid. The request for clarification and the response shall be in writing or e-mail.
- 10.2 Any effort by a bidder to influence the City of Escanaba, Michigan in its decisions on bid evaluation, bid comparison, or contract award may result in the rejection of the Bidder's bid.

11. Bids Evaluation

- 11.1 The City of Escanaba, Michigan shall conduct a technical evaluation of the bids received and forward the result of their technical evaluation to the Escanaba City Council.
- 11.2 The Council shall then convene and evaluate the bids received and the technical evaluation result prepared by the City of Escanaba, Michigan. The Council shall determine the bid that is most favorable to the City of Escanaba, Michigan and shall submit its recommendation to the City.
- 11.3 Bids shall be evaluated using the following factors:
- Prices offered
 - Schedule
 - Payment Terms
 - Technical Compliance of the Work
- 11.4 The City of Escanaba, Michigan reserves the right to accept or reject any or all bids, and to annul the bidding process any time prior to contract award, without thereby incurring any liability to the affected bidders or any obligation to inform the affected bidders of the grounds for the City of Escanaba, Michigan's action.

12. Notification of Award and Performance Guarantee

- 12.1 The City of Escanaba, Michigan shall contact winning Bidder via phone and e-mail which will serve as the confirmation for the Bidder to start working on fulfilling his contractual obligation under the agreement.
- 12.2 The winning Bidder may be required to provide the City of Escanaba, Michigan a performance security/bond. The details of any bond are included with the Documents of the Bid. The City of Escanaba, Michigan reserves the right to reject the Bid in the case that the Bidder fails to submit the required performance security/bond.

13. Purchaser's Right to Alter the Quantity of the Requirement

- 13.1 The City of Escanaba, Michigan reserves the right at any time of the time of contract award, to increase or decrease the quantity of materials in the bid.

Work Specifications

The purpose of these specifications is to provide requirements for the trimming and removal of trees and brush in close proximity to energized distribution power lines owned by the City of Escanaba Electric Department, located on both public right-of-way and private property. All work performed by the Contractor is subject to inspection and approval by the City of Escanaba Electric Department. The contractor will be responsible for all damages to private property.

We are requesting hourly rates for this bid. These prices are to be all-inclusive and include supervisory costs.

Further detail pertaining to the Contractor's responsibilities and scope of Work are contained in the Technical Specifications section and attached appendices.

Safety

The Contractor shall comply with all pertinent federal, state, and local laws, rules, and regulations in regards to work performed for the City of Escanaba Electric Department. All lifts and other equipment used near energized lines must have passed a recent dielectric test. All tools used near energized lines must be insulated.

The Contractor must notify the City of Escanaba Electric Department immediately of any and all contacts with primary conductors.

Technical Specifications

The Work shall include furnishing of all labor, materials, and construction equipment necessary for the following details unless otherwise noted.

In general, the Contractor is to trim or remove (if possible) only tall growing tree species. Shrubs and low growing trees or dwarf tree specie should not be cut. Most fruit trees, mountain ash, etc., are examples of tree species that are exempt from cutting. Viburnum, sumac, dogwood, autumn olive, thorn apple, etc., are examples of shrubs which should not be cut.

All tall growing trees and brush shall be cut or trimmed to give a 7' minimum clearance from primary wires on three phase circuits, a 5' clearance from primary wires on single phase circuits, and a 5' minimum clearance from secondary wires, unless unable to obtain necessary permission to do so. Trimming shall eliminate any growth that is capable of hanging down and contacting the primary conductor for several years' growth. The stumps of all trees cut down shall be cut flush with the surrounding ground.

All danger trees and dead limbs which jeopardize primary conductors shall be removed, irrespective of their location to the ROW.

All trimming shall utilize drop crotch pruning techniques. Furthermore, directional pruning shall be used to the maximum extent possible.

The Contractor shall provide all necessary signage as required for working along the roadways. The Contractor must supply all workers with the required PPE. The Contractor is responsible for the removal of all debris on their worksite.

All brush, wood, and chips shall be removed from the ROW and hauled to the compost site adjacent to the Delta County Landfill. All marketable wood must be left for the property owner. All marketable wood left for the property owner shall be cut into 100" lengths and piled neatly along the edge of the ROW. If the property owner instructs the Contractor to remove marketable wood, the Contractor shall remove it. If the Contractor is able to secure an alternate site for brush, wood, and chip disposal, that is also acceptable.

Special Work Considerations

All clearing work is to take place between the hours of 7:30am and 4:00pm on weekdays that are not recognized as holidays.

The breaker feeding the circuit being worked on must be set to "one-shot" before work is started each day. The breaker must be set back to "normal" at the end of each work day.

The person who knows the location and work schedule of the Contractor's crews needs to report work location daily to the City of Escanaba Electric Department and be readily accessible by phone, radio, or pager.

The Contractor must supply a list of references with contact names and phone numbers. This list must be for work performed on energized power lines and include the dollar amounts of said contracts.

The City of Escanaba Electric Department reserves the right to reject any and all equipment owned by the contractor. The City of Escanaba Electric Department reserves the right to terminate the contract at any time for unsafe work practices.

Notifications

In an effort to minimize adverse reaction from City of Escanaba Electric Department's customers and other property owners, an effort shall be made to notify every property owner in person, by phone, or by mail before clearing work is started on their property. Notification shall provide sufficient detail regarding the nature and extent of the work to be done on their property. In the event that the owner reaction to the intended work will not permit these specifications to be followed, the Contractor is to notify the City of Escanaba Electric Department before doing any work on that property.

The City of Escanaba Electric Department will provide to the Contractor a list of all active customers with phone numbers and addresses on the circuits to be worked on. The Contractor shall maintain sufficient records to be able to document date of contact, means of contact, and person contacted. The Contractor must also document those properties where the owners could not be located or contacted.

In addition to the above, a crew representative shall attempt to announce their presence just before starting work when working in yard areas.

Schedule

The Contractor shall be expected to commence Work as soon as available or as directed by the City of Escanaba. The latest anticipated completion date for the work is June 15th, 2015 and no additional work shall occur beyond that date unless authorized by the City of Escanaba.

Requirements Prior to Start of Construction

The Contractor must meet certain requirements set by the City of Escanaba before starting any part of the Work outlined in this Document. Please see Appendix A: Insurance for the necessary forms and/or procedures to meet the requirements for this Work.

Please contact Michael Furmanski with any questions pertaining to these bld specifications.

Michael Furmanski
Electric Superintendent

City of Escanaba
Electric Department
1711 Sheridan Rd.
Escanaba, MI 49829
mfurmanski@escanaba.org
Office: 906-786-0061
Fax: 906-786-0791

Official Bidder's Proposal

Date: _____

City of Escanaba
Escanaba, MI 49829

NOTE: The total contract is limited to \$25,000.

We, the undersigned, agree to furnish all labor, materials, and construction equipment necessary for completion of contracted Work in accordance with the attached minimum specifications, which are part of this proposal, at the following price(s):

Lump Sum for defined locations

Northeast of Intersection of 29th Ave North and North 28th Street – several dead trees. \$ _____

Lakeshore Drive from just north of the intersection with 20th Ave South to 2520 Lakeshore Drive including behind the 2520 address. \$ _____

Holy Cross Cemetary, 3026 Lakeshore Drive (south of the airport) – from the highway to the dead end pole on the cemetery property. \$ _____

Between E4601 Highway M35 and E4665 Highway M35 Just north of Meister's Party Store along the highway and the single phase run to the campground south of Meister's Party Store. \$ _____

Ford River Water Tower Feed from Highway M35 to the dead end pole - Brush it to the ground. \$ _____

Hourly Rates for Trimming

Two (2) man crew with 55' working height bucket truck, chipper, pickup truck, and all necessary equipment on the job, including, but not limited to: signage, ropes, climbing equipment, saws, fuels, lube, etc. \$ _____ / hour

Soonest Available Start Date: _____

CERTIFIED CHECK, CASHIER'S CHECK, OR BIDDER'S BOND ENCLOSED IN THE AMOUNT OF:

\$ _____
(Must be included to qualify)

1/29/2019

SUBMITTED BY:

FIRM: _____

ADDRESS: _____

NAME (PRINT): _____

SIGNED: _____

TITLE: _____

PHONE: _____

Appendix A: Insurance

The selected contractor shall provide the City of Escanaba with the following evidence of insurance before the commencement of the work:

Workers Compensation

Coverage A	Statutory – Michigan
Coverage B	\$100,000

Comprehensive General Liability

Bodily Injury	\$1,000,000 Combined Single Limits (minimum)
Property Damage	\$1,000,000 Combined Single Limits (minimum)

Comprehensive Auto Liability

Auto Liability	\$1,000,000 Combined Single Limits (minimum)
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The City of Escanaba shall be named as "additional insured" on all certificates. All policies affording coverage under the insurance requirements shall further be endorsed to provide a ten (10) day notice to be delivered to the City of Escanaba before any coverage is either reduced or cancelled.

The Contractor shall furnish Performance and Payment Bonds, each in an amount at least equal to the contract price as security for the faithful performance and payment of all Contractor's obligations under the contract. These bonds shall remain in effect at least until 6 months after the final payment

CITY OF ESCANABA
 RECORD OF BIDS

DATE BIDS OPENED: 01/29/19
 DESCRIPTION OF ITEM: Line Clearing and Tree Trimming Services

NAME OF BIDDER	Hourly Rate (or \$/hr) Two (2) man crew	Northwest of Intersection of 25th Ave North and North 28th Street, several lead trees	Lakeshore Drive from the north of the intersection with 20th Ave South to 2520 Lakeshore Drive Including behind 2520 address	Holy Cross Cemetery, 3024 Lakeshore Drive (equidistant the airport) from the highway to the dead end pole on the cemetery property	Between Elm, Hwy 113 and 4555 Hwy 113 just N of Meisler's Party Store along the Hwy and the cemetery	Ford River Water Tower Feed from Highway 113 to the tower, along the road and pole. Brush to the ground	Shonest Available Start Date	Bond Type Certified Check
Klee Logging	107 107/hr	1,600	1,400	5,000	4,500	8,000	2-4-19	Check
Bugle Contracting	107/hr	2,000	3,800	3,000	3,600	2,600	2-11-19	Check

PRESENT
[Signature] Michel Puhk

2019 Line Clearance Tree Trimming

	Klee Logging	Bugle Contracting
Northeast of intersection of 29th Ave North and North 28th Street – several dead trees.	\$1,600.00	\$2,000.00
Lakeshore Drive from just north of the intersection with 20th Ave South to 2520 Lakeshore Drive including behind the 2520 address.	\$1,400.00	\$3,800.00
Holy Cross Cemetary, 3026 Lakeshore Drive (south of the airport) – from the highway to the dead end pole on the cemetery property.	\$5,000.00	\$2,000.00
Between E4601 Highway M35 and E4665 Highway M35 Just north of Meister’s Party Store along the highway and the single phase run to the campground south of Meister’s Party Store.	\$4,500.00	\$3,600.00
Ford River Water Tower Feed from Highway M35 to the dead end pole - Brush it to the ground.	\$8,000.00	\$2,600.00
Total:	\$20,500.00	\$14,000.00
Two (2) man crew with 55’ working height bucket truck, chipper, pickup truck, and all necessary equipment on the job, including, but not limited to: signage, ropes, climbing equipment, saws, fuels, lube, etc.	\$120/hr	\$107/hr

1/15/2019

Official Bidder's Proposal

Date: 1-28-19

City of Escanaba
Escanaba, MI 49829

NOTE: The total contract is limited to \$25,000.

We, the undersigned, agree to furnish all labor, materials, and construction equipment necessary for completion of contracted Work in accordance with the attached minimum specifications, which are part of this proposal, at the following price(s):

Lump Sum for defined locations

Northeast of Intersection of 29th Ave North and North
28th Street – several dead trees. 8 trees \$ 2000.00

Lakeshore Drive from just north of the intersection with
20th Ave South to 2520 Lakeshore Drive including behind
the 2520 address. \$ 3800.00

Holy Cross Cemetary, 3026 Lakeshore Drive
(south of the airport) – from the highway to the dead
end pole on the cemetery property. \$ 2000.00

Between E4601 Highway M35 and E4665 Highway M35
Just north of Meister's Party Store along the highway and
the single phase run to the campground south of Meister's
Party Store. \$ 3600.00

Ford River Water Tower Feed from Highway M35 to the
dead end pole - Brush it to the ground. \$ 2600.00

Hourly Rates for Trimming

Two (2) man crew with 55' working height bucket truck,
chipper, pickup truck, and all necessary equipment
on the job, including, but not limited to: signage, ropes,
climbing equipment, saws, fuels, lube, etc. \$ 107.00 hour

Soonest Available Start Date: 2-11-19

CERTIFIED CHECK, CASHIER'S CHECK, OR BIDDER'S BOND ENCLOSED IN THE AMOUNT OF:

\$ 1400.00
(Must be included to qualify)

1/15/2019

SUBMITTED BY:

FIRM: Bugle Contracting

ADDRESS: 11880 County 426 E Road
Cornell MI 49818

NAME (PRINT): Ron Sanville

SIGNED: Ron Sanville

TITLE: Supervisor

PHONE: (906) 280-0001

1/15/2019

Official Bidder's Proposal

Date: 1-29-19

City of Escanaba
Escanaba, MI 49829

NOTE: The total contract is limited to \$25,000.

We, the undersigned, agree to furnish all labor, materials, and construction equipment necessary for completion of contracted Work in accordance with the attached minimum specifications, which are part of this proposal, at the following price(s):

Lump Sum for defined locations

Northeast of intersection of 29th Ave North and North 28th Street – several dead trees. \$ 1600

Lakeshore Drive from just north of the intersection with 20th Ave South to 2520 Lakeshore Drive including behind the 2520 address. \$ 1400

Holy Cross Cemetary, 3026 Lakeshore Drive (south of the airport) – from the highway to the dead end pole on the cemetery property. \$ 5,000

Between E4601 Highway M35 and E4665 Highway M35 Just north of Meister's Party Store along the highway and the single phase run to the campground south of Meister's Party Store. \$ 4500

Ford River Water Tower Feed from Highway M35 to the dead end pole - Brush it to the ground. \$ 8000

Hourly Rates for Trimming

Two (2) man crew with 55' working height bucket truck, chipper, pickup truck, and all necessary equipment on the job, including, but not limited to: signage, ropes, climbing equipment, saws, fuels, lube, etc. \$ 120 / hour

Soonest Available Start Date: 2-4-19

\$ 20,500 total

CERTIFIED CHECK, CASHIER'S CHECK, OR BIDDER'S BOND ENCLOSED IN THE AMOUNT OF:

\$ 1,000
(Must be included to qualify)

1/15/2019

SUBMITTED BY:

FIRM:

ADDRESS:

NAME (PRINT):

SIGNED:

TITLE:

PHONE:

Klee Logging & Tree Service

117012 Bellefleur

Case D3

Wilson MI 49894

Spencer Klee

Spencer Klee

Owner

906 280 2906

NB - 24
C.C 2/7/19

-----Original Message-----

From: "Patrick Jordan" <pjordan@escanaba.org>

To: "Council Mailing List" <council@escanaba.org>, "ralph@blasier.org" <ralph@blasier.org>, "positivelysuccess@gmail.com" <positivelysuccess@gmail.com>

Cc: "Bob Valentine" <bvalentine@escanaba.org>

Date: Fri, 30 Nov 2018 14:26:52 -0500

Subject: [council] Assistant Assessor

Today, Bob Valentine and I interviewed Jimmy McNeil for the Assistant Assessor position. He was the only candidate with a Level 2 Assessor's certification. He will be done with his bachelor's degree in Accounting and Finance in late April, early May. He will be done with his Level 3 Assessor's cert in August at the latest but as early as April, depending upon when the teacher offers the class.

My plan is to make Jimmy an offer of employment. The sooner the better, as Kevin has vacation time coming soon and the March Board of Review is looming soon after his vacation time. The plan is to get Jimmy immersed in our Assessing department, working with Kevin before he leaves for vacation and retirement, and get moving on the mandatory requirement of physically visiting and valuing each property in every class every 5 years, a goal that we are very behind on. Jimmy can begin immediately.

Thank you

Patrick

Discussion/Update – United Impact Group, LLC FOIA

The City Manager Jordan gave an update concerning the United Impact Group, LLC FOIA request.

City Manager Jordan stated there is nothing new to report and the City has not received a check from the United Impact Group, LLC.

NB-7 Blasier moved, Schumann seconded, to table this agenda item regarding the United Impact Group, LLC FOIA, until City Attorney Ralph Peterson can be present at the next Council Meeting.

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

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

MOTION CARRIED.

Discussion – Reaffirmation of Supervisory Duties Delegated to the City Manager.

A discussion took place concerning the supervisory duties delegated to the City Manager.

Mayor Tall stated for many years the Manager has been the supervisor for the Assessor and the Clerk and the way that it has been done worked and should continue to work. Mayor Tall stated this item is on the agenda to reaffirm that or state a change.

City Manager Jordan stated a job description is being put together for a Level 2 Assistant Assessor and hopefully has significant progress working towards their Level 3.

Manager Jordan is asking for direction on how to handle the hiring of an Assistant Assessor.

In the past, an Assistant Assessor was interviewed by the Assessor, Manager, and Human Resources Director, but City Charter states City Council hires an Assistant Assessor. Manager Jordan suggested to let the hiring process be as it has been in the past for hiring an Assistant Assessor and if they find a Level 3 Assessor, City Council will do the hiring.

NB-8 Beauchamp moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to have the Manager, Human Resources Director and the Assessor take care of the hiring process of a Level 2 Assistant Assessor, also to provide Council with documentation of the job postings, job description, resumes and applicants that will be interviewed.

NB 5
2/7/19

MEMORANDUM

Date: February 6, 2019
To: Patrick S. Jordan, Manager
Phil DeMay, City Clerk
From: James McNeil, Assessing Office
Subject: Agenda Item Request
February 7, 2019 Meeting

Please place the following on the February 7, 2019 council agenda:

Request to set February 21, 2019 as a public hearing date to:

1. Establish Obsolete Properties Rehabilitation District No. 26 for property at 1601 Ludington Street, which includes commercial leasehold space on the ground floor and nine apartments on the upper floor. The building, formerly known as "Richter Brewery", was built in 1900, and is on the National Register of Historic Places. The owner has requested the district and plans to work with a local architect and engineer to reduce the environmental footprint of the building while maintaining the architectural integrity of the building.

The public hearing will allow the establishment of District 26, and allow the property owner to apply for an OPRA exemption later. Attached are copies of background information for this property. Once the district is established, the property owner may begin the rehabilitation process.



1121 Lake Shore Drive

Escanaba, Michigan 49829

(906) 786-3412

February 6, 2019

Patrick Jordan
City of Escanaba
PO Box 948
Escanaba, MI 49829

Dear Patrick,

This letter is to request an Obsolete Properties Rehabilitation District for the properties at 1601 Ludington St., Escanaba, MI be established.

This property will be completely rehabilitated according to The Secretary of the Interior's standards for the treatment of historic properties. Like The Lofts on Ludington, The Flats on Ludington will be a premier residential location in Delta County, offering the newest amenities and features in a contemporary setting on Ludington Street in downtown Escanaba. Located at 1601 Ludington Street, the building known to many as the "Richter Brewery" has been listed on the National Register of Historic Places as the Richter Brewing Administration Building. It is our goal to continue to breathe new life into downtown through the renovation and rejuvenation of this historic landmark. We are committed to this community, and with this project, The Flats on Ludington, we'd like to help the community move forward. Through the creation of a new option for living, we hope to meet the needs of current residents, as well as attract the attention of people exploring the area as an option for relocation. The Ludington Street ground floor space of this project is designated as commercial leasehold, guaranteeing at least 7 full time jobs.

The renovation and historic maintenance of this structure is the highest form of recycling. The rehabilitation of historic buildings keeps people in their traditional neighborhoods and downtowns, intensifies the use of existing infrastructure, halts sprawl, keeps construction waste out of Michigan landfills, and is one of the most responsible things one can do to conserve energy. We will also take the lead in recycling and reusing materials from the building to maintain its architectural integrity, as well as minimizing the environmental impact of the development and existence of these flats. We are working with a local architect and engineer to create the most environmentally friendly footprint possible.

- The windows will be replaced with energy efficient thermo-pane units as per National Park Service guidelines.
- The apartment units will feature Energy Star appliances, low flow toilets, water saving shower heads and faucets, and compact florescent light bulbs.

The 9 apartments and commercial leasehold space created with this new project are not only meant to provide a new foundation for living in Escanaba, but it will help to lay the groundwork for future growth in our city and prove to be a testing ground for the latest in sustainable design.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew D. Sviland', written in a cursive style.

Matthew D. Sviland
President, Swanee, Inc.
swaneeinc@gmail.com

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
MARVIC	BAY DE NOC DEV	170,000	11/07/2002	WD	WD	674/10		0.0

Property Address	Class: COMMERCIAL, 201	Zoning:	Building Permit(s)	Date	Number	Status
1601 LUDINGTON ST	School: Escanaba Schools 21010			11/30/1993	6418	
Owner's Name/Address	P.R.E. 0%					
BAY DE NOC DEV LLC PO BOX 278 ESCANABA MI 49829-0278	Map #:					

	X Improved	Vacant	Land Value Estimates for Land Table 20.COM 1						
Tax Description			* Factors * 66 X 140						
LOTS 1 & 2 OF BLK 7 OF THE S H SELDEN ADDITION			Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value
Comments/Influences			E LUDINGTON	66.00	140.00	1.0000	1.0000	600 100	39,600

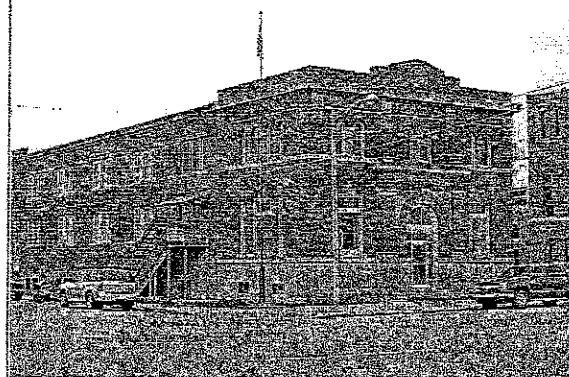
	X	Improved	Vacant	Land Improvement Cost Estimates				
				Description <td>Rate <td>Size % Good <td>Cash Value <td></td> </td></td></td>	Rate <td>Size % Good <td>Cash Value <td></td> </td></td>	Size % Good <td>Cash Value <td></td> </td>	Cash Value <td></td>	
	X	Dirt Road		Commercial Local Cost Land Improvements <td> <td> <td> <td></td> </td></td></td>	<td> <td> <td></td> </td></td>	<td> <td></td> </td>	<td></td>	
	X	Gravel Road		WATER&SEWER	2,500.00	1 94 100	2,350	
	X	Paved Road		Total Estimated Land Improvements True Cash Value = 2,350				

Work Description for Permit 6418, Issued 11/30/1993: REMODEL OFFICE

	X	Level	Rolling	Low	High	Landscaped	Swamp	Wooded	Pond	Waterfront	Ravine	Wetland	Flood Plain
	X												
	X												

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2019	Tentative	Tentative	Tentative			Tentative
2018	17,000	88,400	105,400			76,390C
2017	16,995	86,017	103,012			74,819C
2016	20,394	84,320	104,722			74,152C

*** Information herein deemed reliable but not guaranteed***



The Equalizer. Copyright (c) 1999 - 2009. Licensed To: City of Escanaba, County of Delta, Michigan

Desc. of Bldg/Section: OFFICES Calculator Occupancy: Office Buildings				<<<<< Calculator Cost Computations >>>>>													
Class: C Floor Area: 11,040 Gross Bldg Area: 11,040 Stories Above Grd: 2 Average Sty Hght : 10 Bsmnt Wall Hght : 8		Construction Cost <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">High</td> <td style="width:15%;">Above Ave.</td> <td style="width:15%; text-align: center;">X</td> <td style="width:15%;">Ave.</td> <td style="width:15%;">Low</td> </tr> </table>		High	Above Ave.	X	Ave.	Low	Class: C Quality: Average Stories: 2 Story Height: 10 Perimeter: 356 Overall Building Height: 22		Base Rate for Upper Floors = 97.28 Storage Basement Basement, Base Rate for Basement = 31.07 (Basement Fireproofing Rate = 0.00)						
High	Above Ave.	X	Ave.	Low													
Depr. Table : 2% Effective Age : 52 Physical %Good: 40 Func. %Good : 75 Economic %Good: 75		** ** Calculator Cost Data ** ** Quality: Average Heat#1: Hot Water, Baseboard/Radiato 100 Heat#2: Hot Water, Baseboard/Radiato 0% Ave. SqFt/Story: 5520 Ave. Perimeter: 356 Has Elevators:		(10) Heating system: Hot Water, Baseboard/Radiators Cost/SqFt: 19.92 100% Bsmnt Heating system: No Heating or Cooling Cost/SqFt: 0.00 Adjusted Square Foot Cost for Upper Floors = 117.20 Adjusted Square Foot Cost for Basement = 31.07		Total Floor Area: 11,040 Base Cost New of Upper Floors = 1,293,888 Basement Area: 5,520 Base Cost New of Basement = 171,506											
1900 Year Built Remodeled		Area: 5520 Perimeter: 356 Type: Storage (No Rates) Heat: No Heating or Cooling		Eff.Age:52 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 40 /75 /75 /75 /16.9 Total Depreciated Cost = 247,285		Reproduction/Replacement Cost = 1,465,394											
22 Overall Bldg Height		* Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates)		ECF (20 - COM 1, 25 - COM 2, 30 - IND/COM, 10 - ACREAGE)0.685 => TCV of Bldg: 1 = Replacement Cost/Floor Area= 132.73 Est. TCV/Floor Area= 15.34													
Comments:		* Sprinkler Info * Area: Type: Average															
(1) Excavation/Site Prep: X Excavation (in cubic feet)		(7) Interior: X Frame, Offices Buildings, Class C,D,S		(11) Electric and Lighting: X Typical, Office Buildings Class		(39) Miscellaneous:											
(2) Foundation: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">X Poured Conc</td> <td style="width:15%;">Brick/Stone</td> <td style="width:15%;">Block</td> </tr> </table>		X Poured Conc	Brick/Stone	Block	(8) Plumbing: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Many Above Ave.</td> <td style="width:15%;">Average Typical</td> <td style="width:15%;">Few None</td> </tr> </table>		Many Above Ave.	Average Typical	Few None	Outlets: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">X Few Average</td> <td style="width:15%;">X Few Average</td> </tr> </table>		X Few Average	X Few Average	Fixtures: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Many Unfinished Typical</td> <td style="width:15%;">Many Unfinished Typical</td> </tr> </table>		Many Unfinished Typical	Many Unfinished Typical
X Poured Conc	Brick/Stone	Block															
Many Above Ave.	Average Typical	Few None															
X Few Average	X Few Average																
Many Unfinished Typical	Many Unfinished Typical																
X Class C, Bearing Walls		Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets		Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners		(40) Exterior Wall: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">Thickness</td> <td style="width:15%;">Bsmnt Insul.</td> </tr> </table>		Thickness	Bsmnt Insul.								
Thickness	Bsmnt Insul.																
(3) Frame: X Bearing Walls, Masonry supports on		X Typical, Office Buildings		Flex Conduit Rigid Conduit Armored Cable Non-Metallic Bus Duct		Incandescent Fluorescent Mercury Sodium Vapor Transformer											
(4) Floor Structure: X Concrete, Precast Joists, wood she		(9) Sprinklers:		(13) Roof Structure: Slope=0 X Wood Joists, Wood or Composition		X Brick, Block Back-Up, 8"											
(5) Floor Cover: X Asphalt Tile		(10) Heating and Cooling: <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">X Gas Oil</td> <td style="width:15%;">Coal Stoker</td> <td style="width:15%;">Hand Fired Boiler</td> </tr> </table>		X Gas Oil	Coal Stoker	Hand Fired Boiler	(14) Roof Cover: X Built-Up Composite										
X Gas Oil	Coal Stoker	Hand Fired Boiler															
(6) Ceiling: X Gypsum Board, Taped and Painted		X Hot Water, Baseboard or Radiator															

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-350-2930-333-004

File No 1601LUDS-LAND

Property Address 1601 LUDINGTON ST

City ESCANABA

County Delta

State MI

Zip 49829

Owner BAY DE NOC DEV LLC

Appraiser Name

Drawn Date 9-18-18

Modified By

1601 LUDINGTON STREET - SITE

Due W 66.28'

Subject Site

9279.2sf

LOTS 1 & 2 BLK 7

S H SELDEN ADD

Due S 140'

Due N 140'

SOUTH 16TH STREET

Due E 66.28'



Scale: 1" = 30'

Subject Site

Beginning at a point of the Tract described by Metes and Bounds as follows:

THENCE Due South, a distance of 140.00 Feet;

THENCE Due East, a distance of 66.28 Feet;

THENCE Due North, a distance of 140.00 Feet;

THENCE Due West, a distance of 66.28 Feet to point of beginning;

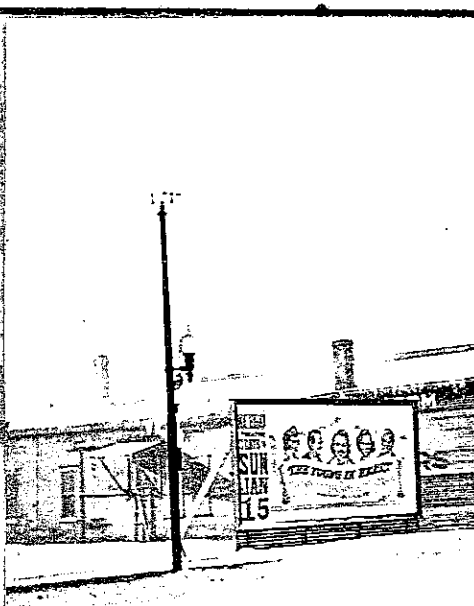
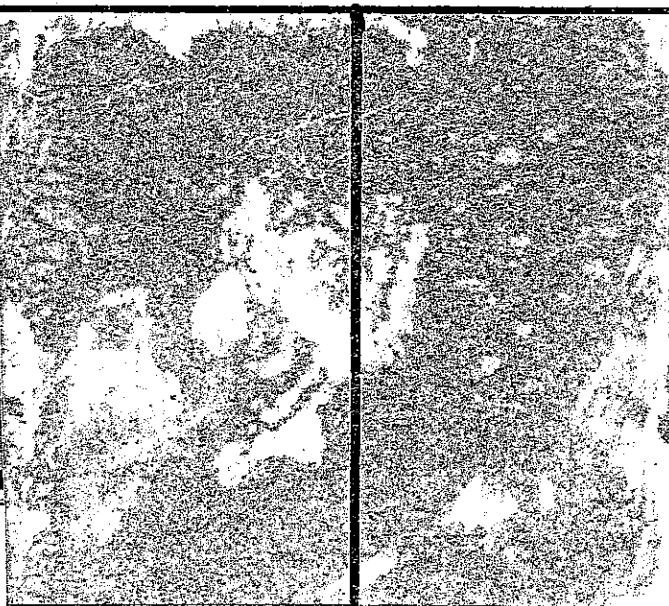
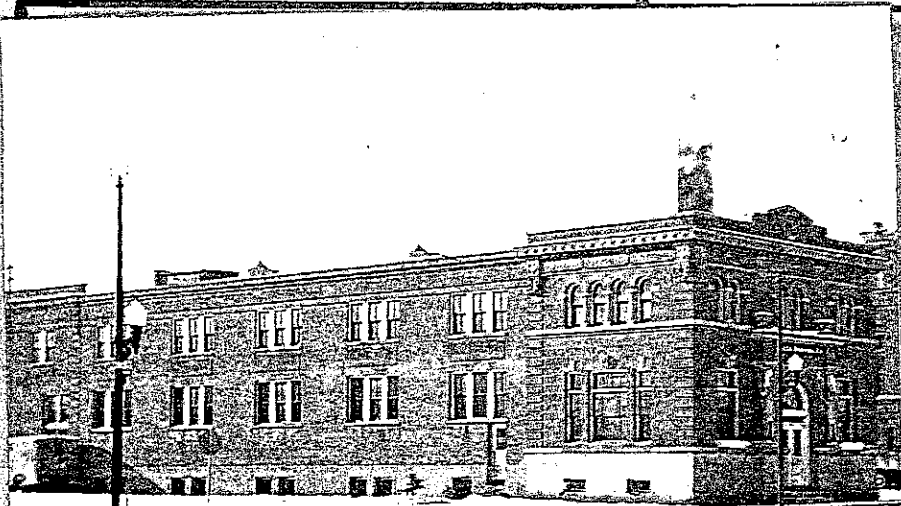
Said tract containing 0.21 acres (9279.20 sf) of land, more or less.

Perimeter = 412.56 Feet

No significant error of closure.

SUBJECT IMPROVEMENTS SKETCH SURVEY DESCRIPTION

BUILDING



2983

253

~~2983~~

2984



Obsolete Property Rehabilitation Act Exemption

P.A. 146 of 2000, as amended

Overview

A means to encourage the rehabilitation of obsolete property and to increase commercial/residential housing available in downtowns or other areas characterized by underused or functionally obsolete properties.

OPRA provides property tax exemptions for commercial and commercial housing properties that are rehabilitated and meet the requirements of the Act. The property must be located in a qualified local unit, such as the City of Escanaba and be located in an established Obsolete Property Rehabilitation District. Properties must meet eligibility requirements including a statement of obsolescence by the local assessor. Exemptions are approved for a term of 1-12 years as determined by the local unit of government. The property taxes for the rehabilitated property are based on the previous year's (prior to rehabilitation) taxable value. The taxable value is frozen for the duration of the exemption. Additionally, the State Treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed 6 years for 25 applications annually. Applications are filed, reviewed and approved by the local unit of government, but are also subject to review at the State level by the Property Services Division. **Exemptions are not effective until approved by the State.**

Functional obsolescence as defined by the state includes inadequate electrical, heating and plumbing. Oversized or undersized rooms, poor layouts and traffic flow problems, etc.

Functionally Obsolete: means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.

Antiquated plumbing, heating, and electrical fixtures and connections or spaces that are not conducive to the use of modern equipment and technologies or spaces broken up by poorly planned wall dividers that may have been functional 50 or 100 years ago are examples of deficiencies which could qualify a building. Super adequacies include excessive ceiling height, excessive size, etc. The OPRA legislation requires a statement of obsolescence from a Level III or Level IV certified assessor using this criteria.

Once in the program there will now be three tax bills for the same property. 1) the tax bill on the land taxed at full millage, 2) the taxable value on the building is frozen at the pre-improvement level at full millage, and 3) the tax bill on the improvement which only taxes the School Operating (18 mills) and State Education Tax (6 mills) which could be reduced by ½ by the State Treasurer.

Obsolete Property Rehabilitation Act Exemption

P.A. 146 of 2000, as amended

An example of how the OPRA affects property taxes for property with an exemption. Using the 2013 millage rates for the City of Escanaba, the annual rates would be as follows:

The taxable value of the parcel prior to the exemption is \$70,000. Of the total taxable value, assume that \$20,000 is the portion attributable to the land. Assume also that rehabilitation and remodeling result in a total taxable value of \$1,200,000 for the rehabbed property. The tax breakdown would be as follows:

School Oper.	= 18.0000 mills
State Ed Tax	= 6.0000 mills
TOTAL Millage	= 59.8744 mills

Annual Tax Bill	Taxable Value		Millage		Annual Tax Dollars	
1) Land	20,000	X	59.8744	=	\$ 1,197	
2) Frozen Building TV	50,000	X	59.8744	=	\$ 2,943	
3) Non-frozen TV	1,130,000	X	*18.0000	=	\$ 27,120	
	1,130,000	X	*6.0000	=		
Total Annual Tax					=	\$ 31,260

<i>Annual Tax Without Exemption</i>	\$ 71,849
<i>Annual Savings</i>	\$ 40,589
<i>Savings Over 12-year term</i>	\$ 487,071

* The State Treasurer can exempt up to 50% of the State Education Tax and the school operating tax for a period of up to 6 years, which would result in additional annual savings of \$13,560 or \$81,360 for the term of the exemption.

The OPRA exemption applies only to existing buildings. Taxable value attributable to increased building size, whether vertical or horizontal, is taxed at the full millage rate.

Additionally, if the rehabbed property is commercial/residential, any portion which qualifies as primary residence would be exempted from the 18 mills of school operating tax, in the same manner as any other homestead.

The entire process is set by statute.

Unlike other exemptions, OPRA exemptions can be transferred to new property owners. The exemption can be transferred to a new owner during or after rehabilitation with the approval of the city council. The process starts at the local assessor's office.

Obsolete Property Rehabilitation Act Exemption

P.A. 146 of 2000, as amended

Definitions Contained In or Referenced In Public Act 146 of 2000

"Commercial housing property" means that portion of real property not occupied by an owner of that real property that is classified as residential real property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c, is a multiple-unit dwelling, or is a dwelling unit in a multiple-purpose structure, used for residential purposes. Commercial housing property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to a multiple-unit dwelling or dwelling unit in a multiple-purpose structure, used for residential purposes.

"Commercial property" means land improvements classified by law for general ad valorem tax purposes as real property including real property assessable as personal property pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and MCL 211.14, the primary purpose and use of which is the operation of a commercial business enterprise. Commercial property shall also include facilities related to a commercial business enterprise under the same ownership at that location, including, but not limited to, office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Commercial property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to the operation of a commercial business enterprise or a multiple-unit dwelling or a dwelling unit in a multiple-purpose structure, used for residential purposes. Commercial property does not include any of the following: Land, Property of a utility

"Facility", except as otherwise provided in this act, means a building or group of contiguous buildings.

"Functionally obsolete" means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or superadequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property. (See MCL 125,2652)

Note: The STC offers the following as examples of functional obsolescence:

- 1) A floor plan which is inappropriate for the highest and best use of the property.
- 2) A heating system which is inadequate for the highest and best use of the property.
- 3) Excessively high or low ceilings for the highest and best use of the property.
- 4) Partition walls which restrict the highest and best use of the property.
- 5) Mechanical systems (e.g. electrical, plumbing, etc) which are inadequate for the highest and best use of the property.

"Obsolete property" means commercial property or commercial housing property, that is 1 or more of the following:

- (i) "Blighted property". Blighted property means property that meets 1 or more of the following criteria:
 - a. Has been declared a nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.
 - b. Is an attractive nuisance to children because of physical condition, use, or occupancy.

Obsolete Property Rehabilitation Act Exemption

P.A. 146 of 2000, as amended

- c. iii. Is a fire hazard or is otherwise dangerous to the safety of persons or property.
- d. iv. Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
- e. v. Is tax reverted property owned by a qualified local governmental unit, by a county, or by this state. The sale, lease, or transfer of tax reverted property by a qualified local governmental unit, county, or this state after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of PA 145 of 2000. (MCL 125.2652)

(ii) A facility as that term is defined below:

"Facility" as defined in PA 451 of 1994 means any area, place, or property where a hazardous substance in excess of the concentrations which satisfy the requirements of section 20120a(1)(a) or (17) or the cleanup criteria for unrestricted residential use under part 213 has been released, deposited, disposed of, or otherwise comes to be located. Facility does not include any area, place, or property at which response activities have been completed which satisfy the cleanup criteria for the residential category provided for in section 20120a(1)(a) and (17) or at which corrective action has been completed under part 213 which satisfies the cleanup criteria for unrestricted residential use. (See MCL 324.20101)

(iii) Functionally obsolete. Please see the definition of "functionally obsolete".

"Obsolete property rehabilitation district" means an area of a qualified local governmental unit established as provided in section 3. Only those properties within the district meeting the definition of "obsolete property" are eligible for an exemption certificate issued pursuant to section 6 of PA 146 of 2000.

"Rehabilitation" means changes to obsolete property OTHER THAN REPLACEMENT that are required to restore or modify the property, together with all appurtenances, to an economically efficient condition. Rehabilitation includes major renovation and modification including, but not necessarily limited to, the improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment, including heating, ventilation, and lighting, reducing multistory facilities to 1 or 2 stories, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes required to restore or change the obsolete property to an economically efficient condition. **Rehabilitation shall not include improvements aggregating less than 10% of the true cash value of the property at commencement of the rehabilitation of the obsolete property.**

"Rehabilitated facility" means a commercial property or commercial housing property that has undergone rehabilitation or is in the process of being rehabilitated, including rehabilitation that changes the intended use of the building. A rehabilitated facility does not include property that is to be used as a professional sports stadium. A rehabilitated facility does not include property that is to be used as a casino. As used in this subdivision, "casino" means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.201 to 432.226.

Obsolete Property Rehabilitation Act Exemption

P.A. 146 of 2000, as amended

City of Escanaba Application Process

These are the steps to follow if you wish to apply for an Obsolete Properties Rehabilitation Exemption (OPRA exemption):

1. Request in writing to the city assessor that an Obsolete Properties Rehabilitation District be established for your property. City Council will approve this by resolution. Do not begin structural or cosmetic improvements to the building until after the district is established by City Council. This process may take four to six weeks.
2. Request that the city assessor inspect your building to determine if the property qualifies as obsolete property under the legislation. This can be done before council acts on your request for an OPRA district.
3. Complete the application form and addendum provided by the city assessor. You must include a letter stating that the rehabilitation project could not be completed without the assistance of the exemption (required by statute). Also include cost estimates of your planned projects and approximate completion schedules. Be as specific as possible. The assessor will bring this before Escanaba City Council and a public hearing will be held to consider your exemption. This process will take an additional four to six weeks.
4. If approved by City Council the assessor will then send required documents to the State of Michigan for review and approval/disapproval by the State Tax Commission. Please note that the STC must receive the application by October 1st to consider the exemption for the next year's taxes. In order to maintain the necessary timetable, your district request should be started by the end of June with the completed exemption application submitted by the first (1st) Thursday of September. An OPRA exemption granted by the state on or before December 31st of any year will take effect in the following tax year.

NOTE:

An OPRA exemption will result in three separate tax bills for the exempt parcel: 1) land is assessed and taxed normally, 2) the frozen taxable value for all levies 3) "Non-frozen taxable value" means that the increased taxable value resulting from project improvements will be taxed only the School Operating (18 mills) and State Education Tax (6 mills) which may be reduced by $\frac{1}{2}$ by the State Treasurer for up to 6 years.

You must pay property taxes timely. Failure to pay taxes before they become delinquent on March 1st of each year may constitute a reason for revoking the exemption.

A Principal Residence Exemption may apply if you rehabilitate the upper floor(s) of your property into your primary residence.

City of Escanaba
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