

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, February 7, 2019**

The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:03 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

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

Absent: None

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

City Clerk DeMay led Council in the Pledge of Allegiance.

Sattem moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from January 17, 2019, Special Meeting Minutes from January 29, 2019, and Special Meeting Minutes from February 4, 2019 as submitted.

**ADJUSTMENTS TO THE AGENDA**

Patrick Jordan stated that he would like to add an agenda item regarding the Release of Reverted Option by the DNR for the jail property.

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

**CONFLICT OF INTEREST DECLARATION** – None

**BRIEF PUBLIC COMMENT** –

- Matt Sviland, Escanaba resident, discussed a study conducted in Colorado in regard to the impact of the legalization of recreational Marihuana. Mr. Sviland suggested to draft an ordinance to opt out of Marihuana establishments in Escanaba.
- William Gasman, Escanaba resident, discussed his thoughts and concerns with the sale of recreational Marihuana in the city of Escanaba. Mr. Gasman suggested to do the research and become educated in the sale of recreational Marihuana.
- Beth Sviland, Escanaba resident, discussed her thoughts and concerns with the sale of recreational Marihuana in the city of Escanaba. Mrs. Sviland referenced studies that have been conducted to support the ill effects of the sale of

**PUBLIC HEARINGS**

**PH-1 Condemnation Hearing – 1608 North 19<sup>th</sup> Street.**

Administration requested the condemnation of a residential home and shed located at 1608 North 19<sup>th</sup> Street, Escanaba Michigan. Administration advised the residential structures are deemed as unsafe, a public nuisance, and unfit for human occupancy.

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

- Jean Stanchina, Escanaba resident, lives next door to the residential home at 1608 North 19<sup>th</sup> Street. She expressed her concerns of the residence and supports the condemnation of the home.

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

**PH-1** After discussion, Schumann moved, Blasier seconded, to approve the condemnation of a residential home and shed located at 1608 North 19<sup>th</sup> Street, Escanaba, MI.

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

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

**MOTION CARRIED.**

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

**NB-1 Council Confirmation of Hiring of Assistant Assessor.**

The position of Assistant City Assessor with the City of Escanaba to be offered to Jim McNeil.

**NB-1** After discussion Blasier moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to approve position of Assistant City Assessor to Jim McNeil.

**NB-2 Discussion - Possible Ordinance Restricting Commercial Marihuana in the City of Escanaba.**

City Council discussed a possible ordinance restricting commercial Marihuana in the city.

**NB-2** After discussion, Blasier moved, Schumann seconded, to approve to set February 21, 2019, as a first reading on “An Ordinance to amend Chapter 18 of the Code of Ordinances to Temporarily Prohibit Marihuana Establishments within the City Limits of the City of Escanaba.”

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

Ayes: Blasier, Schumann, Beauchamp, and Tall

Nays:

Abstain: Sattem

**MOTION CARRIED.**

**NB-3 Approval: Resolution to Waive Penalties for Non-Filing of Property Transfer Affidavits.**

Administration sought Council approval of a resolution supporting to waive penalties for non-filing of property transfer affidavits.

Assistant Assessor Jim McNeil suggested to waive penalty for non-filing of property transfer affidavits. This resolution would be for all future PTA’s and it’s not retroactive.

**NB-3** “Resolved by Council Member Sattem, seconded by Council Member Schumann; **CARRIED UNANIMOUSLY**, to adopt a resolution to Waive Penalties for Non-Filing of Property Transfer Affidavits under MCL 211.27b;

**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.

**RESOLUTION DECLARED ADOPTED.”**

**NB-4 Approval – Tree Trimming Bid – Electric Department.**

Administration sought 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.

**NB-4** Beauchamp moved, Sattem seconded, to approved 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.

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

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

**MOTION CARRIED.**

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

The Obsolete Properties Rehabilitation Act (PA 146 of 2000) allows partial exemption of property taxes for a specified period for certain types of property improvements within a specified area. The intent of the legislation is to encourage rehabilitation of underutilized or decaying commercial or commercial/residential properties in certain designated communities such as Escanaba. 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.

**NB-5** Schumann moved, Beauchamp seconded, **CARRIED UNANIMOUSLY** to set a public hearing date for February 21, 2019, for the OPRA District No. 26 – 1601 Ludington Street exemption so there is public understanding of the project.

**NB-6 RESOLUTION 19-04**

Release Of Reverter Option.

**NB-6** “Resolved by Council Member Beauchamp, seconded by Council Member Schumann;

**RELEASE OF REVERTER OPTION**

**RESOLVED BY:** Escanaba City Council of Delta County, State of Michigan

**WHEREAS**, Act 451, P.A. 1994, as amended, provides for the conveyance of State-owned tax-reverted lands to municipal units for public purposes, and

**WHEREAS**, the State of Michigan, Department of Natural Resources, on the 3<sup>rd</sup> day of September, 1963, conveyed by Public Use Deed and reserved a reversionary interest (see attached), and

**WHEREAS**, the reversionary interest is under the jurisdiction of the State of Michigan, Department of Natural Resources, and

**WHEREAS**, the Escanaba City Council desires to have the reversionary interest released so the property can be utilized by the community and tourists as part of a place-making redevelopment project.

**NOW THEREFORE BE IT RESOLVED** that the Escanaba City Council is authorized to make application to the State of Michigan, Department of Natural Resources, Real Estate Services for the release of said reversionary interest to said land for a nominal fee as set by the Department of Natural Resources, and

**FURTHER BE IT RESOLVED** that the Escanaba City Council shall set up necessary procedures and controls to provide for the proper distribution for funds arising from the subsequent sale of the acquired property in conformity with the above mentioned acts.

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

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

**RESOLUTION DECLARED ADOPTED.”**

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

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

Reappointed Glendon Brown and Tim Wilson to the Electrical Advisory Committee, term ending 2022;

Appointed Gary Carlson to the Traffic Safety Advisory Committee, term expiring June 1, 2021;

Appointed Cheryl Ohman to the County Data Board;

Appointed Blaine DeGrave as an Alternate for the CUPPAD Regional Commission.

**BOARD, COMMISSION, AND COMMITTEE REPORTS**

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

**GENERAL PUBLIC COMMENT**

William Gasman, Escanaba resident, had many positive comments regarding his interaction with city Code Enforcement Official Blaine DeGrave. Mr. Gasman was proud of the effort that City of Escanaba provides for the community. Especially evident with the response to the water main break on February 1, 2019.

**ANNOUNCEMENTS - None**

Hearing no further public comment, the Council adjourned at 8:07 p.m.

Respectfully submitted

Phil DeMay  
City Clerk

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