

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, March 5, 2020**

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, Ralph B. Blasier, Tyler D. DuBord, Karen S. Moore, and Peggy O'Connell

Absent: None

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

City Clerk DeMay led Council in the Pledge of Allegiance.

O'Connell moved, Moore seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from February 20, 2020, as submitted.

**ADJUSTMENTS TO THE AGENDA**

O'Connell moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to add 2020 Marina Slip Fees discussion to **NB-5** and a Resolution for Escanaba Baseball Boosters to **NB-6**.

O'Connell moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as amended.

**CONFLICT OF INTEREST DECLARATION** – None

**BRIEF PUBLIC COMMENT**

Mary Levesque – discussed a AAA article with council and spoke about the Bay de Noc Apartment project.

Shannon Taylor – discussed the Bay de Noc Apartment project.

Paul Caswell – discussed the rezoning that was recommended by the Planning Commission. Spoke about Public Hearings, Brownfield declarations, and DDA appointments.

Crystal Porior – discussed the 2020 Marina Slip Fees.

Helene Tebear – discussed the need for public input in Public Hearings.

Dan Young – spoke in support of Kelli VanGinhoven for the DDA opening.

Kelli VanGinhoven- discussed the Bay de Noc Apartment project.

## **PUBLIC HEARINGS**

### **PH-1 Second Reading, Public Hearing and Adoption of Ordinance No. 1224, An Ordinance to Amend Chapter VIII of Appendix A as Codified Under the Code of Ordinances.**

Administration requested the City Council to consider approval and adoption of Ordinance No. 1224, An Ordinance to Amend Chapter VIII of Appendix A as Codified under the Code of Ordinances – Building Height Change.

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

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

**PH-1** “By Council Member Blasier, seconded by Council Member DuBord;

**Resolved**, That Ordinance No. 1224, An Ordinance to Amend Chapter VIII of Appendix A as Codified under the Code of Ordinances – Building Height Change, given its public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter.”

Herewith Ordinance No. 1224 adopted by title:

**“AN ORDINANCE TO AMEND CHAPTER VIII OF APPENDIX A AS CODIFIED UNDER THE CODE OF ORDINANCES”**

Full text in Ordinance Record “L”.

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

Ayes: Blasier, DuBord, Moore, O’Connell, Mayor Tall

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

### **PH-2 Second Reading, Public Hearing and Adoption of Ordinance No. 1225, An Ordinance to Amend Chapter IV of Appendix A as Codified Under the Code of Ordinances.**

Administration requested the City Council to consider approval and adoption of Ordinance No. 1225, An Ordinance to Amend Chapter IV of Appendix A as

Codified under the Code of Ordinances – Zoning Map to rezone selected parcels in the North Lincoln Road corridor and Northtown areas.

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

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

**PH-1** “By Council Member O’Connell, seconded by Council Member DuBord;

**Resolved**, That Ordinance No. 1225, An Ordinance to Amend Chapter IV of Appendix A as Codified under the Code of Ordinances – Zoning Map to rezone selected parcels in the North Lincoln Road corridor and Northtown areas, given its public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter.”

Herewith Ordinance No. 1225 adopted by title:

**“AN ORDINANCE TO AMEND CHAPTER IV OF APPENDIX A AS CODIFIED  
UNDER THE CODE OF ORDINANCES”**

Full text in Ordinance Record “L”.

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

Ayes: O’Connell, DuBord, Moore, Mayor Tall

Nays: None

Abstain: Blasier

**RESOLUTION DECLARED ADOPTED.”**

**UNFINISHED BUSINESS**

**UB-1 First Reading – Residential Planned-Unit Development Re-Zoning – Planning & Zoning.**

Administration requested the City Council to consider this the first reading regarding the property at 500 North 26<sup>th</sup> Street be rezoned from F – Light Manufacturing to C2 – Residential Planned Unit Development. Administration further requested that the City Council set March 19, 2020, for the second reading, public hearing and adoption of the Residential Planned-Unit Development Re-Zoning.

**UB-1** Blasier moved, DuBord seconded, to consider this the first reading of property at 500 North 26<sup>th</sup> Street be rezoned from F – Light Manufacturing to C2 – Residential Planned Unit Development and to set March 19, 2020, for the second reading, public hearing and adoption of the Residential Planned-Unit

Development Re-Zoning.

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

Ayes: Blasier, DuBord, Moore, O’Connell, Mayor Tall

Nays: None

**MOTION CARRIED.**

**NEW BUSINESS**

**NB-1 Discussion/Approval – Sidewalk Infill Plan – Planning & Zoning.**

Administration requested City Council to approve the Sidewalk Infill Plan submitted by the Planning Commission.

Steve Davis, of the Planning Commission, presented council with information they gathered from Planning Commission meetings and the Engineering Department.

**NB-1** Blasier moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to postpone **NB-1** to get more input from those in the community that are affected by the sidewalk infill plan and hold a Public Hearing on April 2 at the Regular City Council Meeting.

**NB-2 Discussion/Approval – Defense Against Removing Section 1803.2 – Public Hearing Requirement – Planning & Zoning.**

Administration requested discussion and direction on a proposed written defense against the removal of Section 1803.2 – Public Hearing Requirements from the Zoning Ordinance.

Roxanne Spencer, Planning and Zoning Administrator, discussed the RRC and the removal of section 1803.2 Public Hearing requirements.

Paul Caswell, of the Planning Commission, recommended against removing section 1803.2.

**NB-2** Blasier moved, O’Connell seconded, to approve the removal of Section 1803.2 – Public Hearing Requirements from the Zoning Ordinance.

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

Ayes: Blasier, O’Connell, Moore, Mayor Tall

Nays: DuBord

**MOTION CARRIED.**

**NB-3 Brownfield Redevelopment 381 Plan – Northland Centers, 501 North Lincoln Road (Super One), Escanaba, Michigan.**

Administration requested City Council to amend the City of Escanaba's Brownfield Redevelopment Act 381 Plan by including the Brownfield Redevelopment 381 Plan for property located at 501 North Lincoln Road, Escanaba, Michigan. The plan includes eligible activities, costs and estimated tax capture for reimbursement of eligible expenses under Public Act 381, of the Brownfield Redevelopment Financing Act. On February 18, 2020, the Escanaba Brownfield Redevelopment Authority conducted a public hearing and has recommended Council approval.

Myron Berry – discussed the Brownfield Redevelopment 381 Plan and fielded questions from council members.

**NB-3** “Resolved by Council Member O’Connell, seconded by Council Member Blasier;

**RESOLUTION 20-06**

**RESOLUTION APPROVING A BROWNFIELD PLAN FOR NORTHLAND CENTERS, INC. OF 501 NORTH LINCOLN ROAD PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

**WHEREAS**, the Brownfield Redevelopment Authority (the “Authority”) of the City of Escanaba, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared and recommended for approval by the City Council, a Brownfield Plan (the “Plan”) pursuant to and in accordance with Section 13 of the Act; and

**WHEREAS**, the Authority has, at least ten (10) days before the meeting of the City Council at which this resolution has been considered, provided notice to and fully informed all taxing jurisdictions (the “Taxing Jurisdictions”) which are affected by the Financing Plan about the fiscal and economic implications of the proposed Financing Plan, and the City Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan in accordance with Sections 14(4) and (5) of the Act; and

**WHEREAS**, the City Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets the requirements for a Brownfield Plan set forth in Section 13

of the Act;

- C. The proposed method of financing the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

**WHEREAS**, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the City Council wishes to approve the Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. Plan Approved. Pursuant to the authority vested in the City Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form attached as Exhibit “A” to this Resolution.
- 2. Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part declared to be invalid.
- 3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

UPON A VOTE FOR THE ADOPTION OF SAID RESOLUTION, THE VOTE WAS:

Ayes: O’Connell, Blasier, Moore, DuBord, Mayor Tall

Nays: None

Abstained: None

**RESOLUTION DECLARED ADOPTED.”**

**NB-4 Approval – Traffic Signal Design Service – Contract Approval – Recreation.**

Administration sought City Council approval to enter into a contract with OHM for the traffic signal design at Danforth Road and North 30th Street in the amount of \$13,000. This project is funded through various grants already awarded.

**NB-4** Blasier moved, O’Connell seconded, to approve to enter into a contract with OHM for the traffic signal design at Danforth Road and North 30th Street in the amount of \$13,000.

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

Ayes: Blasier, O’Connell, Moore, DuBord, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-5 Discussion – 2020 Marina Dock Fee Slips.**

**NB-5** O’Connell moved, Blasier seconded, to rescind the motion made on February 06, 2020, under New Business item #3, to approve a rate increase for both seasonal and transient slip fees for the 2020 boating season and direct staff to hold a special Harbor Advisory Committee meeting to re-evaluate the rates.

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

Ayes: O’Connell, Blasier, Moore, DuBord, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-6 Approval- Resolution for Escanaba Baseball Boosters.**

The Escanaba Baseball Boosters requested a resolution for charity gaming license so they can be recognized as a non-profit organization to apply for such gaming license.

**NB-6** “Resolved by Council Member O’Connell, seconded by Council Member Moore;

**RESOLUTION 20-07**

**A RESOLUTION FOR CHARITABLE GAMING LICENSES FOR PURPOSES OF BEING RECONIZED AS A NON-PROFIT ORGANIZATION**

**WHEREAS**, at the Regular meeting of the City of Escanaba called to order by Mayor Tall on the 5<sup>th</sup> day of March, 2020, at 7:00 p.m. the following resolution was offered:

**WHEREAS**, moved by O’Connell and supported by Moore that the request from Escanaba Baseball Boosters of Escanaba, county of Delta, asking that they be recognized as a nonprofit organization operation in the community for the purpose of

obtaining charitable gaming licenses, be considered for approval’

**NOW, THEREFORE, BE IT RESOLVED** that the City of Escanaba hereby approves the Escanaba Baseball Boosters for Charitable Gaming License.

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

Ayes: O’Connell, Moore, Blasier, DuBord, Mayor Tall

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

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

Tyler Johnson appointed to the Downtown Development Authority, term expiring April 21, 2022.

### **BOARD, COMMISSION, AND COMMITTEE REPORTS**

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

### **GENERAL PUBLIC COMMENT –**

Kelli VanGinhoven – discussed her applications for DDA and the denial of the vacant position that was filled at tonight’s meeting.

Mary Levesque – discussed the boat slip fees and Bay de Noc Apartment project.

Craig Taylor – spoke about low income housing and information he found on google.

Helene Tebear – discussed the Bay de Noc Apartment project and low income housing.

Kristi Latch – discussed the boat slip fees.

Dan Young – discussed the Bay de Noc Apartment project, Signage ordinance, and discussed his support for Kelli VanGinhoven for the DDA.

### **ANNOUNCEMENTS**



- City Manager Jordan gave an election news update; if your candidate dropped out of the race you can spoil your ballot;
- Tri County Fundraiser March 13, 2020;
- Muscle on Main dates have been set;
- The animal shelter has saved 111 animals in February.

Hearing no further public comment, O'Connell moved, the Council adjourned at 8:50 p.m.

Respectfully submitted

Phil DeMay  
City Clerk

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