

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Virtual WebEx Regular Council Meeting
Thursday, April 16, 2020**

The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:07 p.m.

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, Deputy City Clerk Tammy Weissert, Department Heads, media, and members of the public.

Blasier moved, DuBord seconded, to approve Regular Meeting minutes from April 2, 2020, Special Meeting minutes from April 6, 2020, and Special Meeting minutes from April 7, 2020, as submitted.

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

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

MOTION CARRIED.

ADJUSTMENTS TO THE AGENDA

Blasier moved, O'Connell seconded, to **remove PH-1, UB-1, UB-2, NB-1 and NB-3** from the agenda and postpone to a future date to give proper public notice for **PH-1** and the Michigan State Housing Development Authority (MSHDA) deadline for applications for tax credits sought by Woda Cooper Companies through the Michigan Low Income Housing Tax Credit Program has been pushed back to June 1st (two months later than originally scheduled).

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

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

MOTION CARRIED.

O'Connell moved, Blasier seconded, to approve the City Council Agenda as amended.

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

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

Nays: None

MOTION CARRIED.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT

Paul Caswell – discussed the posting of Public Notices.

PUBLIC HEARINGS

PH-1 Second Reading, Public Hearing and Adoption of the Residential Planned-Unit Development Re-Zoning – Planning & Zoning.

Administration requested the City Council to consider approval and adoption of the Residential Planned-Unit Development Re-Zoning for the property located at 500 North 26th Street be rezoned from F-Light Manufacturing to C2 – Residential Planned Unit Development.

PH-1 Removed from Agenda and postponed to future date.

PH-2 Close-Out Public Hearing – Community Development Block Grant (CDBG) – Northern Machining & Repair #2.

Administration sought Council approval to consider this the Public Hearing regarding the closeout of the #2 CDBG loan for Northern Machining & Repair.

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

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

PH-2 O’Connell moved, Blasier seconded, to approve to consider this the Public Hearing regarding the closeout of the #2 CDBG loan for Northern Machining & Repair.

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

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

MOTION CARRIED.

UNFINISHED BUSINESS

UB-1 Approval - Adoption of the Bay de Noc PILOT Ordinance No. 1223 - An Ordinance to Amend Chapter 26 – Taxation of the Code of Ordinances of the City of Escanaba.

Administration requested the City Council to consider approval and adoption of the Bay de Noc PILOT Ordinance No. 1223, An Ordinance to Amend Chapter 26 – Taxation of the Code of Ordinances of the City of Escanaba.

UB-1 Removed from Agenda and postponed to future date.

UB-2 Approval - Municipal Services Agreement for the Bay de Noc Apartments Project – Woda Cooper Companies.

Woda Cooper Companies requested City Council approval of a Municipal Services Agreement for the property located at 500 North 26th Street.

UB-2 Removed from Agenda and postponed to future date.

UB-3 Approval – Traffic Control Order #1005 – Public Safety.

Administration sought City Council approval of Traffic Control Order #1005 to have “No Overnight Parking” signs be installed in the City Hall Parking Lot – 410 Ludington Street, No overnight parking shall mean between 10:00 p.m. and 6:00 a.m..

UB-3 Blasier moved, Moore seconded, to approve of Traffic Control Order #1005 to have “No Overnight Parking” signs be installed in the City Hall Parking Lot – 410 Ludington Street, No overnight parking shall mean between 10:00 pm and 6:00 a.m..

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

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

MOTION CARRIED.

NEW BUSINESS

NB-1 Approval – Residential Planned-Unit Development – Final Plan – Planning & Zoning.

Administration recommended Council approval of the Final Development Plan for a 4-story, 70-unit apartment building to be constructed at 500 North 26th Street.

NB-1 Removed from Agenda and postponed to future date.

NB-2 Approval – Intent to Apply Form for DWRP Loan – Water Department.

Administration requested City Council’s approval to submit the attached “Intent to Apply Form”, requesting a DWRP (Drinking Water State Revolving Fund), loan in the amount of \$20,000,000 for the purpose of replacing aging infrastructure within the existing water distribution system.

NB-2 Blasier moved, O’Connell seconded, to approve to submit the “Intent to Apply Form”, requesting a DWRP (Drinking Water State Revolving Fund), loan in the amount of \$20,000,000 for the purpose of replacing aging infrastructure within the existing water distribution system.

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

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

MOTION CARRIED.

NB-3 Approval – RRC Recertification Action Plan – Planning & Zoning.

Administration requested approval of the Redevelopment Ready Community (RRC) Action Plan which outlines the timetable for completing required actions to achieve recertification.

NB-3 Removed from Agenda and postponed to future date.

NB-4 Approval- Investment Report and Depository Approval – Controller.

Bob Valentine of First Bank presented the annual investment report. Administration sought City Council approval to the list of depositories.

Mr. Valentine, in accordance with Michigan Public Act 20, provided and reviewed with Council the annual Treasurer’s Investment Summary, which included a review of annual investments, City portfolio, summary of gains and losses, and current listings of eligible depositories.

NB-4 O’Connell moved, Moore seconded, to approve the changes of the City Treasurer’s Annual Investment Report, Investment Policy Statement.

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

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

MOTION CARRIED.

O’Connell moved, Blasier seconded, to approve the eligible depositories list.

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

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

Nays: None

MOTION CARRIED.

NB-5 Approval- BS&A Software – Planning and Zoning.

Administration requested approval to purchase Community Development software from BS&A in the amount of \$35,500. The first payment of \$10,250 will be due upon execution of the agreement with the remaining balance due in the next fiscal year.

NB-5 Moore moved, DuBord seconded, to approve to purchase Community Development software from BS&A in the amount of \$35,500.

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

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

Nays: None

MOTION CARRIED.

NB-6 Setting of Public Hearing – FY2020-2021 Budget – May 7, 2020.

Administration requested Council set May 7, 2020, as the fourth Public Hearing on the proposed 2020-2021 City Fiscal Year Budget.

NB-6 Blasier moved, O’Connell seconded, to set May 7, 2020, as the fourth Public Hearing on the proposed 2020-2021 City Fiscal Year Budget.

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

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

Nays: None

MOTION CARRIED.

NB-7 Approval- Bonding Ordinance for WWTP SRF Project – Wastewater.

Administration requested City Council’s approval of Ordinance No. 1226 authorizing the issuance of the Wastewater System Revenue Bonds for the WWTP project in an amount not to exceed \$14,000,000.

NB-7 “Council Member O’Connell, seconded by Council Member Moore;

Resolved, That Ordinance No. 1226, Waste Water Bond Ordinance, 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. 1226 adopted by title:

“AN ORDINANCE TO PROVIDE FOR THE ACQUISITION, CONSTRUCTION, INSTALLATION, FURNISHING AND EQUIPPING OF ADDITIONS AND IMPROVEMENTS TO THE WASTE WATER SYSTEM OF THE CITY; TO PROVIDE FOR THE ISSUANCE AND SALE OF JUNIOR LIEN REVENUE BONDS TO PAY THE COST THEREOF; TO PROVIDE FOR THE COLLECTION OF REVENUES FROM THE SYSTEM SUFFICIENT FOR THE PURPOSE OF PAYING THE COSTS OF OPERATION AND MAINTENANCE OF THE SYSTEM AND TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; TO PROVIDE FOR THE SEGREGATION AND DISTRIBUTION OF SYSTEM REVENUES; TO PROVIDE FOR THE RIGHTS OF THE HOLDERS OF THE BONDS IN ENFORCEMENT THEREOF; TO ESTABLISH SEPARATE SERIES OF BONDS OF SENIOR AND SUBORDINATE STATUS WITH RESPECT TO THE NET REVENUES OF THE SYSTEM; TO PRESCRIBE THE FORM OF THE BONDS; AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE BONDS AND THE SYSTEM.”

Full text in Ordinance Record “L”.

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

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

RESOLUTION DECLARED ADOPTED.”

NB-8 Approval – Award Construction Work for Wastewater Treatment Plant SRF Project – Wastewater.

Administration requested City Council's approval to award the contract to Staab Construction Corporation of Marshfield, WI in the amount of \$13,352,000. The contract award should be made contingent upon receipt of the project financing from the State of Michigan under the State Revolving Loan program, successful negotiation of a deductive change order #1 with Staab, and sufficient City reserves to fund the shortfall.

NB-8 Blasier moved, DuBord seconded, to approve to award the contract to Staab Construction Corporation of Marshfield, WI in the amount of \$13,352,000, contingent upon receipt of the project financing from the State of Michigan under the State Revolving Loan program, successful negotiation of a deductive change order #1 with

Staab, and sufficient City reserves to fund the shortfall.

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

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

Nays: None

MOTION CARRIED.

NB-9 Approval – Construction Contract Resolution for Wastewater Treatment Plant SRF Project – Wastewater.

Administration requested City Council’s approval of Resolution 20-09 to accept the construction contract to be awarded to Staab Construction Corporation of Marshfield, WI.

NB-9 “Resolved by Council Member O’Connell, seconded by Council Member Moore;

RESOLUTION 20-09

**A RESOLUTION TO TENTATIVELY AWARD
A CONSTRUCTION CONTRACT
FOR WASTEWATER SYSTEM IMPROVEMENTS**

WHEREAS, the City of Escanaba, MI wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on June 06, 2019 will be funded through Michigan’s SRF Program; and

WHEREAS, the City of Escanaba, MI has sought and received construction bids for the proposed improvements and has received a low Base bid plus Alternates #4 and #8 in the amount of \$13,352,000 from Staab Construction Corp., Marshfield, WI; and

WHEREAS, the project engineer, C2AE, Escanaba, MI, has recommended awarding the contract to the low bidder.

NOW THEREFORE BE IT RESOLVED, that the City of Escanaba, MI tentatively awards the contract for construction of the proposed wastewater system improvements project to Staab Construction Corp., Marshfield, WI, contingent upon successful financial arrangements with the Michigan SRF Program.

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

Yeas: O’Connell, Moore, Blasier, DuBord, Mayor Tall
Nays: None
Abstain: None
Absent: None

RESOLUTION DECLARED ADOPTED.”

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

Craig Patterson – discussed the Bay De Noc Apartments agenda items.

William Gasman – discussed selling and commercializing marijuana in the City of Escanaba.

Mable – discussed Michigan Governor Whitmer to work with Midwest governors on reopening the economy.

ANNOUNCEMENTS – None

Hearing no further public comment, O’Connell moved, the Council adjourned at 8:28 p.m.

Respectfully submitted

Tammy Weissert, CMC
Deputy City Clerk

Approved: _____
Marc D. Tall, Mayor