



# CITY COUNCIL MEETING AGENDA

1<sup>st</sup> and 3<sup>rd</sup> Thursday of the Month

Marc D. Tall, Mayor  
Ronald J. Beauchamp, Mayor Pro-Tem  
Patricia A. Baribeau, Council Member  
Ralph B. Blasier, Council Member  
Vacancy, Council Member

James V. O'Toole, City Manager  
Robert S. Richards, CMC, 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 listed 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, May 1, 2014, at 7:00 p.m.**

### CALL TO ORDER

### ROLL CALL

### INVOCATION/PLEDGE OF ALLEGIANCE -

Reverend Chris Johnson - Pastor, Christ the King  
Lutheran Church

### APPROVAL/CORRECTION(S) TO MINUTES - APPROVAL/ADJUSTMENTS TO THE AGENDA

Regular Meeting - April 17, 2014

### CONFLICT OF INTEREST DECLARATION

### BRIEF PUBLIC COMMENT

### UNFINISHED BUSINESS

#### 1. Council Interview - Council Seat Vacancy - City Council.

**Explanation:** The City Council will interview Council Candidates James Hellermann and Michael Sattem for possible appointment to fill the vacant City Council position.

### PUBLIC HEARINGS

#### 1. Public Hearing - Proposed 2014-15 Fiscal Year Budget and Setting the Final Public Hearing and Adoption for May 15, 2014.

**Explanation:** Council will conduct the fourth Public Hearing and schedule the final public hearing and approval of the 2014-15 City budget for May 15, 2014.

### NEW BUSINESS

#### 1. Approval - Use of Ludington Park - B.A.S.S. Bassmaster Elite Series Angler of the Year Championship Fishing Tournament.

**Explanation:** Pure Michigan and the Bays De Noc Convention and Visitors Bureau are requesting Council authorization to use the Ludington Park Marina, Aronson Island Boat Ramp and North Shore Boat Launch from September 18 - 21, 2014, for their B.A.S.S. Bassmaster Elite Series Angler of the Year Championship Fishing Tournament. Additionally, the parties are seeking approval to obtain launch passes for competitors, porta-potty rental if needed, and other general support. Administration is recommending Council approval provided proper insurance is filed with the City.

2. **Approval - Quit Claim Deed - Bay De Noc Community College.**

**Explanation:** Bay De Noc Community College is seeking Council approval of a Quit Claim Deed which would quit claim the City's entire reversionary interest to the college. Administration is recommending approval.

3. **Update - Sale of the Power Plant/Referendum - City Manager's Office.**

**Explanation:** Administration will update the Council and public on the latest developments related to the sale of the Escanaba generating facility and the upcoming May 6, 2014, referendum.

APPOINTMENTS

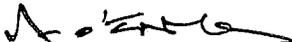
BOARD, COMMISSION, AND COMMITTEE REPORTS

GENERAL PUBLIC COMMENT

ANNOUNCEMENTS

ADJOURNMENT

Respectfully Submitted

  
James V. O'Toole  
City Manager

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, April 17, 2014**

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, Patricia A. Baribeau, Ronald J. Beauchamp, and Ralph B. Blasier

Absent: One Vacancy

Also Present: City Manager James V. O'Toole, City Department Heads, media, and members of the public.

Pastor Jason Janich, of New Life Assembly of God Church, gave the invocation and led Council in the Pledge of Allegiance.

Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from April 3, 2014, Budget Hearing Minutes from April 8 & 9, 2014, and Special Meeting Minutes from April 9, 2014, as submitted.

**ADJUSTMENTS TO THE AGENDA**

Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as submitted.

**CONFLICT OF INTEREST DECLARATION**

Council Member Beauchamp let it be known, that he personally knew all three individuals who expressed interest in the vacant Council position.

**BRIEF PUBLIC COMMENT** – None

**UNFINISHED BUSINESS** – None

**PUBLIC HEARINGS**

**Public Hearing – Second Reading and Adoption – Ordinance No. 1145 – An Ordinance to Amend the City Zoning Map – City Manager.**

A public hearing was conducted to amend the City Zoning Map for property located in Block 2 of the Hessel & Hentschel Addition, lots 23 and 24, by having the properties rezoned from a Two-Family Residence "B" District land use to a Light Manufacturing "F" District land use. On March 13, 2014, the Escanaba Planning Commission recommended the Council amend the City Zoning Ordinance, Chapter 4

Districts, Boundaries and Zoning Map. The first reading of Ordinance No. 1145 was conducted on March 20, 2014, by the City Council.

Bill Jenson, representative of Northern Michigan Bank and Trust, provided a brief overview of the project. Mr. Jenson advised it was the Bank's plan to move their Administrative Offices from Downtown to the proposed rezoned property.

This being a public hearing, Mayor Tall asked if there was any public comment.

James Hellermann, of the Planning Commission, advised the neighbors were very happy with the proposed plans.

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

**PH-1** "By Council Member Beauchamp, seconded by Council Member Blasier;

**Resolved,** That Ordinance No. 1145, an Ordinance to Amend Section 401.4, Zoning Map of Ordinance No. 1028, City Zoning Map Ordinance, as Codified Under the Code of Ordinances, given its second reading and public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter."

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

Ayes: Beauchamp, Blasier, Baribeau, Tall  
Nays: None

**RESOLUTION DECLARED ADOPTED."**

Herewith Ordinance No. 1145 adopted by title:

**"AN ORDINANCE TO AMEND SECTION 401.4, ZONING MAP OF  
ORDINANCE NO. 1028, CITY ZONING MAP ORDINANCE, AS CODIFIED UNDER  
THE CODE OF ORDINANCES"**

Full Text in Ordinance Record "K".

## **NEW BUSINESS**

### **Approval - 2014-15 Fiscal Year Budget Resolution – City Manager.**

Administration sought Council approval of a resolution to set May 1, 2014, as the fourth public hearing on the 2014-2015 City Budget.

**NB-1** "By Council Blasier, seconded, by Council Member Beauchamp;

**Resolved,** To set May 1, 2014, as the fourth public hearing on the 2014-2015

City Budget.

The vote was as follows:

Ayes: Blasier, Beauchamp, Baribeau, Tall

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

**Approval – Annual Investment Report and Investment Policy Statement – Treasurer’s Office.**

Administration sought Council acceptance of the Annual Investment Report, approval of the City Investment Policy Statement and approval of the recommended depositories as cited in the annual Investment Policy Statement as presented by City Treasurer on April 9, 2014, during the City Budget Hearings.

**NB-2** “By Council Member Blasier, seconded by Council Member Baribeau;

**Resolved,** To accept the Annual Investment Report and Investment Policy Statement as of 12/31/2013, as presented by City Treasurer Robert Valentine on April 9, 2014, as required by Michigan Public Act 20.

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

Ayes: Blasier, Baribeau, Beauchamp, Tall

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

**Approval – Use of Public Space/Street Closure – 1223 Ludington Street.**

Degrad Enterprises, LLC, 1223 Ludington Street, requested Council authorization to utilize public space (city sidewalk) contiguous to their building on May 30, 2014, (Fun Run), July 26, 2014, (St. Pierre Anniversary High School Scholarship), August 16, 2014, (Fundraiser for Transverse Myelitis) and September 6, 2014, (Fundraiser for the Wheelin Sportsmen Fund), in accordance with the City of Escanaba Sidewalk Use Policy. Additionally, a request was made for a road closure in the 100 block of South 13th Street, just north of the alleyway to Ludington Street on August 16 and September 6, 2014. Administration recommended approval provided 1) proper insurance was provided to the City naming the City of Escanaba as an additional insured, 2) event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) the rules and regulations of the Michigan Liquor Control Commission and the City of Escanaba Sidewalk Use Policy are followed.

**NB-3** Baribeau moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve a request from Degrad Enterprises, LLC, 1223 Ludington Street, to utilize public

space (city sidewalk) contiguous to their building on May 30, 2014, (Fun Run), July 26, 2014, (St. Pierre Anniversary High School Scholarship), August 16, 2014, (Fundraiser for Transverse Myelitis) and September 6, 2014, (Fundraiser for the Wheelin Sportsmen Fund), in accordance with the City of Escanaba Sidewalk Use Policy. Additionally, a request was being made for a road closure in the 100 block of South 13th Street, just north of the alleyway to Ludington Street on August 16 and September 6, 2014, provided 1) proper insurance was provided to the City naming the City of Escanaba as an additional insured, 2) event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) the rules and regulations of the Michigan Liquor Control Commission and the City of Escanaba Sidewalk Use Policy are followed.

#### **Request to Use Ludington Park and Ludington Street – Krusin Klassic Car Club.**

The Krusin Klassic Car Club requested to use Ludington Park and Ludington Street on May 30, 2014, for their annual “Krusin Klassics Fun Run”. Administration recommended approval provided 1) proper insurance was provided to the City naming the City of Escanaba as an additional insured and 2) event sponsors provide all labor material and clean up at the conclusion of the event.

**NB-4** Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve a request to use Ludington Park and Ludington Street on May 30, 2014, for their annual “Krusin Klassics Fun Run”. Administration recommended approval provided 1) proper insurance was provided to the City naming the City of Escanaba as an additional insured and 2) event sponsors provide all labor material and clean up at the conclusion of the event.

#### **Update – Power Plant Sale – May 6<sup>th</sup> Ballot Proposal – City Manager’s Office.**

Administration updated the Council and public on the latest developments related to the sale of the Escanaba generating facility and the upcoming May 6, 2014, City Special Election Ballot Proposal.

City Manager O’Toole stated it was still City priority to sell the Power Plant for continued Plant operations. The May 6<sup>th</sup> ballot proposal was a contingency plan and would give the City options to dispose of the property so the City would not be held liable for costs in the event the Power Plant sale did not occur or City MISO SSR Agreement expired.

Charles Detiege of Escanaba Green Energy (EGE), updated the Council on the Power Plant sale. Mr. Detiege stated the May 6<sup>th</sup> ballot proposal had nothing to do with EGE purchasing the Power Plant. If the Power Plant sale did not occur by May 6<sup>th</sup>, EGE would continue the process to close the deal after the election date. Mr. DeTiege advised the EGE Escrow account was being created. Once created, City would be paid and EGE would receive a funding date. A check would be written once all the documents were signed.

**Discussion/Update – Council Seat Vacancy – City Council.**

The City Council discussed the process and possibility of filling the vacant Council seat. Mayor Tall stated letters of interest were received from James Hellermann, and Michael Sattem. He also advised a letter of interest and resume was received from Christine Williams, after the 12:00 p.m. Thursday, April 17<sup>th</sup> deadline.

After discussion, it was Council consensus not to accept Christine Williams application. They stated deadlines were important, especially for public office, and Christine Williams letter of interest arrived hours after the deadline.

Council Members suggested, at the next regular meeting, questions should be asked of Mr. Hellermann and Mr. Sattem. Council Members should each prepare and ask the candidates series of questions.

After further discussion, Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, that at the next regular Council Meeting, May 1, 2014, each Council Member will compile a list of Council Candidate questions. Council Members will be prepared to take turns asking the Council Candidates questions, getting to know each candidate and their goals and objectives. Council Members will then decide how to proceed.

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

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

Sarah Peloza to a vacant position on the Housing Commission, term ending June 1, 2015;

Todd Maki to a vacant position on the Recreation Advisory Board, term ending June 1, 2016;

The following individuals were appointed to fill vacancies. The terms will be expiring and these individuals wish to be reappointed to their first complete terms.

Joe Klem to the Board of Appeals, term ending June 1, 2017;

Dan Bender to the Downtown Development Authority, term ending April 21, 2018;

Andrew Crispigna to the Downtown Development Authority, term ending April 21, 2018;

Anthony LaPlant to the Public Safety Retirement Board, term ending June 1, 2018;

Randy Kleiman to the Recreation Advisory Board, term ending June 1, 2017;

These individuals wish to be reappointed to their second term:

Todd Milkiewicz to the Planning Commission, term ending June 1, 2017;

Thomas Warstler to the Planning Commission, term ending June 1, 2017;

Roy Webber to the Planning Commission, term ending June 1, 2017;

Wayne Hardwick to the Traffic Safety Advisory Committee, term ending June 1, 2017;  
Ralph B.K. Peterson to the Escanaba Building Authority, term ending August 1, 2017;

Council Member Blasier was appointed to the Delta County Landfill as a City of Escanaba representative and taken off the Brownfield Redevelopment Authority as Council Liaison due to Council Member Blasier's work schedule.

## **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**

- Escanaba Robotic team was congratulated on their success. Public was encouraged to help with their fundraising event to attend the national team competition;
- Manager O'Toole advised that on behalf of the Michigan Economic Development Corporation the City of Escanaba was welcomed into the second class of communities to participate in the statewide Redevelopment Ready Communities (RRC) program.

Mayor Tall Proclaimed - May 2014 Head Start Month

Hearing no further public comment, the Council adjourned at 7:37 p.m.

Respectfully submitted,

Robert S. Richards, CMC  
City Clerk

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

NB#1-CC 5/1/14

### SPECIAL EVENT APPLICATION - CITY OF ESCANABA Festivals, Parades, Races, Walkathons, Temporary Road Closures

DATE(S) OF EVENT: Setup starts Monday SEPT 15, 2014. Event thru 9/18 - Sun 9/21/14  
Day of Week, Month, Day, Year (eg: Saturday, January 2, 2010)

NAME OF EVENT: TEAR DOWN SUNDAY 9/21/14  
BASSMASTER ELITE SERIES ANGLER OF THE YEAR CHAMPIONSHIP

#### CONTACT INFORMATION (Please Print Clearly - Incomplete applications may be delayed)

Organization: B.A.S.S., LLC

Contact Person: MICHAEL MULONE Phone (day) [REDACTED]

Address: [REDACTED] BLUE LAKE DRIVE SUITE 350 Phone (evening): [REDACTED]

City: BIRMINGHAM AL E-mail: mmulone@bassmaster.com

Postal Code 35243 Website: BASSMASTER.COM

Charitable Org #: \_\_\_\_\_ Event Phone: [REDACTED]  
(If applicable)

Fax: \_\_\_\_\_

Alternate Contact: ERIC LOPEZ, [REDACTED]  
(It is recommended that an alternate name & telephone number be provided)

\*\* Do you grant the City of Escanaba, City Manager's Office permission to give your telephone number to the general public Yes  No

#### LOCATION

City Park Name: LDWINGTON PARK

Building/Facility Name/Area: TBD

Road (s) Road Closure Required?: Partial  Full

#### DATE / TIME

<b>EVENT TIME</b> This is the time your event would be ready to accept participants or general public.	<b>Event Begins</b> DATE: <u>THURS 9/18/14</u> TIME: <u>NOON</u>	<b>Event Ends</b> DATE: <u>SUNDAY 9/21/14</u> TIME: <u>7PM</u>
	<b>SET UP TIME</b> When do you want the area reserved for your organization to ensure you have adequate time for set up and tear down.	<b>Set Up Start</b> DATE: <u>MON 9/15/14</u> TIME: <u>8AM</u>

The collection, use and disclosure of personally identifying information submitted on this form will be used to facilitate the request to host a special event within the City of Escanaba. Applicants may, from time to time, be contacted by the City or a City-contracted third-party for the express purposes of gathering information about the proposed event, assessing satisfaction and/or obtaining feedback on services related to special events. Questions about this collection should be directed to the City Manager.

**EVENT DETAILS**

**TYPE OF EVENT**

- Parade       Cycling       Festival/Event  
 Run       Walkathon       Other (specify) FISHING TOURNAMENT AND FESTIVAL

**ESTIMATED ATTENDANCE (please estimate all that apply)**

Participants # 50 anglers      Wheelchair Accessible Yes  No   
Bands # TBD      For events on City Property are you seeking  
Vehicles/Floats # 50 BOATS      approval to charge:  
Volunteers # 100      Admission Yes  No   
General Public # 5,000 per day      Parking Yes  No   
Is this event:  Open to the Public  
 For Invited Guests only

**EVENT ELEMENTS (complete to ensure proper permits are processed)**

Power Requirements\* Yes  No       Fireworks Yes  No   
Sound Amplification Yes  No       Alcohol Yes  No   
Access to power if possible Yes  No   
Live Music Yes  No   
Tents/Temp. Structures Yes  No       Size of tent(s): 19 1/2' x 19 1/2'  
Amusement Rides Yes  No       Provider: \_\_\_\_\_  
Inflatables Yes  No       Provider: TBD - LOCAL FESTIVAL

**FOOD & BEVERAGE**

Will there be food & non alcoholic beverages sold? Yes  No (continue to next page)

Food stand locations Indoor  Outdoor  Inside & Outside

What kinds of food will the Stands be selling? (check all that apply)

- Chicken/seafood       Soups/chilli       Other foods (please list)  
 Rice/pasta dishes       Salad      TBD - LOCAL VENDORS  
 Pop, chips, candy       Other meats      \_\_\_\_\_  
 Hotdogs/hamburgers       Baked goods      \_\_\_\_\_

**EVENTS REQUESTING ROAD CLOSURE**

Road closures must be approved by City Council. Once City Council has approved your road closure, changes cannot be made to your route without notification to the City Manager as a secondary Council Approval will have to be sought.

A detailed map of road closure **MUST** be included. Applicants must notify abutting properties of the closure at least 14 days in advance of the event. This notification letter must be approved by the City Manager's Office. If there are any SPECIAL REQUESTS that you would like City to consider, please outline them on a separate paper and attach

**DEFINE THE CLOSURE LIMITS – ATTACH A DETAILED MAP**

I have read and understood the Special Events Application.

I will notify the City Manager's Office of any changes to my event application at least fourteen (14) days in advance of the event.

I have received a copy, read and understand the contents of the City of Escanaba Policy and Procedures No. 060101-10, Alcohol in Public Places (if applicable).

Michael Mulone  
Event Organizer Signature

Michael Mulone April 23, 2014  
Print Name & Date



# DELTA COUNTY Commerce Center

230 Ludington Street  
Escanaba, Michigan 49829  
(906) 786-2192 | Fax (906) 786-8830

April 22, 2014

Jim O'Toole  
City of Escanaba  
410 Ludington St.  
Escanaba, MI 49829

Jim,

Thank you for the generous support that the City of Escanaba, through the City Council, has provided for past fishing tournaments. This summer we will be hosting the Cabela's National Walleye Tour August 29 - 30 and the Toyota Bassmaster Angler of the Year Championship, Sept. 18-21.

In the past, these tournaments have provided significant economic impact to our community. I have enclosed the economic impact study from MWC World Championship Walleye Tournament 2013 so that you can see the extent of the benefit bass anglers provide to our area. We are asking you to consider the same level of support we have received for previous tournaments. That support in the past has included but not limited to:

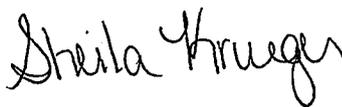
- Use of the Marina one week prior to and during tournaments
- Use of the North Shore float Launch
- Use of Ludington Park including Aronson Island Boat Ramp one week prior to and during the tournaments
- Complimentary launch passes during the tournament fishing days for anglers - packaged rates for anglers fishing prior to the tournament
- Porta - potty rental
- Use of road cones and barricades at Ludington Park
- Trash barrels
- Phone, internet, and electric service
- Floating dock placement
- Set up and tear down assistance from Marina Staff
- Support & Coordination from Public Safety, Parks and Rec. and other City Departments

If we can answer any questions or be of service please contact us at the Commerce Center.

Thank you.



Vickie Micheau  
Commerce Center



Sheila Krueger  
Commerce Center



Rick Elrod  
Commerce Center

## News Release

Delta County Chamber of Commerce

For additional information, contact Vickie Micheau, 786-2192

### Fishing Tournaments Give Bays de Noc an Economic Boost

ESCANABA - With tourism down this summer throughout the Upper Peninsula, Delta County has depended on fishing tournaments to keep above the downward trend.

An economic impact survey conducted by the Delta County Chamber of Commerce during the Cabela's National Team Championship in June showed an economic impact from the competitors alone was nearly \$1-million. That does not count family members, tournament staff, media, spectators and others who attended the championship. And, most of the respondents said they plan to return to the area.

There were 252 two-person teams at the Cabela's tournament. Of the 504 anglers, Chamber Director Vickie Micheau said 250 anglers responded to the survey. Those responding were from 23 different states. Most of the respondents were from Nebraska, Pennsylvania and Minnesota.

The survey included information on lodging, food, transportation, fishing expenses, repairs and other expenses.

Those that responded stayed 6.42 nights and spent an average of \$1,834.34 making the immediate economic impact from the respondents \$458,585. Assuming the remaining participants spent the similar amount of money during the tournament, the economic impact for all 504 anglers was \$924,507.36.

Plus, each fisherman brought an average two additional people. Excluding transportation and fishing expenses, guests provided an economic impact of \$761,715.36 for a total economic impact of \$1,686,222.72. That still does not include tournament staff and others.

Micheau said the economic impact of the Cabela's tournament and the other tournaments throughout the summer reaches much further than the numbers show.

"What you look at, in addition to the money that comes in immediately or is spent during a tournament, is the long term effects of what happens after you hold a tournament," she said.

Eighty-two percent of the respondents said they stayed in a motel during their stay including the Bay View Motel between Escanaba and Gladstone. Reservations early in the year allowed Dan Kotowski to complete some needed construction at Bay View.

“We knew the money was coming in so it allowed us to do some remodeling,” Kotowski said. “So when people say it helps the motels, it helps the restaurants, it helps the gas stations, it does a lot more than that. All the money we spent here from that tournament went right back into the community.”

Kotowski said tournament fishermen tend to stay longer than vacationing fishermen. He saw fishermen arriving two weeks before the Cabela’s NTC and a week and half before the PWT in August.

The survey also showed that the fishermen visited many of the area’s restaurants and stores. Restaurants they listed included Jack’s Restaurant and Swallow Inn in Rapid River; Delta Pub, Dew Drop Inn, Log Cabin and Delona in Gladstone; and Country Kitchen, Buck Inn, McDonald’s, Hong Kong Buffet, Tailgators, Hereford & Hops, Crispigna’s, Swedish Pantry, Stonehouse and Dobber’s Pasties in Escanaba.

“The response we’ve gotten from the fishermen has been outstanding,” said Brad Mantela of Dobber’s Pasties. “Any time there’s fishing tournaments in the area there’s always an upswing in business.”

Mantela said he even sees repeating business as fishermen come or pass through the area at other times. Despite the cool temperatures, he said the summer traffic has been decent this year.

Stores the respondents said they visited included Wal-Mart, K-Mart, Holiday Gas Station, Bay Shore Bait & Tackle, Saykly’s, SuperOne, Delta Do-It, Grain & Grape and J.C. Penny’s. Many of them went to the Chip-In’s Island Resort and Casino.

Steve Masters, executive coordinator at the Bays de Noc Convention and Visitors Bureau, said lodging is down as much as 30 percent in some parts of the Upper Peninsula but Delta County on average has not posted the same decreases as the rest of the U.P.

“The events we’ve had in Delta County, specifically the fishing tournaments, have insulated us from that a little bit. We’re holding our own,” said Masters. “We’re not posting any increases and the months we are down are not as large as they are posting across the Upper Peninsula.”

His latest figures from May showed a slight increase in motel stays in Delta County. He expects the same for June, a slight downturn in July and maybe a slight increase in August.

“Which, in this year of down, down, down, even holding your own is OK,” he said.

Many of the anglers who responded to the survey had high praise for the area. One person said, “Beautiful area, will bring the family back next time.” Complaints centered on the rough waters and high winds.

Masters said the area’s tourism industry will continue to focus on fishing and activities on the bays.

“Fishing is very important for our area especially the tournament fishing because tournament fishing brings in that captive audience and it gives us more exposure. The water is what we have and who we are, it is part of our unique identity as a coastal community,” he said.

Both the Cabela’s NTC and PWT were filmed for broadcast on national cable channels. Micheau said many of the competitors crossing the Cabela’s stage made great comments about the area and the tournament.

“It makes it worth it. It makes all the work worth it. It makes the investment we made worth it because it was appreciated by the anglers who were here,” Micheau said. “They were impressed with our fishery and we absolutely believe that they will be back visiting our area and we expect to see people who have never been here before as a result of the exposure of the Cabela’s NTC coverage.”

Most in the survey, 92 percent, said their experience in Delta County was pleasant. Eight-two percent said they had never been to the Bays de Noc before and 84 percent said they plan to return to the area.

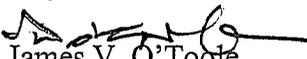
Micheau said the area can now be very selective about the types of tournaments that come to the Bays de Noc because of the quality fishery and the tournament support in the communities.



MEMORANDUM

April 24, 2014

TO: City Council

FROM:   
James V. O'Toole

SUBJECT: Bay De Noc Community College – Quit Claim Deed

In October 1967, the City of Escanaba conveyed property to the Bay De Noc Community College so that a college could be constructed within the City limits. As part of the approval process Bay De Noc Community College agreed to use the property solely for education purposes and to commence construction of an educational facility within five (5) years. Both requirements were met.

In 1999, at the request of the College, the City provided a quick claim deed to remove those two (2) conditions for purposes of the college's SBA-backed facilities improvement loan. Jumping forward to 2014, the College is again in the process of dealing with an SBA-backed improvement loan and a review of the 1999 quit claim deed showed not all property at the College was included in the 1999 quit claim deed. Therefore, Bay De Noc Community College is seeking an additional quit claim deed so that this clerical error can be corrected.

Administration is recommending approval of the request in that nothing additional is being conveyed which was not already intended to be conveyed in both the 1967 deed and the 1999 deed.

### QUIT CLAIM DEED

The Grantor, the City of Escanaba, a Michigan municipal corporation, whose address is 410 Ludington Street, Escanaba, Michigan 49829, quit claims to the Grantee, Bay De Noc Community College, a Michigan constitutional body corporate, whose address is 2001 N. Lincoln Road, Escanaba, Michigan 49829, the following described premises situated in the City of Escanaba, County of Delta, State of Michigan:

The Northwest quarter of the Southeast quarter (NW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section 13, Township 39, North of Range 23 West, except the right of way of the Escanaba & Lake Superior Railroad, being 50 feet on either side of the center line of said track, as now laid out and located. Containing 37.46 acres, more or less.

All that part of the Southwest quarter of the Southeast quarter (SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section 13, Township 39, North of Range 23 West, lying north of the north right of way line of Danforth Road, as now constructed, except the right of way of the Escanaba and Lake Superior Railroad, being 50 feet on either side of the center line of said track, as now located. Containing 21.37 acres, more or less.

All that part of the Southeast quarter of the Southeast quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section 13, Township 39, North of Range 23 West, lying north of right of way line of the Danforth Road as now constructed and West of the West right of way line of U.S. Highway 2 and 41. Containing 12.75 acres, more or less.

All that part of the Northeast quarter of the Southeast quarter (NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section 13, Township 39, North of Range 23 West, lying west of the west right of way line of U.S. Highway 2 and 41. Containing 12.74 acres, more or less.

The Northeast quarter of the Southwest quarter (NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section 13, Township 39, North of Range 23 West. Containing 40 acres, more or less.

All that part of the Southeast quarter of the Southwest quarter (SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ) of Section 13, Township 39, North of Range 23 West, lying north of the north right of way line of the Danforth Road as now constructed. Containing 26.0 acres, more or less.

("Property").

The purpose of this deed is to convey the Grantor's reversion rights to the Grantee. The reversion rights were created in the warranty deed from the Grantor to the Grantee dated October 5, 1967 and recorded December 18, 1967 in Liber 223, Page 11 of Delta County Records, as follows: *"The grantee covenants and agrees that the premises above described and herein conveyed shall be used solely for education purposes, dwellings, other than dormitories, are expressly prohibited. Grantee agrees to commence construction of educational facilities within five (5) years from the date hereof Breach of either of the foregoing shall cause these premises to revert to the grantor, its successors and*

assigns.”

The Grantor grants to the Grantee the right to make all permitted divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Act of 1967. The Property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan right to farm act.

This deed is exempt from transfer tax pursuant to Section 5(a) and Section 5(h)(i) of Public Act 134 of 1966, MCL 207.505(a) and MCL 207.505(h)(i), as amended, and Section 6(a) and Section 6(h)(i) of Public Act 330 of 1993, MCL 207.526(a) and MCL 207.526(h)(i), as amended.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014

Signed by:

CITY OF ESCANABA, a municipal corporation

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN ) ss.  
COUNTY OF DELTA )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, to me known to be the same person who executed the written instrument above on behalf of the City of Escanaba.

Subscribed and sworn before me in \_\_\_\_\_ County, Michigan, on the \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(printed)

Notary public, State of Michigan, County of \_\_\_\_\_

My Commission expires on \_\_\_\_\_

Acting in the County of \_\_\_\_\_

When recorded, return to:  
Grantee

Drafted (without opinion) by:  
Kirk C. Herald, Esq. (P60657)  
THRUN LAW FIRM, P.C.  
2900 West Road, Suite 400  
East Lansing, Michigan 48826-2575  
(517) 374-8819

Send subsequent tax bills to: Grantee

Tax Parcel # \_\_\_\_\_ Recording Fees: \$ \_\_\_\_\_ Transfer Tax \_\_\_\_\_

QUITCLAIM DEED

The Grantor, the CITY OF ESCANABA, a municipal corporation, whose address is: 410 Ludington Street, Escanaba, Michigan 49829, quit-claims to: the Grantee BAY DE NOC COMMUNITY COLLEGE, a Michigan constitutional body corporate, whose address is: 2001 North Lincoln Road, Escanaba, MI 49829, the following described premises situated in the City of Escanaba, County of Delta, State of Michigan.

PARCEL A

A parcel of land located in the Southeast 1/4 of Section 13, Township 39 North, Range 23 West, being more particularly described as follows:

Commencing at the Southeast corner of said Section 13; thence South 89° 19' 00" West along the South line of said Section, a distance of 1281.45 feet to the East right of way line of North 26th Street; thence North 00° 02' 00" West a distance of 1809.96 feet; thence North 89° 58' 00" West a distance of 73.74 feet to the Point of Beginning; thence South 63° 16' 18" West a distance of 302.34 feet; thence South 26° 43' 42" East a distance of 27.00 feet; thence South 63° 16' 18" West a distance of 210.66 feet; thence North 26° 43' 42" West a distance of 386.00 feet; thence North 63° 16' 18" East a distance of 513.00 feet; thence South 26° 43' 42" East a distance of 359.00 feet to the Point of Beginning.

PARCEL B:

Together with a perpetual, non-exclusive easement for ingress and egress and for the installation, maintenance and repair (including reconstruction) of utilities on, over, across, under and through the following described parcel:

PETERSON, DEGRAND, REARDON,  
HALL & PEARSON, P.C.  
ATTORNEYS AT LAW  
120 NORTH SIXTH STREET  
ESCANABA, MICHIGAN  
49829-3892

A centerline description for a 60 foot wide road easement located in the Southeast 1/4 of Section 13, Township 39 North, Range 23 West, more particularly described as follows:

Commencing at the Southeast corner of said Section 13, Township 39 North, Range 23 West; thence South 89° 19' 00" West along the South line of said Section a distance of 1281.45 feet to a point on the East right of way of North 26th Street; thence North 00° 02' 00" West along said East right of way a distance of 613.86 feet to a point on the North right of way of Danforth Road; thence South 85° 12' 02" West along said North right of way a distance of 501.78 feet to a point being the Point of Beginning; thence North 04° 37' 12" West a distance of 67.06 feet; thence in a Northerly direction along a curve to the left with a Delta Angle of 22° 24' 00", a radius of 190.55 feet; chord of 74.02 feet which bears North 15° 49' 15" West a distance of 74.50 feet along the arc; thence North 27° 01' 17" West a distance of 467.74 feet; thence in a Northerly direction along a curve to the right with a Delta Angle of 40° 18' 33", a radius of 92.01 feet, chord of 63.41 feet which bears North 06° 52' 10" West a distance of 64.73 feet along the arc; thence North 13° 16' 58" East a distance of 383.49 feet; thence North 09° 20' 55" West a distance of 170.67 feet; thence in a Northerly direction along a curve to the right with a Delta Angle of 23° 09' 07", a radius of 337.10 feet, chord of 135.29 feet which bears North 02° 13' 40" East a distance of 136.22 feet along the arc; thence North 13° 48' 17" East a distance of 3.85 feet to the Point of Ending of this 60 feet wide road easement description.

The purpose of this deed is to convey the Grantor's reversion rights to the Grantee. The reversion rights were created in the warranty deed from the Grantor to the Grantee dated October 5, 1967 and recorded December 18, 1967 in Liber 223, Page 11 of Delta County Records, as follows: "The grantee covenants and agrees that the premises above described and herein conveyed shall be used solely for education purposes, dwellings, other than dormitories, are expressly prohibited. Grantee agrees to commence construction of educational facilities within five (5) years from date hereof Breach of either of the foregoing shall cause these premises to revert to the grantor, its successors and assigns."

The consideration for this conveyance is less than \$100 and it is, therefore, exempt from real estate transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a).

PETERSON, DEGRAND, REARDON,  
HALL & PEARSON, P.C.  
ATTORNEYS AT LAW  
120 NORTH SIXTH STREET  
ESCANABA, MICHIGAN  
49829-3992

