



CITY COUNCIL MEETING AGENDA

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro-Tem
Patricia A. Baribeau, Council Member
Ralph B. Blasier, Council Member
Michael R. Sattem, 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, January 15, 2015, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE –

APPROVAL/CORRECTION(S) TO MINUTES –

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION

BRIEF PUBLIC COMMENT

Pastor Pastor Erik Heskin of Bethany Lutheran Church
Regular Meeting – January 7, 2015

PUBLIC HEARINGS

1. Public Hearing – Citizen Participation – 2015/16 Fiscal Year Budget Preparation.

Explanation: Each year, Council holds public hearings to facilitate input from its citizens for the City's next fiscal year budget. This is the first of five (5) scheduled public hearings.

UNFINISHED BUSINESS – None

NEW BUSINESS -

1. Approval – Use of Public Space – Escanaba Municipal Harbor - Big Brothers Big Sisters of the Bay Area.

Explanation: Big Brothers Big Sisters of the Bay Area is requesting approval to use the Escanaba Municipal Harbor for their annual Jig It Ice Fishing Fundraising Event on Saturday, January 24, 2015. Additionally, the group is requesting the City provide refuse containers, road barricades, and road cones for the event. Administration is recommending approval of the request(s) provided: 1) proper liability insurance was filed with the City and 2) event staff clean up after the event.

2. Approval – Grant Resolution of Support – Bonifas Arts Center – “Music Mondays” - Michigan Council for Arts and Cultural Affairs.

Explanation: The Bonifas Art Center is seeking Council approval of a resolution supporting their grant application to the Michigan Council for Arts and Cultural Affairs seeking funds for the “Music Mondays” Summer Concert Series. If the funding is approved, the City of Escanaba will serve as the Administrator of funds. Administration is recommending approval.

3. Approval – Catherine Bonifas Civic Center Lease – Delta County Michigan Chapter of the Barbershop Harmony Society.

Explanation: The Delta County Michigan Chapter of the Barbershop Harmony Society is requesting the Council approve a lease which would allow them to utilize space at the Catherine Bonifas Civic Center for their weekly rehearsals. Administration is recommending Council approval.

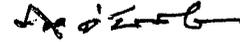
4. Update – Power Generation– City Manager’s Office.

Explanation: Administration will update the Council and public on the latest developments related to the sale of the Escanaba generating facility and the Upper Peninsula electrical situation.

Council Agenda - January 15, 2015

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, January 7, 2015**

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, Ralph B. Blasier, and Michael R. Sattem

Absent: None

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

City Clerk Robert S. Richards gave the invocation and led Council in the Pledge of Allegiance.

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

RETIREMENT PROCLAMATION

Mayor Tall read a Proclamation for Margaret J. Ogren of the Escanaba Public Safety Department, declaring January 7, 2015, "Margaret J. Ogren Day", in the City of Escanaba, and read a certificate thanking Ms. Ogren for her years and dedication and service to the City of Escanaba.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS

Condemnation Hearing - 630 1st Avenue South.

Administration requested the condemnation of a building located at 630 1st Avenue South, Escanaba, MI. Administration advised the 24,000 foot structure was deemed as unsafe, a public nuisance, and unfit for human occupancy.

Property Maintenance Inspector Blaine DeGrave provided a presentation on the property, its history, and details regarding the structure, which included information on the collapsing roof and deteriorating brick walls and chimney. The property was owned by Todd and Maria Caron, located at 630 1st Avenue South. It was Administration's recommendation that the property was deemed unsafe, a public nuisance, unfit for human occupancy and recommended the property be condemned.

City Council Minutes
January 7, 2015 – cont.

During discussion with Council and Mr. Caron, the following items were reviewed:

- A Roy Ness structural recommendation was obtained stating repairs to the structure would cost prohibited;
- Defined what a public nuisance was per Property Maintenance Code;
- Owners had been getting costs for demolition. Estimated costs to remove the building and haul away the debris was \$99,000;
- Reviewed Property Owners timeline if condemnation was approved;
- If property reverted to City, grants would be sought for the removal costs. Steps would also be sought from the Caron's to reimburse the City;
- Mr. Caron advised taxes were paid up to date. He did attempt to obtain funds from his insurance company to pay for the roof repair but his insurance company sent him some funds and cancelled his policy;
- Mr. Caron advised he could not afford to repair the building and could not afford the \$100,000 to demolish and remove the materials. He had contacted contractors to repair the building, but they all said it would be cost prohibited to make repairs and bring the structure up to current building codes;
- Mr. Caron discussed attempts for property being donated to the DDA, but eventually offer was declined;
- Mr. Caron stated the building could not be taken down until spring. He had obtained a bid from Bittner's Excavating, but it only included demolition and separation of material with no removal. He would then try to recycle the brick;
- Mr. Caron stated he had tried to sell the property and contacted individuals, but no one has contacted him;
- Mr. Caron stated he was asking for more time to demolish the building, and remove the materials from the site.

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

Dave Pinozek, commented on property and stated his building was east of Mr. Caron's building. He was in fear of the building falling down on his property or into the alley where his business trucks were using it to and from his business. He felt the building should come down, and possibly have the City come up with a finance plan with the Caron's.

Mr. Caron stated engineers/contractors who looked at the building advised the building was structurally sound and should not fall down. The chimney has been in the same condition for over 30 years.

Terasa Brown, property owner next to building, stated that she was concerned about their safety and the need for a security fence. Mr. DeGrave reviewed the installation of the 6 foot security fence which would be put around the building.

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

Council Members asked for an attorney opinion from Mr. Peterson who advised

City Council Minutes
January 7, 2015 – cont.

the City needed to perform due diligence and all reasonable steps legally to protect the City from any legal action.

PH-1 After further discussion, Blasier moved, Baribeau seconded, to condemn building located at 630 1st Avenue South, Escanaba, MI.

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

MOTION CARRIED.

UNFINISHED BUSINESS – None

NEW BUSINESS

Scheduling of Public Hearings - Citizen Participation - 2015/16 Fiscal Year Budget Preparation.

Each year, the City Council held public hearings to facilitate input from citizens for the upcoming fiscal year budget. The first of five (5) scheduled public hearings was scheduled for January 15, 2015. Additionally, Administration sought City Council approval to schedule additional budget input public hearings for February 19, 2015, and March 19, 2015.

NB-1 Baribeau moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to schedule public hearings for January 15, 2015, February 19, 2015, and March 19, 2015, for citizen input on the 2015/16 Fiscal Year Budget.

Update – Power Generation– City Manager’s Office.

Manager O’Toole updated the Council and public on the latest developments related to the sale of the Escanaba generating facility and the Upper Peninsula electrical situation.

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

Mayor Tall, with Council consensus, appointed Mark Hannemann to the Board of Appeals, term ending June 2018.

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

- Council Member Blasier updated the public on the status of the Delta County Animal Shelter.

Hearing no further public comment, the Council adjourned at 7:59 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

NB#1 1/15/15

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

DATE(S) OF EVENT: Saturday, January 24th, 2015
Day of Week, Month, Day, Year (eg: Saturday, January 2, 2014)

NAME OF EVENT: Jig it

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

Organization: Big Brothers Big Sisters
 Contact Person: Janya Ettenhofer Phone (day): ~~906-789-2227~~
 Address: 7100 Ludington St. Ste 302 Phone (evening): ~~906-789-2227~~
 City: Escanaba MI E-mail: tschuster01@gmail.com
 Postal Code 49829 Website: bbbsbayarea.org
 Charitable Org #: ~~3-20-2015~~ Event Phone: _____
 (If applicable) Fax: ~~906-789-2227~~
 Alternate Contact: _____
 (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: Escanaba Harbor Area
 Building/Facility Name/Area: N/A
 Road (s) Road Closure Required?: Partial Full

DATE/TIME

EVENT TIME This is the time your event would be ready to accept participants or general public.	Event Begins DATE: <u>1/24/2015</u> TIME: <u>8:00 am</u>	Event Ends DATE: <u>1/24/2015</u> TIME: <u>6:00 P.m.</u>
	SET UP TIME When do you want the area reserved for your organization to ensure you have adequate time for set up and tear down.	Set Up Start DATE: <u>1/23/2015</u> TIME: <u>3 P.m.</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 Event

ESTIMATED ATTENDANCE (please estimate all that apply)

Participants # <u>400</u>	Wheelchair Accessible Yes <input type="checkbox"/> No <input type="checkbox"/>
Bands # _____	For events on City Property are you seeking approval to charge: _____
Vehicles/Floats # _____	Admission Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Volunteers # _____	Parking Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
General Public # _____	Is this event: <input checked="" type="checkbox"/> Open to the Public <input type="checkbox"/> For Invited Guests only

EVENT ELEMENTS (complete to ensure proper permits are processed)

Power Requirements* Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Fireworks Yes <input type="checkbox"/> No <input type="checkbox"/>
Sound Amplification Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Alcohol Yes <input type="checkbox"/> No <input type="checkbox"/>
Access to power if possible Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Live Music Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Tents/Temp. Structures Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Size of tent(s): <u>on Ice Area (2) 20x40</u>
Amusement Rides Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Provider: _____
Inflatables Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Provider: _____

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
- Pop, chips, candy
- Other meats
- Hotdogs/hamburgers
- Baked goods

bag chips
Candy bars

Hot dogs, Chili, and Pre Packaged Food.

Reservation Fees (check applicable box):

- Ludington Park Pavilion 1/2 day \$75 (resident) \$100 (non-resident)
- Ludington Park Pavilion full day \$100 (resident) \$125 (non-resident)
- Ludington Park Bandshell 1/2 day \$75 (resident) \$100 (non-resident)
- Ludington Park Bandshell full day \$100 (resident) \$125 (non-resident)
- Ludington Park Gazebo \$50 p/2 hour block (res) \$75 p/2 hour block (non-resident)
- Other Picnic or Gathering Areas \$35 p/day
- John D. Besse Park Pavilion 1/2 day \$75 (resident) \$100 (non-resident)
- John D. Besse Park Pavilion full day \$100 (resident) \$125 (non-resident)
- Lemerand Pavilion 1/2 day \$75 (resident) \$100 (non-resident)
- Lemerand Pavilion full day \$100 (resident) \$125 (non-resident)
- Lemerand Complex \$250 per day

Half Day Reservation: Cut-off time is 4:00 pm. Half-day reservations can be made before or after 4:00 pm.

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.

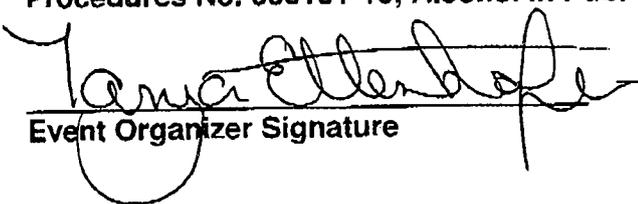
A detailed map of road closure **MUST** be included. Applicants must notify abutting properties of the closure at least 14 days in advance of the event. This notification letter must be approved by the City Manager's Office. If there are any SPECIAL REQUESTS that you would like City to consider, please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


Event Organizer Signature

Tanya Ettenhofer 1/5/2015
Print Name & Date

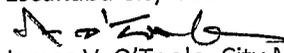
James V. O'Toole
City Manager



NB# 2
1/15/15
410 Ludington Street
Escanaba, Michigan 49829
Phone (906)786-0240

MEMORANDUM

January 9, 2015

TO: Escanaba City Council
FROM: 
James V. O'Toole, City Manager
SUBJECT: Bonifas Art Center Grant Application – Michigan Council for Arts and Cultural Affairs
“Music Mondays” – Ludington Park – Karas Band Shell

The Bonifas Art Center is seeking Council approval of a resolution supporting their grant application to the Michigan Council for Arts and Cultural Affairs seeking matching funds for the “Music Mondays” Summer Concert Series. Historically the concert series was conducted during the summer months at Ludington Park in the Karas Band Shell.

Last summer, the Bonifas Art Center was unable to provide the concert series due to lack of funding. Because of that a private donor paid for the summer long community concerts with the City of Escanaba providing funding for event insurance.

Administration is recommending approval of a resolution so that the application for funds can be submitted by the February 2, 2015, deadline.

Mission Statement:

Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.

Resolution in Support of a Grant Application to the Michigan Council for Arts and Cultural Affairs

AT A MEETING OF THE CITY COUNCIL OF THE CITY OF ESCANABA, MICHIGAN, HELD ON JANUARY 7th, 2015,

RESOLUTION - SUPPORTING THE GRANT APPLICATION TO THE MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS SEEKING MATCHING FUNDS FOR THE "MUSIC MONDAYS" SUMMER CONCERT SERIES.

WHEREAS, the City Council of the City of Escanaba, Michigan, does hereby find as follows:

WHEREAS, the City desires to support the cultural lives of area residents through opportunities to be exposed to new art and music;

WHEREAS, the City has an excellent partner in the Bonifas Arts Center to successfully organize and promote community events, and educate the public through music appreciation programming;

WHEREAS, the City will administer the grant funds, if awarded, as set forth in the application;

WHEREAS, the City has a policy detailing equal opportunity provisions for job applicants and public accommodations and agrees to conform to the Assurances and Guidelines set forth in the application;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City Council of the City of Escanaba, Michigan, that the grant application should be made to the Michigan Council for Arts and Cultural Affairs for the February 2, 2015 deadline.

City Council, Escanaba, MI Dated: _____

Attest

Clerk, City Council
City of Escanaba, Delta County, State of Michigan

Dated: _____

williambonifas
Fine Arts Center



January 6, 2015

Escanaba City Council
c/o Jim O'Toole, City Manager

Dear City Council:

Please adopt the attached Resolution in support of a grant application to the Michigan Council for the Arts and Cultural Affairs seeking \$4,000 in matching funds for the Music Mondays Summer Concert Series. The grant proposes a collaborative effort between the City and the Bonifas to enrich the cultural lives of area residents through exposure to new music. The Bonifas is requesting that the City serve as lead applicant for this grant application since we have already received grant monies in this funding cycle and cannot receive a second MiniGrant in 2015. The Resolution is a required component of the grant to confirm the City's approval to seek the grant and to comply with administering it (if awarded).

The grant proposes six "Music Mondays" in the evenings throughout June, July and August featuring artists/bands in the City band shell in Ludington Park along with a brief music appreciation segment led by some of the area's finest educators. The Bonifas will coordinate the artists and educators and promote the events across the region.

The City's obligation under the grant is to serve as administrator of the funds which would entail; tracking and reporting on the grant funds received/expended from MCACA, documenting the City's \$4,000 in-kind contribution of facility use and staff time, compensating artists for their services and the Bonifas for organizing and promoting the events.

If there are any questions regarding this request please feel free to contact me.

Sincerely,

Jon Becker
Events Coordinator
906.458.4221

700 First Avenue South
Escanaba, MI 49829
bonifasarts.org
P 906.786.3833
F 906.786.3840

NB # 3
1/15/15

MEMORANDUM

January 7, 2015

TO: Jim O'Toole, City Manager
Robert Richards, City Clerk

FROM: Thomas Penegor, Recreation Director

SUBJECT: City Council Agenda of Thursday, January 15, 2015

**REQUEST FOR APPROVAL OF ANNUAL LEASE AGREEMENT BETWEEN THE CITY OF ESCANABA
AND THE DELTA COUNTY MICHIGAN CHAPTER OF THE BARBERSHOP HARMONY SOCIETY**

Administration is seeking Council approval of an annual Lease Agreement between the Delta County Michigan Chapter of the Barbershop Harmony Society and the City of Escanaba for leased space at the Catherine Bonifas Civic Center building. The City is requesting that the Society provide the necessary insurance required and remove their furniture from the room when needed to use the room for other civic activities.

AGREEMENT

THE CITY OF ESCANABA

AND

THE DELTA COUNTY MICHIGAN CHAPTER OF THE BARBERSHOP HARMONY SOCIETY

The Delta County Michigan Chapter of the Barbershop Harmony Society wishes to use the rear portion of the Escanaba Civic Center's old Council Chambers, for their weekly rehearsals. Such rehearsals are generally on Monday evenings from 6 PM to 10 PM. The Chapter President, or a member of the Board of Directors, will notify the Escanaba Recreation Department if changes to this schedule are required. A monthly rental charge of \$50.00 will be paid by the Chapter to the City. The Chapter will purchase insurance to cover its' personal property.

It is agreed that the Chapter will, in addition, provide the following services for the public and particularly the citizens of the City of Escanaba. The Chapter's Remnants Chorus will sing at a minimum of nine public performances annually. Such performances will be open to the general public, and particularly the citizens of Escanaba. The performances will include the annual Community Christmas Concert, welcome home ceremonies for U.P. Honor flights, rest home visits, Flag Day ceremonies in Ludington Park, the Waterfront Art Fair, and the annual Chapter show at the Old Escanaba Junior High School. Other public singing events will be performed upon request, when possible.

Notice of all public performances will be sent to the City, and the local media, well in advance of the date of each event. In addition, the City of Escanaba will be acknowledged as a patron of the Chapter in the program for the Annual Chapter Show.

This agreement is effective January 1, 2015, and will terminate December 30, 2015.

CITY OF ESCANABA

DELTA COUNTY MICHIGAN CHAPTER
BARBERSHOP HARMONY SOCIETY

James V. O'Toole

President

Robert S. Richards, CMC

Treasurer