



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, February 5, 2015, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE –
APPROVAL/CORRECTION(S) TO MINUTES –

Pastor Chris Johnson of Christ the King Lutheran Church
Regular Meeting – January 15, 2015
Special Meeting – January 14, 2015, January 20, 2015

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION

BRIEF PUBLIC COMMENT

PUBLIC HEARINGS - None

UNFINISHED BUSINESS – None

NEW BUSINESS

1. **Presentation – Escanaba Planning Commission – 2014 Planning Commission Performance Report and 2015 Planning Commission Plan of Work.**
Explanation: The Escanaba Planning Commission Chairman will present to the City Council and people of Escanaba their annual 2014 Planning Commission Performance Report and 2015 Planning Commission Plan of Work.
2. **Presentation – Escanaba Downtown Development Authority – 2014 Downtown Development Authority Performance Report and 2015 Downtown Development Authority Plan of Work.**
Explanation: The Escanaba Downtown Development Authority Director will present to the City Council and the people of Escanaba their annual 2014 DDA Performance Report and 2015 DDA Plan of Work.
3. **Approval – Community Master Plan – Professional Services – Central Upper Peninsula Development Regional Planning Agency (CUPPAD).**
Explanation: Administration is seeking Council approval to retain the Central Upper Peninsula Development Regional Planning Agency (CUPPAD) to update the City of Escanaba's Master Plan in an amount not to exceed \$12,600. On January 22, 2015, the Planning Commission recommended Council approval. The cost for this service is included in the current fiscal year budget.
4. **Approval – Land Lease – Storage Building– Upper Peninsula Substance Abuse Team (UPSET).**
Explanation: The Upper Peninsula Substance Abuse Team (UPSET) is requesting approval to lease property at the Department of Public Works Facility for the construction of a 1,200 s.f. storage building.
5. **Update – Power Generation– City Manager's Office.**
Explanation: Administration will update the Council and public on the latest developments related to the Escanaba Power Plant and the Upper Peninsula electrical situation in general.

Council Agenda - February 5, 2015

POINTMENTS
BOARD, COMMISSION, AND COMMITTEE REPORTS
GENERAL PUBLIC COMMENT
ANNOUNCEMENTS
ADJOURNMENT

Respectfully Submitted



James V. O'Toole
City Manager

OFFICIAL PROCEEDINGS
CITY COUNCIL
ELECTRICAL ADVISORY COMMITTEE
CITY OF ESCANABA, MICHIGAN
Special Joint Meeting
Wednesday, January 14, 2015

Pursuit to a meeting notice posted January 7, 2015, the meeting was called to order by the Mayor Marc D. Tall at 6:00 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 Michael R. Sattem.

Absent: Council Member Ralph B. Blasier.

Beauchamp moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to excuse Council Member Blasier.

Present: Electrical Advisory Committee (EAC) Members: Chairperson Tim Wilson, John Anthony, and Ann Bissell.

Absent: Electrical Advisory Committee (EAC) Members Larry Arkens, and Glendon Brown, Two vacancies, and Power Plant Liaison.

Also Present: City Manager James V. O'Toole, Electric Superintendent Mike Furmanski, City Controller Michael Dewar, City Attorney Ralph B. K. Peterson, Pro Energy Services, Inc. Representative Jack Scott, members of the public and media.

ADJUSTMENTS TO THE AGENDA

Sattem moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve the Joint City Council & Electrical Advisory Committee Agenda as submitted.

CONFLICT OF INTEREST – None

NEW BUSINESS

Update – Electric Department –General Operations.

Electrical Superintendent Mike Furmanski updated the City Council, Electrical Advisory Committee and Citizens of Escanaba on the following current departmental activities:

- Pole repairs ongoing but should be completed soon. 30 poles were scheduled to be replaced per the contract;
- Contractors trimming trees around City power lines;
- Breezy Point line was repaired;
- Reviewed new services;
- Provided a Power Energy NextEra Update;

- Energy Optimization update.

Update – Operation and Maintenance of Power Plant – Pro Energy Services, Inc.

Pro Energy Services, Inc. Representative Jack Scott updated the City Council, Electrical Advisory Committee and Citizens of Escanaba on the status of the operation and maintenance of the power plant.

- Power Plant was available 97% of the month, which was good for the age of the power plant. Also reviewed startups of Units 1 & 2, and Combustion Turbine;
- No unit trips or unplanned outages during the month;
- There were no planned outages during the month;
- One forced outage on Unit 1 due to a hand hole leak;
- Reviewed Major Maintenance Activities for December;
- No major maintenance required for the Combustion Turbine during the month;
- No Air Monitoring deviations in the month of December;
- No NPDES violations or groundwater deviations during the month;
- No OSHA work related injuries, no lost time accidents for December.

Approval – MISO Attachment Y Submission – Retirement.

On December 12, 2014, the City of Escanaba submitted an Attachment Y asking for an additional year of plant suspension once the current SSR was suspended by MISO. Administration updated the City Council and Electrical Advisory Committee on the MISO response which stated the City had used up all 36 months possible for suspension over a 5 year period, therefore, another suspension was not authorized. As a result of this ruling, Administration sought City Council approval to file retirement paperwork with MISO. (See Attachment – A) It was further advised, in order to seek Power Plant retirement, the City needed to first terminate the Asset Purchase Agreement with Escanaba Green Energy (EGE). Under the Agreement, EGE would have five business days to come up with funds to purchase the Escanaba Power Plant.

Members of the Public in attendance were offered time to speak on this issue. None were heard.

After further discussion, the following motions were made by Council:

NB-3a Baribeau moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve termination of the EGE Asset Purchase agreement.

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

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

NB-3b Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve to file the MISO Attachment Y Submission – Retirement of the Escanaba Power Plant, effective this upcoming June 2015.

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

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

Approval – Transformer Purchase.

Administration sought Council approval to purchase transformers of various sizes. Invitations were sent out to 6 sources, with 5 suppliers submitting bids. All bidders were informed that the transformer bid would be evaluated for initial cost and operating cost. After evaluating the bids, Administration recommended acceptance of the bid from RESCO of Middleton, WI for the Ermco transformers in the amount of \$53,284.00.

NB-4 Sattem moved, Beauchamp seconded, to purchase transformers of various sizes from RESCO of Middleton, WI for the Ermco transformers in the amount of \$53,284.00.

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

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

MOTION CARRIED.

Update – Power Plant Purchase Agreement/Sale.

No update on the sale of the Power Plant was provided.

Manager O'Toole briefly reviewed information regarding the Upper Peninsula Energy solutions regarding the Presque Isle Power Plant.

GENERAL PUBLIC COMMENT – None

COUNCIL/COMMITTEE, STAFF REPORTS

Council Member Baribeau thanked Charles DeTiege of Escanaba Green Energy for all he had done trying to purchase the Escanaba Power Plant. Mr. DeTiege stated he would pick up the pieces and continue to try and purchase the Escanaba Power Plant.

Electric Superintendent Mike Furmanski commented on joining the UP Power Pool and would provide information in the future for Council.

ADJOURNMENT

Hearing no further public comment, or further reports from the Electrical Advisory Committee or Council, the meeting adjourned at 6:30 p.m.

Respectfully submitted,

Robert S. Richards
City Clerk

Approved: _____
Marc D. Tall, Mayor

MEMORANDUM

January 8, 2015

To: James V. O'Toole, City Manager
Escanaba City Council
Electrical Advisory Committee

From: Mike Furmanski, Electrical Superintendent

SUBJ: Attachment Y submission

On December 12, 2014, the City submitted an Attachment Y to MISO asking for another year of suspension for the 2 steam units. On December 18, 2014, MISO informed the City that generating units are limited to 36 months of suspension during any 5 year period. Because we will hit the 36 month maximum in June, 2015, I believe we have 2 general options. These are: (1) operate the plant as a network generator and (2) ask MISO for permission to retire the plant.

If we choose option (1), the City would be responsible for all plant costs. These costs are estimated to be \$4.5M annually. Within that \$4.5M figure is \$700,000 for plant depreciation and \$100,000 for CT operations. The \$3.7M directly attributable to the steam plant is what we have been receiving from MISO through our SSR agreement. The \$3.7M attributable to the steam plant would be reduced somewhat by capacity sales and by energy sales. The profits from these sales are not expected to come close to covering the \$3.7M.

Additionally, not having the plant headed for a retirement would likely make it more appealing to a potential buyer.

If we choose option (2), there are 2 possible outcomes. The first outcome is that MISO allows the plant to be retired. There may be some costs associated with closing the plant down, but these would be one-time costs. Our annual costs going forward would be \$0. The second outcome is that MISO does not allow the plant to be retired. This is the more likely outcome, based on the fact that when our suspension request was studied, it was determined that the Holmes to Old Mead Road transmission line would have to be in service before the Escanaba plant could be suspended. This transmission line is not in service yet. It is expected to be in service in late 2016. If our retirement request is denied, we would negotiate a new SSR agreement with MISO.

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, January 15, 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.

Pastor Erik Heskin of Bethany Lutheran Church, gave the invocation and led Council in the Pledge of Allegiance.

Sattem moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from January 7, 2015, as submitted.

ADJUSTMENTS TO THE AGENDA

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

CONFLICT OF INTEREST DECLARATION

Mayor Tall advised he would step down and abstain on New Business Item No. 3, as he had a conflict of interest.

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS

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

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

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

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

UNFINISHED BUSINESS – None

NEW BUSINESS

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

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

NB-1 Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve a request from Big Brothers Big Sisters of the Bay Area to use the Escanaba Municipal Harbor for their annual Jig It Ice Fishing Fundraising Event on Saturday, January 24, 2015, in addition that the City provide refuse containers, road barricades, and road cones, provided; 1) proper liability insurance was filed with the City and 2) event staff clean up after the event.

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

The Bonifas Art Center sought 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 recommended approval.

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

**Resolution in Support of a 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.

The vote was as follows:

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

RESOLUTION DECLARED ADOPTED.”

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

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

NB-3 Baribeau moved, Sattlem seconded, to approve a lease which would allow the Delta County Michigan Chapter of the Barbershop Harmony Society to utilize space at the Catherine Bonifas Civic Center for their weekly rehearsals.

Dave Mason, Delta County Michigan Chapter of the Barbershop Harmony Society representative, thanked the Council for the the time on the Council Agenda, briefly reviewed their group and the activities where they perform, and encouraged Council support of the lease arrangements at the Catherine Bonifas Civic Center.

The vote was as follows:

Ayes: Blasier, Sattlem, Baribeau, and Beauchamp
Nays: None
Abstain: Tall

MOTION CARRIED.

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 regarding the Upper Peninsula Energy solutions regarding the Presque Isle Power Plant.

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 – None

ANNOUNCEMENTS

- Animals at the old Delta County Animal Shelter were moved to the new John and Melissa Besse Pet Adoption Center located on County Road 426.

Hearing no further public comment, the Council adjourned at 7:17 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Work Session Meeting
Tuesday, January 20, 2015**

Pursuit to a special meeting notice posted January 8, 2015, the meeting was called to order by the Honorable Mayor Marc D. Tall at 8:00 a.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Patricia A. Baribeau, Ralph B. Blasier, Ronald J. Beauchamp, and Michael R. Sattem.

Absent: None

Also Present: City Manager James V. O'Toole, City Department Heads, media, and members of the public. Michael Koster and Beau Miller of the Delta/Schoolcraft Intermediate School District.

ADJUSTMENTS TO THE AGENDA

Manager O'Toole asked to take up the discussion of Menards Michigan Tax Tribunal first on the agenda.

CONFLICT OF INTEREST DECLARATION – None

NEW BUSINESS

Discussion – Michigan Tax Tribunal Fining (Menards) – Michigan Court of Appeals

City Manager O'Toole, and City Assessor Daina Norden reviewed the possibility of appealing the recent Michigan Tax Tribunal judgment regarding the Menards property tax assessment to the Michigan Court of Appeals. On November 7, 2014, the Michigan Tax Tribunal ruled in favor of Menards Inc. which appealed its local property tax assessment levied by the City of Escanaba. The Judgment ordered Delta County Taxing entities to refund Menards \$421,000 in taxes paid, of which, \$121,000 was the responsibility of the City of Escanaba. The following was discussed:

- Briefly reviewed history of Menard's Assessment and Tax Tribunal decision;
- Cost, Income, or sales comparison approaches were the three means of assessment. The City of Escanaba used the cost approach;
- When questioned as to whether the City should proceed further to the Court of Appeals, Assessor Norden stated the City appealed its case different than Marquette Township. She further stated the Tax Tribunal's decision on the City Menards property assessment was based on a flawed sales comparison approach;
- Attorney costs were estimated between \$18,000 and \$30,000;
- City's case could lead to a Michigan Legislation law change to correct the

City Council Minutes
January 20, 2015 – cont.

loophole on the assessment law;

- Reviewed Delta County Taxing entities losses for each unit of government;
- Cost sharing requests for the Court of Appeals Attorney were sent out to the various County Taxing units of government;
- Council Members stated their concern of other businesses in the County following the same as Menards throughout the County;
- Reviewed bio of the Attorney;
- An Attorney General Opinion should also be considered;
- Discussed fighting this and what if only half of the County units participate;
- Costs of filing appeal would be an hourly rate. Since the Tax Tribunal decision affected the entire County, Council Members encouraged other Delta County Taxing units of government to participate in the Court of Appeals process.

After discussion, Beauchamp moved, Blasier seconded, to hire the Attorney Firm of Bloom Sluggett Morgan, Counselors & Attorneys in an amount up to \$30,000.00, to represent the City of Escanaba in its appeal to the State of Michigan Court of Appeals on the Menards Inc. Michigan Tax Tribunal decision.

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

Ayes: Beauchamp, Blasier, Sattem, Baribeau, Tall

Nays: None

MOTION CARRIED.

Discussion – 2015-16 Operating Budget Preparation.

Administration led a discussion about the upcoming 2015-16 operating budget and sought Council input on items the Council as a whole would like to see considered for inclusion in the budget. Additionally, the various departments updated the Council on budgetary opportunities and challenges for the upcoming year. The following was heard:

- Reviewed key retirements, including the Recreation Director and City Controller;
- Concern of State revenues which were lower than anticipated, Road Funding, Utility Rates, Fire vehicles, and cost funding for the Superior Trade Zone;
- Controller Dewar reviewed concerns on lower than projected State Revenue shortfalls, health insurance costs and employee contracts and pension costs;
- Treasurer Valentine reviewed investments, financials, and discussed the possible use of credit cards;
- Water/Wastewater Superintendent Lampi reviewed continued water loss problems, increasing costs, aging infrastructure, water main repairs and Wastewater Plant updates including digester #2 cleaning;
- Public Works/Engineer Farrell reviewed the City Storm Sewer Drain Project, snow removal, proposed equipment purchases, road projects, and ADA Sidewalk Project;
- Public Safety Director Vanderlinden reviewed replacement of a primary fire truck,

City Council Minutes
January 20, 2015 – cont.

proposal to replace the bullet proof vests, proposal to purchase in vehicle data terminals. He advised his Department would be seeking all possible grant opportunities;

- Recreation Director Penegor reviewed recreation activities, maintenance on ski trail, and Civic Center building maintenance;
- City Clerk Richards advised the City Clerk's office would continue to budget for education and training, and reviewed State of Michigan possible replacement of voting equipment;
- Assessor Norden reviewed dues and fees, and funds for possible State audit;
- DDA Director Legault reviewed budgeted funds for property acquisition, Market Place Project, professional services for construction and design projects, income survey update.
- Library Director Stacey reviewed public services, continued revenue losses and need to search for other funding sources, looking to restore material fund budget, and maintenance of the interior of the building;
- Harbor Master Gravette reviewed funds for continued Marina/Harbor maintenance;
- Council Members asked Manager O'Toole to increase the EDA Budget, possible additional use for the Yacht Club property, Restore the Library Funding, Council MML for Region meeting, funds for Road repair.

Manager O'Toole stated he would present a balanced budget for review to Council and members of the public, and asked Council to contact him regarding questions on the 2014-2015 fiscal year audit.

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS – None

Hearing no further public comment, the Council adjourned at 9:44 a.m.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

James V. O'Toole
City Manager

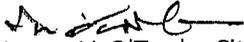


410 Ludington Street
Escanaba, Michigan 49829
Phone (906)786-0240

NB-1

MEMORANDUM

January 26, 2015

TO: Escanaba City Council
FROM: 
James V. O'Toole, City Manager
SUBJ: Planning Commission End of Year Report – 2015

In Accordance with the requirements of the Municipal Planning Act, Act 285 of 1931, as amended, the City and Village Zoning Act, Act 207 of 1921, as amended and Chapter 21 of the Escanaba Code of Ordinances, the Planning Commission Chairman, Mr. Patrick Connor will present the 2014 Planning Commission Year-End Report for Council review and consideration.

Mission Statement:

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

2014



2014 YEAR-END REPORT

Planning Commission

NB-1

January 9, 2015.

Dear City Council Members and Residents of the City of Escanaba:

It is with pleasure that the Escanaba Planning Commission submits to you this 2014 Year-End Report on issues and matters brought before the Planning Commission in Calendar Year 2014.

In carrying out the duties and responsibilities of the Planning Commission conveyed under the Municipal Planning Act, Act 285 of 1931, as amended, the City and Village Zoning Act, Act 207 of 1921, as amended and Chapter 21 of the Escanaba Code of Ordinances, the Planning Commission hereby submits the 2014 Planning Commission Year-End Report for your review and consideration.

ROLE OF THE PLANNING COMMISSION

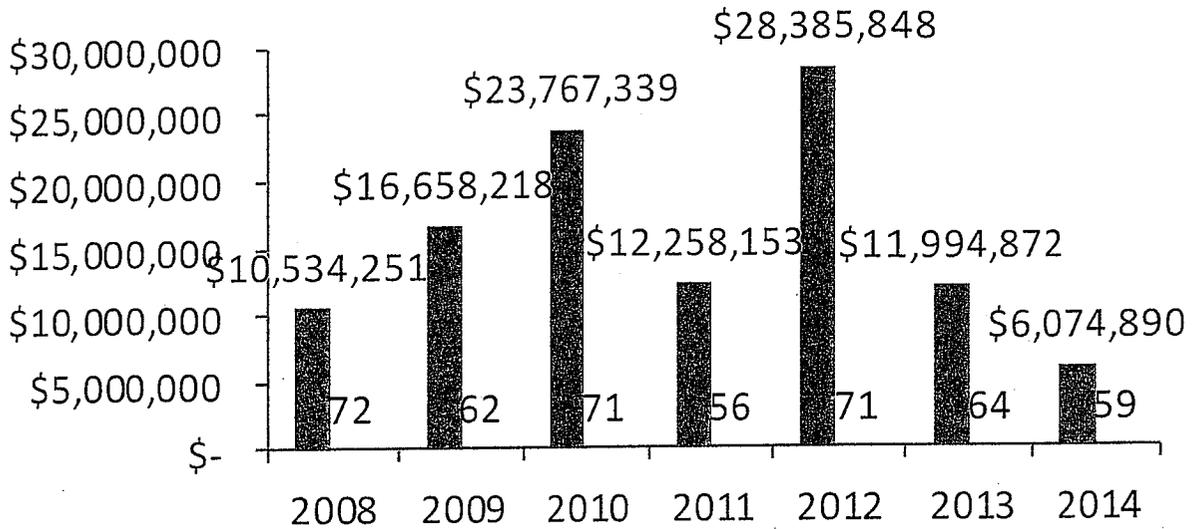
The roles of the Planning Commission include some functions in addition to the statutory duties and responsibilities. The role of the Planning Commission includes the social or cultural expectation that citizens have of the service that the Planning Commission provides in helping to set and implement local land use and development policy. There are eight (8) key roles of the Planning Commission:

- A. Educate the public about local planning issues, the master plan and land use regulations.
- B. Cooperate and coordinate with other units of government on planning matters.
- C. Prepare, adopt and maintain a master plan.
- D. Review other community's draft master plans when submitted for that purpose, and provide coordination of planning and zoning in other units of government.
- E. Draft and present to the City Council a zoning ordinance and amendments and advise on various zoning actions.
- F. Review and comment on proposed public works projects.
- G. Prepare and annually adopt a capital improvement program.
- H. Prepare subdivision regulations and advise on proposed plats.

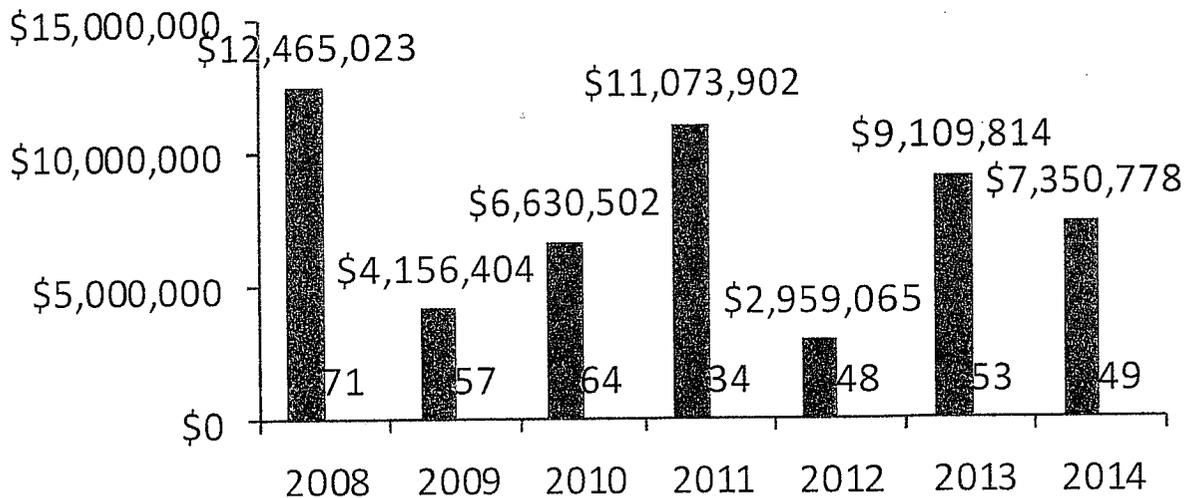
Respectfully Submitted,

Patrick Connor
Planning Commission Chairman

City of Escanaba Zoning Permits and Declared Values



Delta County Building Permits and Declared Values

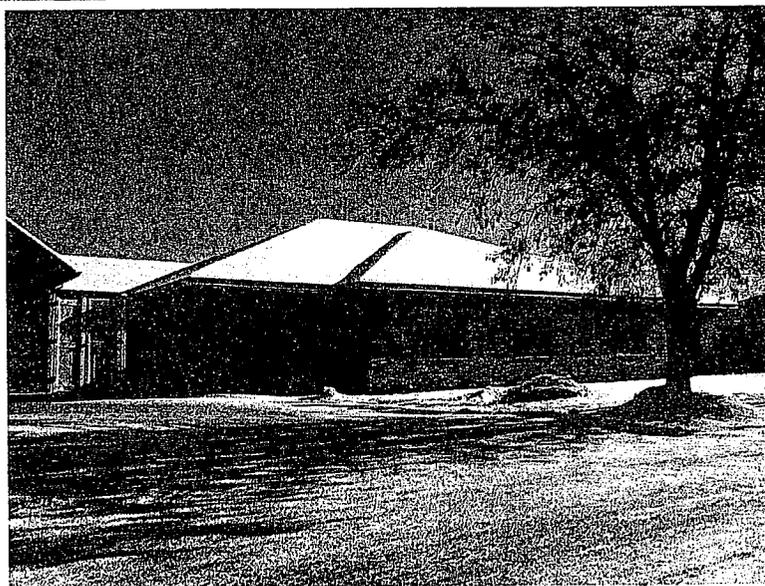


NOTE: The figures on the bottom of both charts reflect how many Zoning Land Use Permits were issued for each year.

SITE PLAN REVIEW/SPECIAL LAND USE PERMITS

NORTHERN MICHIGAN BANK AND TRUST—1921 3RD AVENUE NORTH

Amendment to the Zoning Map and Site Plan Review—1921 3rd Avenue North—Northern Michigan Bank and Trust. The Planning Commission conducted a Public Hearing and approved an Amendment to the Zoning Map and Land Use Permit to allow Northern Michigan Bank and Trust to expand their operation.



PERFORMANCE MATTERS—INDICATOR KEY:



INCREASING



STAYING ABOUT THE SAME



DECLINING

ROMPS FAMILY LLC (AKA STONEHOUSE RESTAURANT)

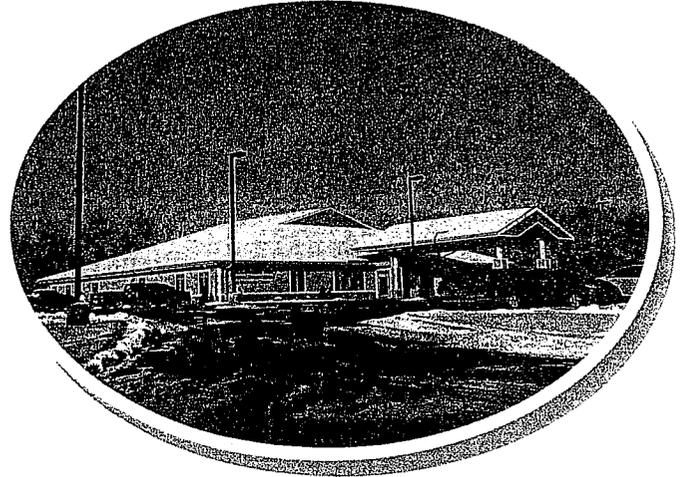
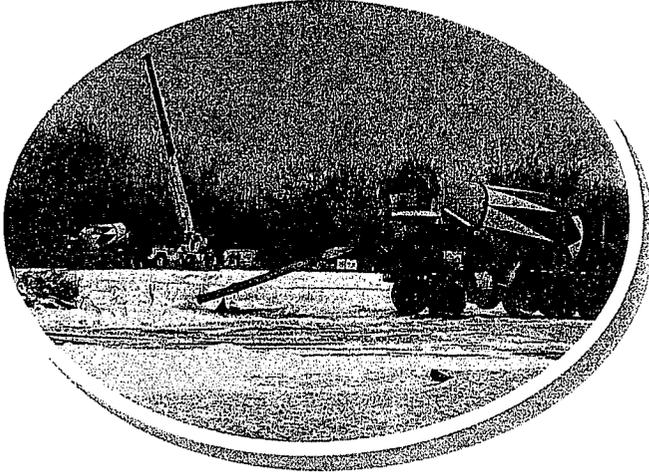
VACATE PART OF ALLEY—2223 LUDINGTON STREET/109 SOUTH LINCOLN ROAD

Site Plan Review and Request to Vacate Part of Alley—2223 Ludington Street/109 South Lincoln Road—Romps Family LLC (aka Stonehouse Restaurant). The Planning Commission conducted a Public Hearing and approved a Land Use Permit to allow vacating part of the alley for additional parking.



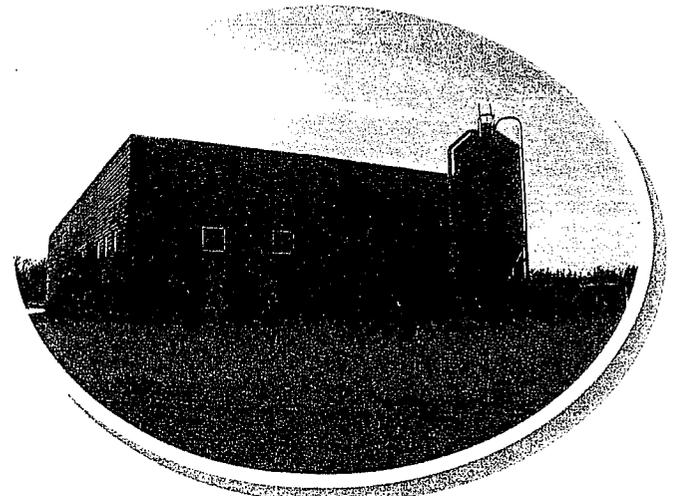
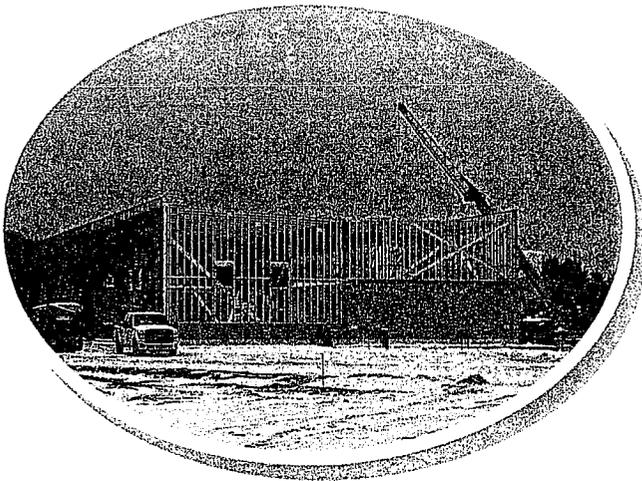
OSF HEALTH CARE SYSTEM/OSF ST. FRANCIS HOSPITAL—300 WILLOW CREEK ROAD

Site Plan Review/Approval—OSF Health Care System/OSF St. Francis Hospital—300 Willow Creek Road. The Planning Commission conducted a Public Hearing and approved a Land Use Permit request to allow construction of a 14,513 square foot physical therapy, occupational therapy and office building.



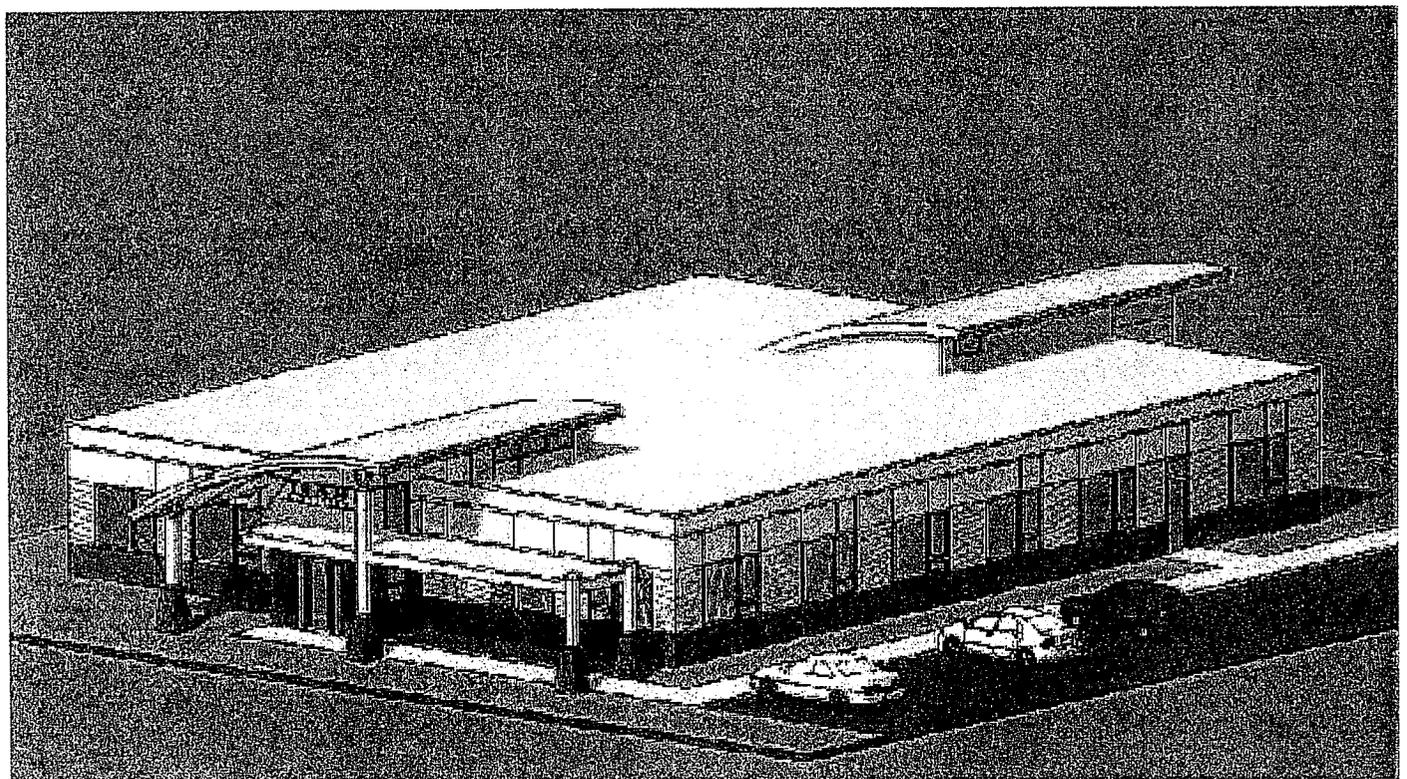
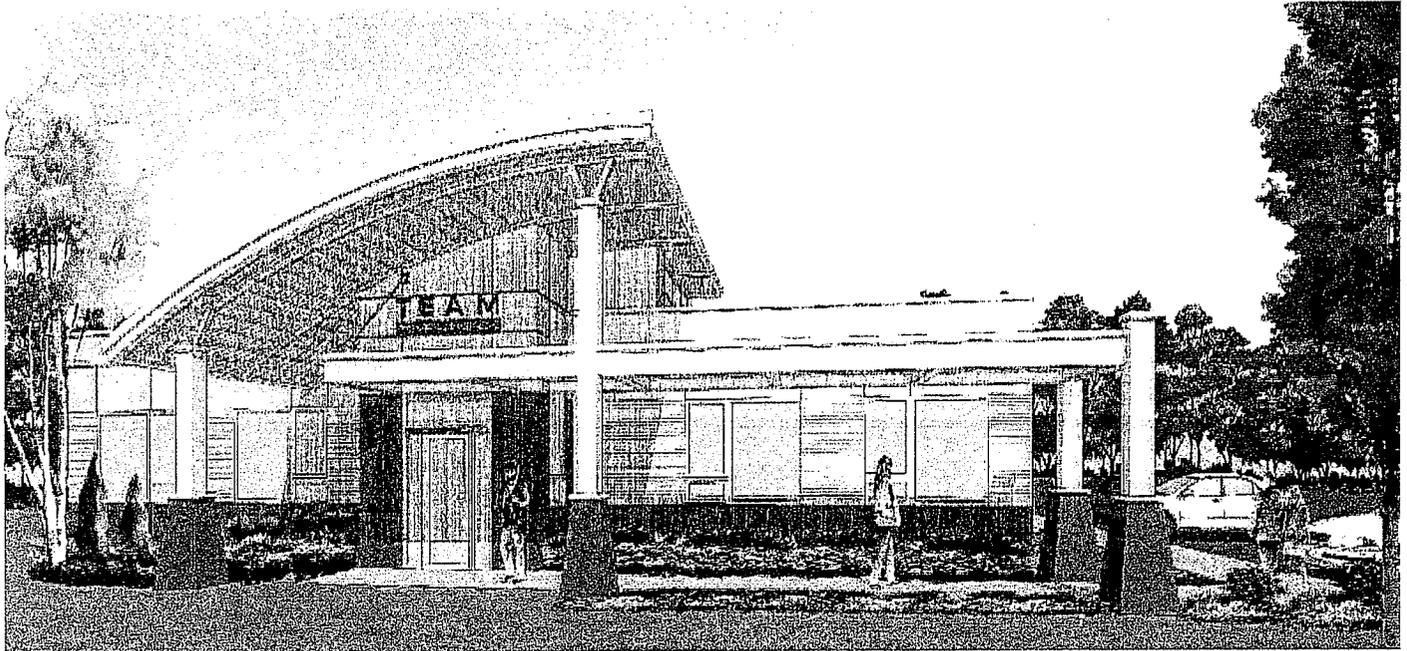
BELL'S UPPER HAND BREWERY—DELTA COUNTY RENAISSANCE ZONE

Site Plan Review/Approval—Bell's Upper Hand Brewery—Delta County Renaissance Zone. The Planning Commission conducted a Public Hearing and approved a Land Use Permit request to allow construction of a 11,500 square foot bottling manufacturing plant.



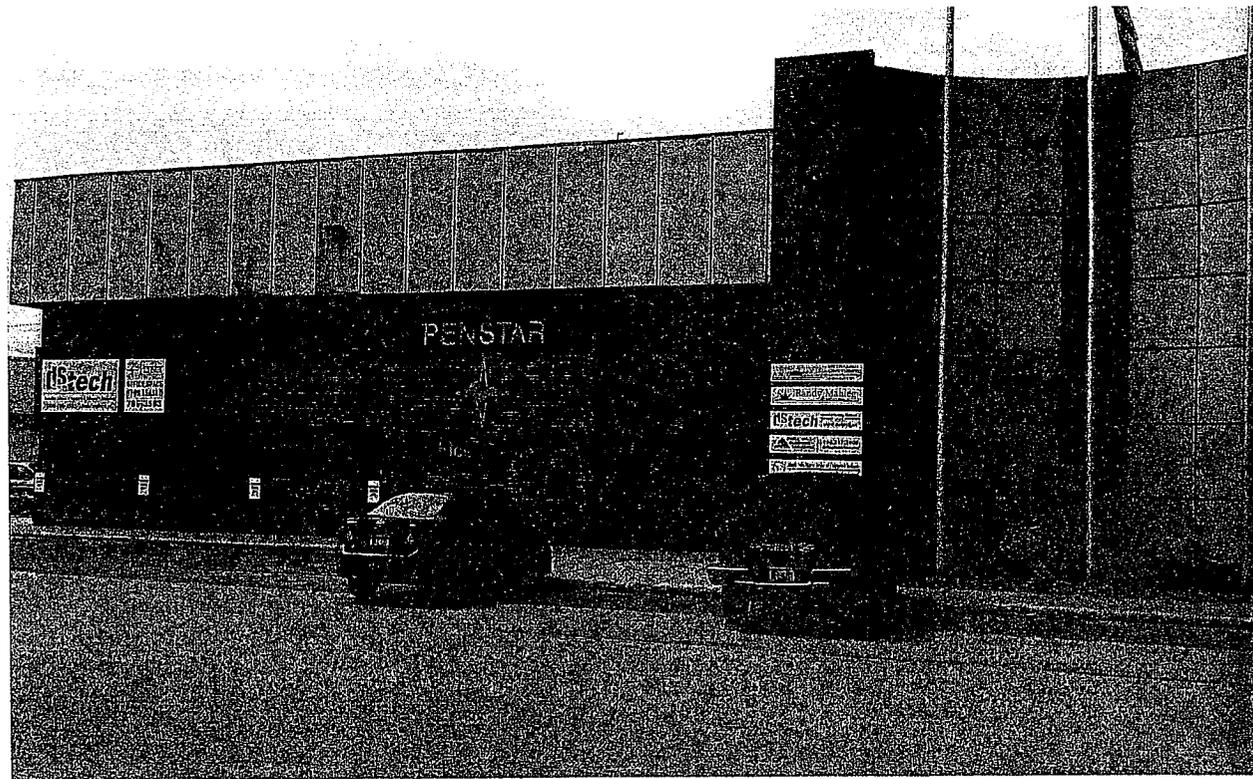
JERRY BOUCHER AKA GEEPAPA ENTERPRISES INC.—1008 NORTH 30TH STREET AND ADJACENT PROPERTIES (11.20 ACRES +/-)

Site Plan Review/Zoning District Use Change and Special Land Use Permit—Jerry Boucher aka Geepapa Enterprises, Inc.—1008 North 30th Street and Adjacent Properties (11.20 acres +/-). The Planning Commission conducted a Public Hearing and approved a Land Use Permit to allow for Team Wireless to have Verizon headquarters at this site.



JOE KNAUF—1401 NORTH 26TH STREET

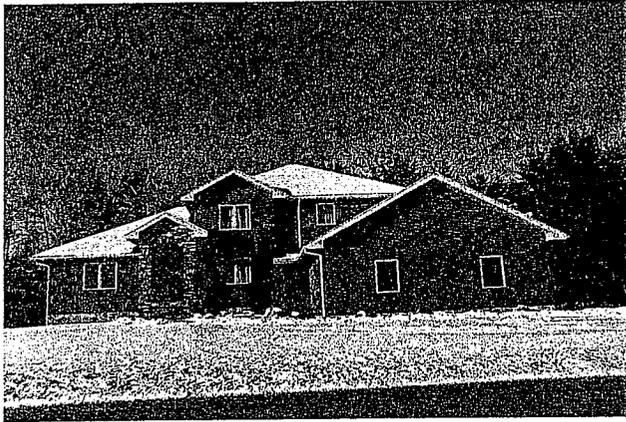
Special Land Use Permit Request—Joe Knauf—1401 North 26th Street. The Planning Commission conducted a Public Hearing and approved a Special Land Use Permit to allow 1401 North 26th Street to operate as an Adult Day Care Facility.



January 1, 2014, to December 31, 2014

3 New Residential Zoning Permits Were Issued

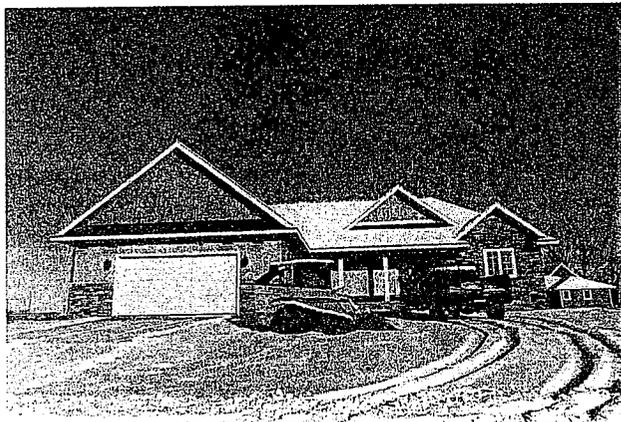
New Residential Homes—Value \$735,000



700 Willow Creek Road



1615 20th Avenue South



1720 21st Avenue South

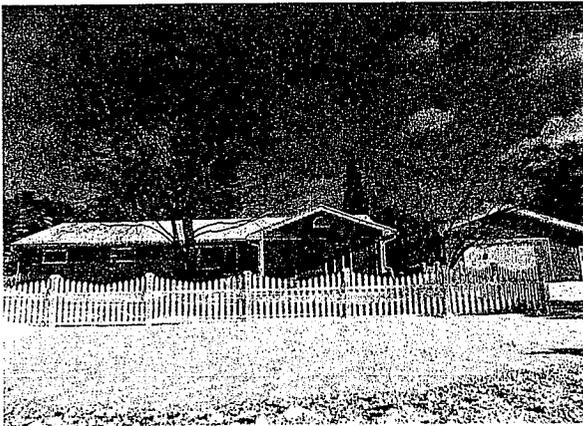
NEW RESIDENTIAL HOMES		
	2013	2014
New Residential Zoning Permits	8	3
New Residential Value	\$2,283,800	\$735,000

January 1, 2014, to December 31, 2014

36 Residential Remodel Zoning Permits Were Issued

Residential Remodel—Value \$624,140

248 Lake Shore Drive	1322 Sheridan Road	520 3rd Avenue North
3127 6th Avenue South	225 South 10th Street	911 South 11th Street
2107 5th Avenue South	806 North 19th Street	1415 Lake Shore Drive
627 South 17th Street	2300 Lake Shore Drive	1210 12th Avenue South
3101 Lake Shore Drive	1034 South 30th Street	2303 Lake Shore Drive
1130 South 30th Street	1218 12th Avenue South	1903 Park Avenue
1408 Lake Shore Drive	1716 Grand Avenue	1715 10th Avenue South
1302 North 18th Street	1005 Lake Shore Drive	1300 South 15th Street
901 Willow Creek Road	2100 Lake Shore Drive	1002 South 12th Street
812 1st Avenue South	1621 South 16th Street	925 6th Avenue South
1210 South 16th Street	1723 7th Avenue South	407 1st Avenue South
1615 Sheridan Road	921 Lake Shore Drive	421 South 11th Street

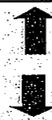


901 Willow Creek Road



2303 Lake Shore Drive

RESIDENTIAL REMODEL		
	2013	2014
Residential Remodel Zoning Permits	29	36
Residential Remodel Value	\$714,752	\$624,140

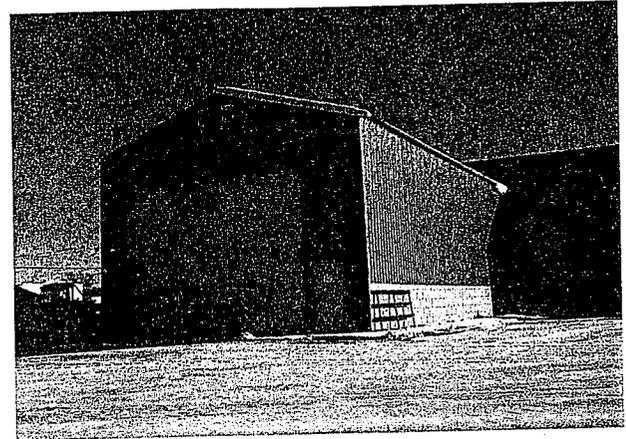


January 1, 2014, to December 31, 2014

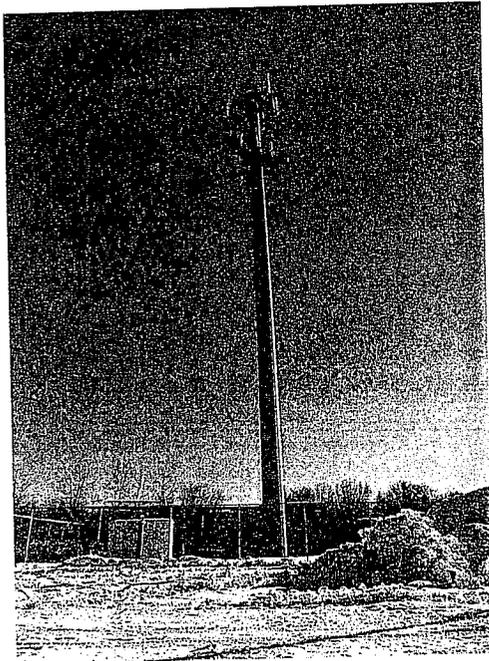
5 New Commercial Zoning Permits Were Issued

New Commercial — Value \$1,140,000

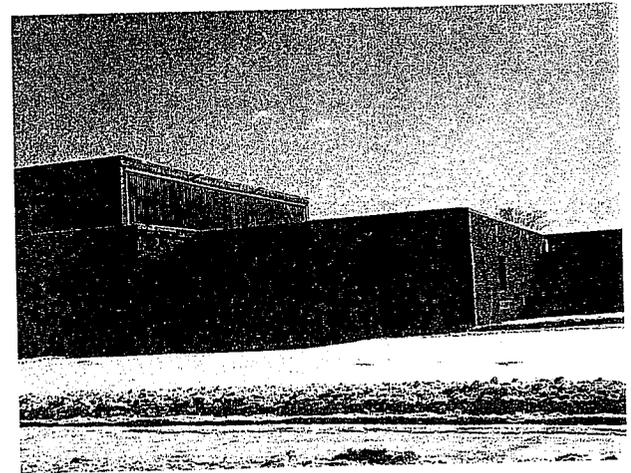
- 202 North 30th Street
- 5211 19th Avenue North
- 1701 North 28th Street
- 1008 North 30th Street
- 409 South 22nd Street



1701 North 28th Street



202 North 30th Street



409 South 22nd Street

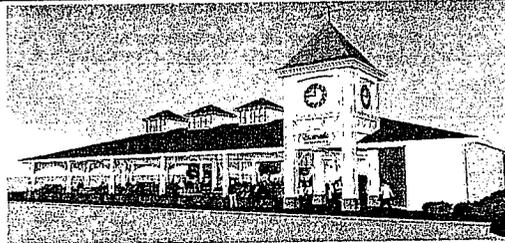
NEW COMMERCIAL		
	2013	2014
New Commercial Zoning Permits	10	5
New Commercial Value	\$6,749,620	\$1,140,000

January 1, 2014, to December 31, 2014

4 Commercial Remodel Zoning Permits Were Issued

Commercial Remodel —Value \$2,835,000

1921 3rd Avenue North
 1422 Ludington Street
 1st Avenue North/North 9th Street
 109 South Lincoln Road



Escanaba
Market Place

COMMERCIAL REMODEL		
	2013	2014
Commercial Remodel Permits	8	4
Commercial Remodel Value	\$2,095,000	\$2,835,000

8 Demolition Permits—Value \$40,500

117 Stephenson Avenue—Shed
 109 South Lincoln Road-Commercial Building
 1210 South 16th Street—Shed
 323 North 19th Street—Residential Home
 1403 Lake Shore Drive—Residential Home
 1715 10th Avenue South—Garage
 1210 South 16th Street—Garage
 1901 Lake Shore Drive- Residential Home

DEMOLITION		
	2013	2014
Demolition Permits	4	8
Demolition Value	\$46,400	\$40,500

January 1, 2014, to December 31, 2014

Change of Use—Value \$250

1630 Ludington Street—Car Lot

1801 Ludington Street—Installing Handicap Ramp

CHANGE OF USE		
	2013	2014
Change of Use Permits	2	2
Change of Use Value	\$105,300	\$250

19 SIGN PERMITS

1636 Ludington Street	1711 Ludington Street
3300 Airport Road	301 North Lincoln Road
1814 North Lincoln Road	300 Willow Creek Road
2504 3rd Avenue North	2001 North Lincoln Road
1801 Ludington Street	2950 College Avenue
1900 6th Avenue North	428 South Lincoln Road
1200 North Lincoln Road	2900 27th Avenue North
423 Ludington Street	2625 Ludington Street
1606 Ludington Street	501 South Lincoln Road
	917 Ludington Street

SIGN PERMITS		
	2013	2014
Sign Permits	18	19

January 1, 2014, to December 31, 2014

50 Fence Permits Were Issued

1432 Stephenson Avenue	1428 North 16th Street
901 South 19th Street	606 South 19th Street
941 Washington Avenue	1204 10th Avenue South
1900 14th Avenue North	1203 Willow Creek Road
508 South 9th Street	615 Ogden Avenue
1416 11th Avenue South	1010 Washington Avenue
226 South 22nd Street	522 2nd Avenue South
605 North 19th Street	3401 Ludington Street
521 South 13th Street	2105 5th Avenue South
803 South 12th Street	208 North 10th Street
601 North 18th Street	1512 North 19th Street
1222 8th Avenue South	2106 5th Avenue South
3101 14th Avenue South	1107 Stephenson Avenue
1410 North 20th Street	329 South 14th Street
602 South 8th Street	1301 North Lincoln Road
1129 North 18th Street	629 South 15th Street
314 South 9th Street	1031 Sheridan Road
1216 North 19th Street	1402 Ludington Street
1504 Lake Shore Drive	215 Ogden Avenue
123 South 22nd Street	519 South 8th Street
1427 North 18th Street	711 Stephenson Avenue
1100 7th Avenue South	901 Willow Creek Road
518 1st Avenue South	2115 6th Avenue South
200 North 10th Street	1608 17th Avenue South
1412 2nd Avenue North	311 North 13th Street

FENCE PERMITS		
	2013	2014
Fence Permits	82	50

MAJOR DEVELOPMENT PLANS/PROJECTS/CAPITAL IMPROVEMENTS

MEDC Redevelopment Ready Communities Program. In 2014, the City of Escanaba was approved to participate in the MEDC Redevelopment Ready Communities Program. On May 29, 2014, a joint meeting of the Escanaba City Council, Escanaba Planning Commission, Escanaba Historical Commission and the Escanaba Downtown Development Authority was conducted with the MEDC to review the purpose of the program and to go over what the City of Escanaba could expect from the program. Under this program the City will obtain a comprehensive review of the City's Master Plan and Land Development Plans, and will also assess the City's business and residential opportunities, parking, downtown corridors, public input, targeted investments, redevelopment plans and other economic practices. Administration is recommending the Planning Commission adopt the completion of this review as a goal for 2015.

Certified Local Government. In 2014, the City of Escanaba was approved to be a "Certified Local Government" Community through the Michigan State Housing Development Authority. Under this program the City will be eligible for assistance with finances and technical support for specific projects that enhance and promote historic neighborhoods and commercial districts in the City by identifying specific preservation projects for grants administered by the Michigan State Historic Preservation Office. The City will be the second community in the U.P. to have this status and would also allow the City to apply for Historic Preservation Grants. Administration is recommending the Planning Commission adopt the implementation of this program as a goal for 2015.

Historical Registry Nomination. In 2014, The City of Escanaba's Downtown was placed on the National Registry of Historic Places through the Michigan Historic Preservation Board and the U.S. National Park Service.

Historical Façade Design Guideline. In 2014, the Planning Commission worked with the Escanaba Historic Commission, Escanaba Downtown Development Authority and Escanaba City Council on finalizing a "Downtown Façade Design Guideline". The guidelines provide guidance to property owners undertaking work within an established Historic District that is subject to review by the Historic District Commission or façade work undertaken as part of the Downtown Façade Incentive Program.

Next Development Michigan Act—Superior Trade Zone. The City of Escanaba, along with the various units of government in Delta and Marquette Counties created and submitted a proposed intergovernmental agreement to create the U.P. Next Michigan Development Corporation, also known as the "Superior Trade Zone". The agreement establishes the Superior Trade Zone as a separate legal entity having the same boundaries as the participating parties. The purpose of the agreement is to take advantage of the provisions of state law for economic development activities and the attraction of facilities and employment to the area. Administration is recommending the Planning Commission adopt the continuation for finalizing the Superior Trade Zone as a goal for 2015.

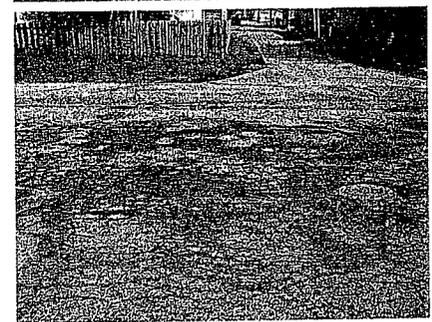
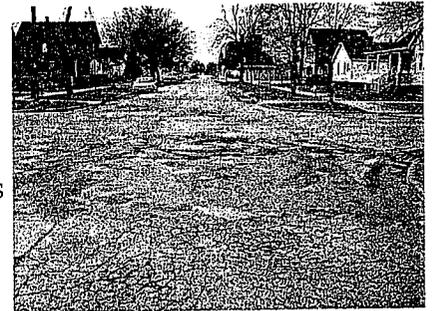
Resurfacing and Curb Repair City Wide – Major Streets/Local Streets—This included streets such as Lake Shore Drive, Ludington Street, Sheridan Road and Stephenson Avenue. Funding for Major Streets has been significantly cut by the State of Michigan. The Local Streets is classified as neighborhood streets and is included in the Major Street funding. The amount of money spent on snow removal will impact the street repairs that will be done in the following year. Once spring arrives, the City Engineering Department, along with a number of other agencies, all get together and rate every street in Escanaba using what's called a PASER System, which is how the City determines what streets need the most work and how much money is needed for repairs. Amount budgeted was \$400,000. Sheridan Road was redone from 10th Avenue North to 17th Avenue North with a significant amount of Small Urban Grant money along with monies from the City's Major Street Fund for a total of \$450,000.

Major Streets—Priority

5th Avenue South—Alley between South 15th, 16th and 14th Streets
12th Avenue North/North Lincoln Road at North 23rd Street—Fairgrounds Entrance

Local Streets—Priority

7th Avenue South—Lake Shore Drive
South 15th Street—9th Avenue South—10th Avenue South
14th Avenue South—Willow Creek Road/South 30th Street (chip seal)
North 16th Street—11th Avenue North and 12th Avenue North
South 15th Street—6th Avenue South and 7th Avenue South
10th Avenue South—South 14th Street and South 15th Street



Sidewalk Repair and Maintenance Program - City Wide—Routine repair and maintenance of existing sidewalk is needed City wide. Amount budgeted was \$5,000.

Non-Motorized Recreational Trail Upgrades – Year-Round Trail—This is the cross-country ski trail and snowshoe trail. The trail head was moved from North 30th Street to an area behind the Comfort Inn Suites as there is plenty of parking and lighting. Amount budgeted was \$5,000.

Civic Center Cement Entrance—The north side entrance was replaced with new cement slab. Amount budgeted was \$7,000.

DDA District Curb Repair Program—Funding was allocated to repair most critical infrastructure repairs in the DDA District which could include curb, brick pavers, sidewalk, and tree related problems for removal/replacement. Project evaluations, prioritization and ranking determined the east corner of the 100 block of South 13th Street and Ludington Street were in need of repair.

Power Pole Replacement— Power poles are being replaced throughout the City.

Street Light Replacement—There have been great advancements made in LED street lighting over the past few years. These advancements resulted in better products and more affordable fixtures. Continued replacement of the existing HID street lights and dusk-to-dawn lights with LED equivalents is being done. This project will take multiple years to complete. The City has approximately 1,550 street lights and 300 dusk-to-dawn lights on the distribution system.

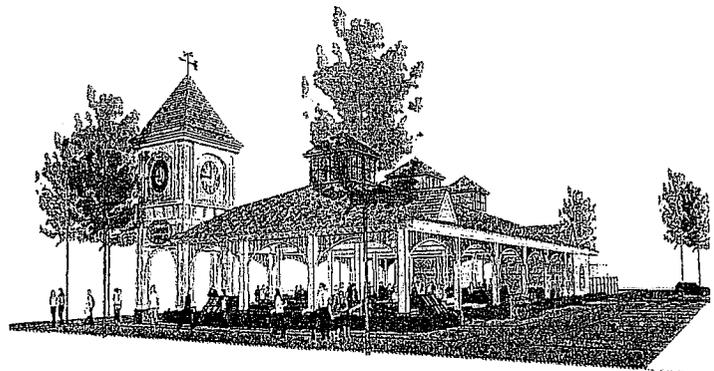
Ludington Street Resurfacing Funds—Description: In the Fall of 2014, the City of Escanaba received a Small Urban Grant for \$375,000 with a 20% local match to mill and resurface Ludington Street from 3rd Street to 9th Street. This grant is for the State fiscal year beginning October 2015.

Parking Lot Improvements – Reline, Landscaping, Signage in Line With Identity/Theme – 1100 Block of 1st Avenue North—The DDA is currently in the process of finalizing bid specifications to be sent out on the parking lot improvement.

Market Place Project - Escanaba Downtown Development Authority—The Downtown Development Authority obtained site plan approval for a new Market Place Facility to be located at the current Farmer’s Market on North 9th Street and 1st Avenue North. Since that time, the DDA has decided to revisit the concept with respect to location and is in the process of obtaining cost estimates (land purchase and construction) to possibly relocate the facility to a site located on Ludington Street, South 15th Street and 1st Avenue South, commonly known as the “Northern Motor’s Outdoor Car Display” lots. The DDA Administration is seeking public comment on the new location with the belief that the property is more centrally located in downtown which should help with future business attraction in the surrounding neighborhood and in drawing people to downtown. Additionally, the “new” location would have more parking availability than the current Farmer’s Market location and allow for an additional outdoor theater or an enclosed neighborhood playground.



INITIAL PLAN—North 9th Street Location



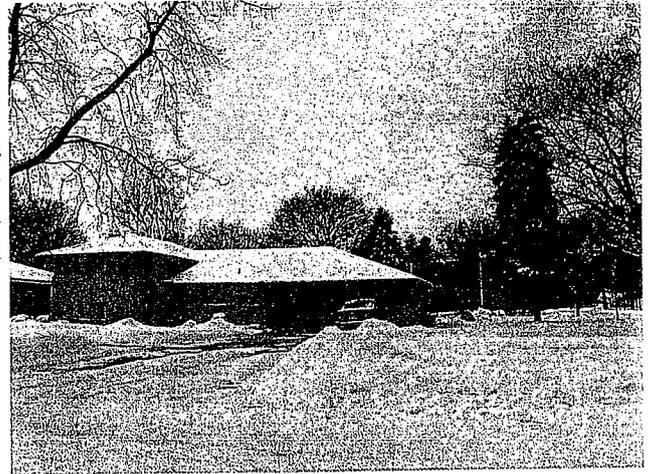
REVISED PLAN—Potential Relocation Ludington Street

Ludington Street Drainage Study—The DDA contracted with C2AE to perform an assessment of Ludington Street’s (approximately from 9th to 14th Streets) storm sewer system and the outlet from this area to the Bay. This area was chosen because of the flooding problems that occur during high intensity, short duration rain storms, which over the years have occurred more frequently. This study will look at the existing infrastructure and assess the condition and capacity of it. The ultimate goal of the study is to develop a conceptual plan and estimated cost of a permanent fix.

ZONING BOARD OF APPEALS

VARIANCE FOR 1300 SOUTH 15TH STREET

Public Hearing for a variance request at 1300 South 15th Street. The Zoning Board of Appeals conducted a Public Hearing and approved a variance request to the minimum side yard requirement to allow for an addition to an attached garage to the main structure.



RECOMMENDED 2015 PLANNING COMMISSION GOALS/OBJECTIVES

1. Continue work on the MEDC Readiness Re-development Community Program.
2. Continue work on the MSHDA/SHPO Certified Local Government Program.
3. Continue work on the Next Michigan Development District, also known as the "Superior Trade Zone".
4. Update the Community Master Plan which will serve as a guide to help manage the future growth of Escanaba and as a tool that will shape and maintain the community as growth occurs.

PLANNING COMMISSION MEETINGS			
	2013	2014	
Regular Planning Commission Meetings	8	8	↔
Special/Joint Planning Commission Meetings	2	2	↔

NEW BUSINESS

DRAFT.

Discussion – Year in Review/Goal and Objective Setting – 2014 Planning Commission Plan of Work and 2015 Planning Commission Plan of Work.

City Manager O'Toole stated the Planning Commission is being asked to review the activities and accomplishments of the Commission over calendar year 2014. Additionally, the Planning Commission is being asked to recommend Planning Commission goals and objectives for the upcoming 2015 Planning Commission Plan of Work. If a recommendation is made, the report and goals will go before the City Council at their regularly scheduled meeting on January 5, 2015, with Chairperson Connor making such presentation.

The 2014 Year-End Report of the Planning Commission was reviewed (attached to meeting minutes). One correction was made on Page 11, the address should be 109 South Lincoln Road not 109 South 9th Street.

City Manager O'Toole stated the SHPO Certified Local Government certification is moving along. The City Council adopted a resolution accepting the terms of the program and all paperwork has been submitted to the State of Michigan. SHPO has the paperwork for signature and then the agreement will be forwarded to the National Park Service for concurrence. Once the National Park Service signs off on it that process will begin. When the federal government gives the State of Michigan historical preservation money, 10% of that money is set aside for the twenty-two communities. This could be a significant amount towards historic preservation for the community.

City Manager O'Toole stated the Attorney General signed off on the Interlocal Government Agreement which is the Articles of Incorporation. The Governor's Office said everything is in line with the Act and the intent. The Governor sent a letter accepting such and invitations were sent to file a formal application which will go to the MEDC and forwarded to the Michigan Strategic Fund. Anticipate getting a first draft agreement on 01/23/15. Acuitas is working on the application. Once the application is submitted and approved, eligibility for some marketing dollars takes place. The process will then start with creating a Board of Directors, bylaws and project selection criteria. Hope to have this program running by summer and the Planning Commission will be involved with respect to projects and identifying priorities within the City that should be included in the Superior Trade Zone.

A motion was made by Chairperson Connor, seconded by Commissioner Webber, to recommend the adopted 2014 Year-End Report of the Planning Commission to the City Council at their regularly scheduled meeting on February 5, 2015. Ayes were unanimous.

A motion was made by Commissioner Warstler, seconded by Commissioner Smyth, to adopt the Goals and Objectives for calendar year 2015. Ayes were unanimous.

A motion was made by Commissioner Warstler, seconded by Commissioner Black, to have Chairperson Connor attend the regularly scheduled City Council Meeting on February 5, 2015, to present the 2014 Year-End Report of the Planning Commission and the Goals and Objectives for calendar year 2015. Ayes were unanimous.

DRAFT.

DOWNTOWN DEVELOPMENT AUTHORITY GOALS, OBJECTIVES & ACCOMPLISHMENTS

PURPOSE OF REPORT:

The DDA Rule of Procedure 2.7 requires the DDA Board to review its 2014 year's performance against its 2014 goals & objectives and report its progress to the City Council. The rule also requires the DDA Board to set goals and objectives for 2015. The purpose of this report is to advise the City Council of the DDA's 2014 performance and 2015 goals & objectives.

DDA's 2014 Performance:

1) Strengthen DDA's Strategic Partnerships - We feel that we have greatly improved the linkages & communication with our most critical partners to effectively achieve our goals. Our strategic partners would include: City of Escanaba, Delta County Chamber of Commerce, Escanaba Downtown Business Partners, Bonifas Fine Arts Center, Bay de Noc Master Gardeners & Esky Grows.

2) Certifications, Assessments & Recognition – The DDA has partnered with the City of Escanaba to gain inclusion in the following programs.

- (RRC) Redevelopment Ready Communities – Escanaba is the only city in the UP to be approved for inclusion in this MEDC program. The program is designed to give feedback and ideas to streamline our policies, ordinances & processes. The feedback and exposure will highlight Escanaba for Developmental Projects and outside investment.
- (NRHP) National Register of Historic Places – Escanaba submitted an application and has been approved for inclusion on the NRHP. Escanaba's historic downtown has been officially listed. This will enhance opportunities for investment through Historic Tax Credits that may be available to developers.
- (CLG) Certified Local Government Status – Escanaba is the second UP community that has been recognized as a Certified Local Government. Inclusion in the program streamlines and prioritizes certain grant funds that are earmarked for CLG participants.

3) Improve Communication, Transparency & Media Relations – We feel it is critical to get our message out to the community so they understand our direction, projects & activities. We use several methods of communication to achieve this goal, including our open door policy in our center.

- Social Media – The DDA makes use of Facebook and an internal website to share information and documents with the public. We are continuing to improve our website and are making it a top priority for 2015. We also share our info on the City's and Downtown Business Partners sites to expand our coverage.
- News Media – The DDA's message has been carried on print, radio, internet & TV on a regular basis. We have developed a great relationship with our media partners. They have done a great job getting our story out to their customers.
- National Media – We have been sharing some of our stories and events with National media outlets that have picked up our story and put Escanaba on a larger stage.

4) Downtown Events & Sponsorships – We are moving more of our activities from promotional to physical, bricks and mortar infrastructure as we move forward. There are still some events and sponsorships that we continue to support.

- Major Events – 1) Brought back Ribfest as part of the Fun Run, 2) “Rock the Dock” Community Events, 3) Center Court Community Christmas Tree Lighting, 4) Marinafest, 5) Christmas Parade, 6) Second Annual Pasty Drop & Fireworks on New Years Eve
- Event Sponsorships – 1) Mites To Men Junior Hockey Tournament, 2) Bay de Noc Home Run, 3) Sidewalk Sales Days, 4) UPtobor Fest, 5) “Black Friday on Tuesday” Christmas Shopping Kickoff, 6) Delta County Chess Club Tournament
- Promotional Event Support – did media promotions for some local events

5) Downtown Infrastructure & Seasonal Maintenance – The DDA supports many aspects of the overall Infrastructure, Maintenance and Curb Appeal for Downtown.

- Funds the maintenance & snow removal for 8 DDA controlled parking lots near Ludington.
- Provide complimentary WIFI for downtown visitors so they can stay connected on their visit
- Plants large floral arrangements at the entrance to downtown to welcome visitors
- Provided Downtown banners promoting the different seasonal views of Escanaba
- The DDA provides plowing of the main parts of the sidewalks on Ludington from 2nd Street to Stevenson Avenue.
- Provides administrative support for the “Farmer’s Market” including all utilities, phone, internet access for bridge card customers. We also supply the restrooms. The Esky Grows gardens receive assistance at the site as well.
- Sponsors the costs (\$11,000) associated with the purchase, installation & removal of the Christmas Garland and lights downtown.
- Paid the upfront costs (\$25,000) of the Ludington Street Storm Sewer Study by C2AE to try to eliminate the flooding conditions.
- Conducted a public input session and associated study of the parking capacity on or by Ludington Street. The study identified 1674 parking spots available. A 2015 project to add new signage to identify Public downtown parking areas is underway.

6) DDA Center Court Enhancements - The DDA has had a few different goals over the years regarding Center Court enhancements that were never executed. We have completed a few and look to expand the improvements as we move into 2105.

- Grounds security system has been installed at our location. We have the ability to expand our capabilities to include security coverage to other areas.
- Had trees on the property cut back. We will look to complete a landscape plan for 2015.
- Working with Veterans groups and a sign company to repair the “Wall of Honor” with completion in 2015.

7) DDA Goals from 2014 – The DDA 2014 goals have been re-stated with a completion, change or update.

Goals & Objectives for 2013 - 2014

1. Downtown Building Façade Improvement Program – The Façade program is available for communities that seek to improve/restore buildings to support movement towards a traditional downtown. Grants are available where improvements can sustain and minimize deterioration of commercial/mixed-use properties that have a significant impact on the downtown community. The program is administered through the Michigan Economic Development Corporation (MEDC) utilizing funds received from the US Department of Housing and Urban Development (HUD).

The 10 properties that were in the initial start of the 2104 program had preliminary drawings and a work plan with cost estimates completed. At the time we were ready to submit for the MEDC grant for the program, we were informed that Escanaba's Low to moderate Income score had fallen and we were no longer eligible for the grant. We are completely a local survey and hope to restart the projects early in 2105.

2. Indoor/Outdoor Farmer's Market Building – The DDA has reviewed architectural drawings completed by Barry Polzin for a year-round building for the Farmer's Market during 2013, settled on a pavilion type structure on the old Farmer's Market location. As we were going to apply for our grants for the project, our Low to moderate Income score had changed putting the project on hold. While on hold we have had a new location come about and have decided to explore moving the project to 15th Street and Ludington. The project will start back up in 2015.
3. Business Incubator Site Strategy – creating a Business Incubator process that could be utilized to grow new businesses downtown is also a key objective for 2014. The plan during 2013 was to have this initiative tied to the Farmer's Market project. The team has decided to make this a stand-alone project and will look for a downtown location to implement this process during 2014. Reviewing structure used successfully in other like communities for implementation in 2015 based on our master plan.
4. Weather Optimization Program – Michael Larson of Michigan Energy Options has completed 24 energy audits with downtown businesses during 2014. The audits highlight money saving options as well as going green initiatives. The DDA is creating a matching program capped at \$500 for the businesses that take advantage of the audit feedback during 2014. We have matched funds for 5 businesses that made improvements. This program will be retired in 2015 as we have given everyone the opportunity for the program.
5. Streetscape – The DDA is committed to make physical and visual improvements to the downtown district, following our outline in the Downtown Development Plan. Based on the

cost of a total program this was not implemented in 2014. We are going to look to add some elements to enhance the downtown in 2015.

Goals & Objectives for 2015

1. Downtown Escanaba Income Survey – We have partnered with CUPPAD to conduct an Income Survey during the early part of 2015. The survey results will be used to update Escanaba’s Low to Moderate Income score with the MEDC. The process for the State’s Certification of our results has been followed and we look to complete the survey in early February 2015. Once the LTM Income score is changed the grants needed for many of the DDA projects can be taken off hold.
2. Downtown Building Façade Improvement Program – The 2014 businesses that were part of the initial steps of the program will be welcome to move forward in the progress once our LTM Income score has been updated. We are ready to submit for eligible grants for the 2015 program. The Façade program is available for communities that seek to improve/restore buildings to support movement towards a traditional downtown. Grants are available where improvements can sustain and minimize deterioration of commercial/mixed-use properties that have a significant impact on the downtown community. The program is administered through the Michigan Economic Development Corporation (MEDC) utilizing funds received from the US Department of Housing and Urban Development (HUD).
3. Escanaba Market Place Project – The DDA has reviewed architectural drawings completed by Barry Polzin for a pavilion type structure. As we were going to apply for our grants for the project, our Low to moderate Income score had changed putting the project on hold. While on hold we have had a new location come about and have decided to explore moving the project to 15th Street and Ludington. Based on eligibility for grants based on our LMI Income score we will look to start this project during 2015.
4. Street Scape Activities – 2015 plans for Ludington Street enhancements will include adding some park like areas in some of the vacant spots that will connect Ludington Street to additional parking behind businesses. The parks can serve as a resting place for citizens when they visit downtown as well as a spot for some “Pop-up” business opportunities. The DDA will also look to enhance the Center Court property in similar theme. The DDA will also investigate the concept of “Parklets”, having a movable addition that could be used in parking areas on a temporary basis or event for seating.

5. Business Incubator Site Strategy – creating a Business Incubator process that could be utilized to grow new businesses downtown is also a key objective for 2015. The DDA decided to make this a stand-alone project in 2014, but needed to change the vision to make the project executable. The DDA will promote a process for fledgling start-up businesses that will provide mentoring from DDA Board Members and other volunteer business owners, referrals to Michigan Works for a business plan review session, and possible promotion of their product. We may have the opportunity to use some temporary “pop-up” type strategies for some of our start-ups.
6. Community for a Lifetime – UPCAP has headed a committee for the “Community for a Lifetime” program. The DDA Director has agreed to take an active role with this initiative. The program will assess to what degree we are an Aging Friendly Community. This will be an important addition as we market downtown for all of our customers. The kickoff meeting took place in January 2015 and we will look to work on several projects as a Committee.
7. Central Retail Commercial District Requirements – The DDA will complete a review of the requirements and responsibilities for businesses within the Central Retail Commercial District. They are in Chapter 21 of Escanaba's Property Maintenance Code. A review of permitted uses, a check list of responsibilities at start & close of any business, as well as some other additions as seen fit. Recommendations would be forwarded to the City Council.
8. DDA Master Plan – The DDA will do an extensive review of our DDA Master Plan as part of the City's update. The DDA will also review our 2020 Vision and Mission Statement to ensure we are aligned with our partners for the future.
9. Downtown Parking Improvements – As part of an initiative started in 2014, the DDA will improve the parking situation downtown through education & signage. The DDA will also create “a sense of place” with new signage that will tell a historical story & picture regarding the space of each parking lot in the DDA's administration. All signage will be consistent regarding downtown parking.

James V. O'Toole
City Manager



NB-3
410 Ludington Street
Escanaba, Michigan 49829
Phone (906)786-0240

MEMORANDUM

January 26, 2015

TO: Escanaba City Council
FROM: 
James V. O'Toole, City Manager
SUBJ: Master Plan Update/Zoning Ordinance Update

In Accordance with the requirements of the Municipal Planning Act, as amended, the City of Escanaba must update both the Community Master Plan and the Zoning Ordinance.

The Master Plan was last updated in 2006 and is a land use and infrastructure plan that sets forth local goals and policies for community growth and/or redevelopment over the next 20 years. The Master plan is required to be developed and updated in accordance with the Michigan Planning Enabling Act and it is also the enabling document that must be the basis for the zoning ordinance. Lastly, it must be prepared and adopted under the requirements of the Michigan Zoning Enabling Act.

Administration is seeking Council approval to retain the Central Upper Peninsula Planning and Development Regional Commission (CUPPAD) to update the Master Plan and Zoning Ordinance in an amount not to exceed \$12,600. CUPPAD is one of the City's partners and as such we have received a discounted fee for services. For that reason, administration feels we are uniquely situated with CUPPAD and are asking for sole source approval.

In addition to updating the Master Plan and Zoning Ordinance, CUPPAD will also create a new "Plan Showcase", at no cost to the City. Under this concept CUPPAD will develop high impact materials that summarize the master plan, emphasizing community ownership of the process and outlining the goals, objectives, and implementation actions developed as part of the plan update. The goal of the showcase is to ensure that the plan remains a living, actionable document that reflects the community's vision so that it can be used as a key tool for decision-making.

Mission Statement:

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



January 6, 2015

Mr. Jim O'Toole, City Manager
City of Escanaba
Escanaba, MI 49829

Dear Mr. O'Toole:

The CUPPAD Regional Commission is pleased to submit this proposal to the City of Escanaba to assist the City and its Planning Commission with updating the 2006 Master Plan and reviewing the Zoning Ordinance. We will provide the City with the following deliverables, which are detailed in the attached proposal:

- **Master Plan:** Upon plan completion, CUPPAD will provide the City with 10 hard copies of the Plan as adopted along with a copy on compact disc, and assist with publication of the plan online. The digital PDF will be interactive, with clickable links that allow the reader to easily navigate the document and view related content online. The PDF will be tablet and mobile-friendly.
- **Zoning Ordinance Review Summary:** A document detailing any recommended changes to the City's zoning ordinance resulting from the Master Plan update.
- **Plan Showcase:** As a pilot project, at no cost to the City, CUPPAD will develop high-impact materials that summarize the master plan, emphasizing community ownership of the process and outlining the goals, objectives, and implementation actions developed as part of the plan update. These materials include a summary document, slideshow, and brief video, and can be used by the City to market the plan and the community of Escanaba. The goal of this showcase is to ensure that the plan remains a living, actionable document that reflects the community's vision so it can be used as a key tool for decision-making.

As a dues paying member of the CUPPAD Regional Commission the City of Escanaba receives a discounted fee for services (\$60/hr). The fee for assisting the city with updating the Master Plan and reviewing the Zoning Ordinance would be **\$12,600**. Payment can be spread over two fiscal years. Typically, half of the amount is paid at the beginning of the project and the remaining amount is due at the conclusion.

Thank you for your support and interest in CUPPAD. We look forward to working with the City of Escanaba with this planning project.

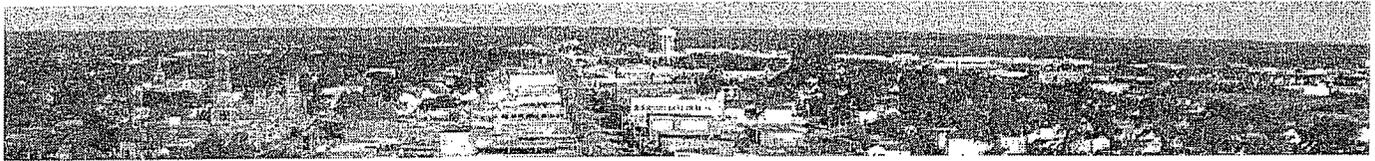
Sincerely,

Joel Schultz

Executive Director, CUPPAD Regional Commission

PROPOSAL : City of Escanaba Master Plan Update

The CUPPAD Regional Commission is pleased to submit this proposal to the City of Escanaba to assist the City and its Planning Commission with updating the 2006 Master Plan and reviewing the Zoning Ordinance. The updated plan will utilize 2010 Census information, 2013 American Community Survey data, and other available demographic and economic statistical information. Development of the updated plan will follow the procedures outlined in the MSUE Land Use Series checklist #1H "The Five Year Plan Review." The goals, objectives, and future land use map will be updated to reflect the community's current needs and priorities. In order to update these items, it is assumed a substantial portion of the existing Master Plan will need to be revised to reflect changes in demographic, economic, and housing conditions. The data will be presented in a visually-appealing, streamlined manner to create a user-friendly, cost-effective and informative planning document in an interactive PDF format. Graphs, charts, and pictures will be used as appropriate to produce a customized, professional plan for the City of Escanaba. Additionally, the Zoning Ordinance will be reviewed to determine if any updates are necessary based on revisions to the master plan and changes in legislation.



CUPPAD BACKGROUND

The Central Upper Peninsula Planning and Development (CUPPAD) Regional Commission is a voluntary organization of local governments serving Alger, Delta, Dickinson, Marquette, Menominee and Schoolcraft counties. CUPPAD was organized in 1968 under the provisions of the Regional Planning Act, Public Act 281 of 1945. The Regional Planning Act provides for regional planning; the creation, organization, powers and duties of regional planning commissions; and the supervision of activities of regional planning commissions. CUPPAD was designated as a certified Economic Development District in 1970.

The basic purpose of the CUPPAD Regional Commission is to foster cooperative analysis, planning and action for economic, social, and physical development and conservation within the central Upper Peninsula. The most efficient way to accomplish these goals is for local units of government to join together with neighboring communities to work through problems that are often difficult to handle independently. Membership in the CUPPAD Regional Commission is voluntary and open to all local units of government within the central Upper Peninsula. CUPPAD benefits from widespread support from local units of government.

CUPPAD currently employs six staff members to provide guidance to local units of government and private enterprises for land use planning, transportation planning, ordinance development, economic development, census data, mapping and technical assistance. Activities of the CUPPAD Regional Commission include, but are not limited to the following:

- Assist local units with Master Plan development
- Assist local units with Zoning Ordinance development
- Assist local units with Recreation Plan development
- Develop maps for Master Plans, Zoning Ordinances, etc.
- Assist with Downtown Development activities and planning
- Economic Development
- Prepare grant applications for local units and assist with administration
- Assist with the US Census update and analyze data



- Coordination of joint planning efforts
- Hazard Mitigation Plans
- Assist local units with Brownfield Redevelopment activities
- General technical assistance

Experience and References

The CUPPAD Regional Commission's recent planning and zoning efforts with local units of government include work with the City of Menominee, the City of Ishpeming, Ford River Township, joint planning effort with the City of Norway and Norway Township, Masonville Township, Burt Township, Meyer Township, Powell Township, and Forsyth Township.

CUPPAD also has ongoing mapping activities with local units of government which include zoning maps, master plan map development, parcel mapping, recreation plan map development, cemetery maps and 911 data maintenance.

References: Howard Robare, City of Ishpeming Zoning Administrator/Assessor
 Ray Anderson, Norway City Manager
 Len Bal, Norway Township Supervisor

Compliance with Michigan Planning and Zoning Enabling Acts

The updated plan will be completed in conformance with the Michigan Planning Enabling Act. Section 125.3203 of the Michigan Zoning Enabling Act (MZEA) states that "the zoning ordinance shall be based on a plan designed to promote the public health, safety and general welfare, etc...." A Master Plan is a land use and infrastructure plan that sets forth local goals and policies for community growth and/or redevelopment over the next 20-30 years. Section 3 (g) and Section 81 (1) of the Michigan Planning Enabling Act (MPEA) indicate that the Master Plan can also serve as the required plan that must be the basis for the zoning ordinance prepared and adopted under the MZEA. To effectively serve that purpose, the Master Plan must have all the required elements of a master plan as specified in the MPEA. The Master Plan Update will feature a future land use and zoning plan as required by the Michigan Planning Enabling Act. The future land use plan will be the portion of the plan showing the planned use of land at some point during the planning period; this will include the future land use map. The zoning plan will include an explanation of how land use on the future land use map relates to the districts on the zoning map.

As required by the Michigan Planning Enabling Act, the Master Plan development process will feature cooperation with neighboring jurisdictions to prevent conflicts with master plans and zoning, as well as cooperation with local, regional, state and federal agencies.

SCOPE OF WORK FOR PLAN UPDATE

This work program describes the elements to be contained in the City of Escanaba Master Plan, including a list of maps. This work program can be modified based upon the mutual agreement of the City of Escanaba and the CUPPAD Regional Commission, provided that the modified work program does not result in a net increase in the amount of time allotted to the overall planning effort.

1. Planning Process and Public Input

CUPPAD will assist the City of Escanaba in preparing all coordinated planning notices and public notices under the Michigan Planning Enabling Act, as amended. CUPPAD will plan and facilitate a community charette and develop

an online survey to gather public input during the plan update. CUPPAD will assist the City with promoting the community charette on social media.

Throughout the project, CUPPAD staff will meet with the city planning commission as needed to review the existing goals and objectives identified in the plan, discuss and review issues of major developments and concerns, and review progress on the plan update.

The proposed plan will be available online and in hard copy at City Hall and the Library for public review and comment.

2. Plan Content

Included in this work program is the estimated time required for CUPPAD to complete 100% of the work on the plan. This includes travel time and meeting time, and is based on the assumption that the City of Escanaba will provide a copy of the current master plan to CUPPAD in Word, InDesign, or Publisher format.

1.0 INTRODUCTION AND HISTORICAL BACKGROUND

The chapter will describe the planning process and the relationship of planning to land use and development, zoning, etc.

- Estimated time required: 2 hours

2.0 HISTORICAL BACKGROUND

The chapter will provide a brief historical background.

- Estimated time required: 2 hours

3.0 DEMOGRAPHICS

The chapter will describe population trends and the composition of the population; discuss how these trends affect land use and development, demand for services, etc.

- Estimated time required: 10 hours

4.0 NATURAL RESOURCES

This chapter will identify and discuss natural features found in the City and their relationship to land use and development.

- Estimated time required: 2 hours

5.0 OPEN SPACE AND RECREATION

This chapter will examine recreation needs and existing sites and facilities; discuss potential changes in demand for recreation based on demographic changes.

- Estimated time required: 4 hours

6.0 COMMUNITY FACILITIES

This chapter will review the services and facilities provided to Escanaba residents by federal, state, county and local agencies-with emphasis on City and County services. The chapter will discuss potential changes or need for change in services.

- Estimated time required: 15 hours

7.0 PUBLIC PARTICIPATION

This chapter will describe the public participation process used in updating the plan. This category also includes time

spent preparing for, attending, and facilitating community meetings.

- Estimated time required: 20 hours

8.0 ECONOMIC ASSESSMENT

This chapter will examine economic trends and conditions, including labor force, unemployment, and income and a discussion of the relationship of the local economy to other areas. Many of the referenced statistics will come from Delta County.

- Estimated time required: 15 hours

9.0 HOUSING ASSESSMENT

This chapter will discuss housing patterns and trends, housing affordability, age and condition of housing and potential future housing needs.

- Estimated time required: 15 hours

10.0 LAND USE & ZONING

This chapter will update land use trends and current land use patterns. A discussion of factors affecting land use decisions is included, along with discussions of residential, commercial, agricultural and industrial uses. Land ownership and its effect on land use patterns will be discussed.

- Estimated time required: 20 hours

11.0 TRANSPORTATION

This chapter will review the existing transportation network, including air, ports, and surface transportation. The chapter will provide information on the road classification systems, financing, traffic volume and flow, and the relationship of the transportation network to land use and economic development.

- Estimated time required: 15 hours

12.0 FUTURE LAND USE

Update the future land use scheme for the City, which will reflect the goals, policies and objectives identified earlier. The land use scheme should also reflect the physical factors and demographic and economic trends identified in the earlier chapters of the plan. A brief zoning plan will also be covered in this chapter. Extensive time will be spent on this chapter and developing the future land use map. Current zoning districts will also be reviewed as well as any potential changes.

- Estimated time required: 25 hours

13.0 IMPLEMENTATION STRATEGIES

Based on issues and opportunities developed throughout the preceding chapters, goals, policies and objectives to guide the City's future development will be identified. These goals, policies and objectives will be used to assist City officials in making decisions on a day-to-day basis, and will provide a standard against which to measure progress.

- Estimated time required: 20 hours

MASTER PLAN MAPS: 25 Hours

SUBTOTAL: 190

Scope Of Work for the Zoning Ordinance Review

CUPPAD will review the City of Escanaba's current Zoning Ordinance and recommend any necessary changes.

- Estimated time required: 20 hours

SUBTOTAL: 20

TOTAL: 210

As a dues paying member of the CUPPAD Regional Commission the City of Escanaba receives a discounted fee for services (\$60/hr). The fee for assisting the city with updating the Master Plan and reviewing the Zoning Ordinance would be **\$12,600**.

3. Deliverables

- **Master Plan:** Upon plan completion, CUPPAD will provide the City with 10 hard copies of the Plan as adopted along with a copy on compact disc, and assist with publication of the plan online. The digital PDF will be interactive, with clickable links that allow the reader to easily navigate the document and view related content online. The PDF will be tablet and mobile friendly.
- **Zoning Ordinance Review Summary:** A document detailing any recommended changes to the City's zoning ordinance resulting from the Master Plan update.
- **Plan Showcase:** As a pilot project, at no cost to the City, CUPPAD will develop high-impact materials targeted to a) city officials and b) the public that summarize the master plan, emphasizing community ownership of the process and outlining the goals, objectives, and implementation actions developed as part of the plan update. These materials include a summary document, slideshow, and brief video, and can be used by the City to market the plan and the community of Escanaba. The goal of this showcase is to ensure that the plan remains a living, actionable document that reflects the community's vision so it can be used as a key tool for decision-making.

We look forward to working with the city planning commission and the city commission in undertaking this planning effort. We would be happy to meet with city administration to further refine our approach if necessary.



CUPPAD REGIONAL COMMISSION
2950 COLLEGE AVE.
ESCANABA, MI 49829
(906) 786-9234
cuppad@cuppadd.org

4.1 PLANNING DATA

4.1.1 Population

Understanding an area's population trends helps determine a community's existing and future needs. These statistics also assist local governments in determining the direction of local capital improvements and related expenditures for recreation planning. Additionally, they are useful when applying recreation guidelines to a community.

From 1990 to 2010, the City's population declined steadily. This population decline was most likely the result of individuals moving from the City to the rural/suburban township areas or seeking work elsewhere. Table 4.1 displays the population trend for the City and other selected areas between 1990 and 2010.

Table 4.1: Population 1990-2010, Selected Areas

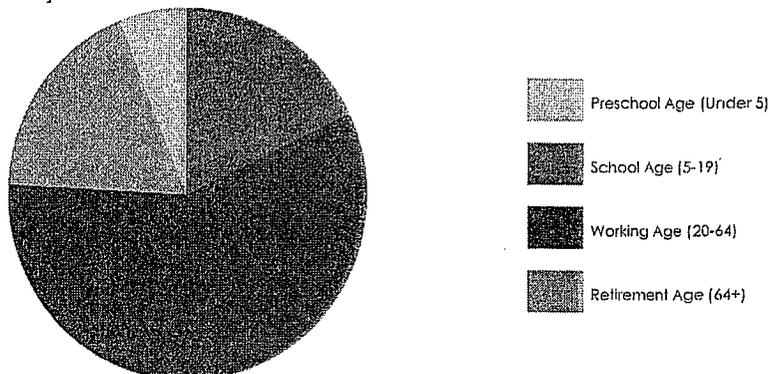
Area	1990	2000	2010
City of Menominee	9,398	9,131	8,599
City of Marinette	11,843	11,749	10,968
Menominee Co.	24,920	25,326	24,029

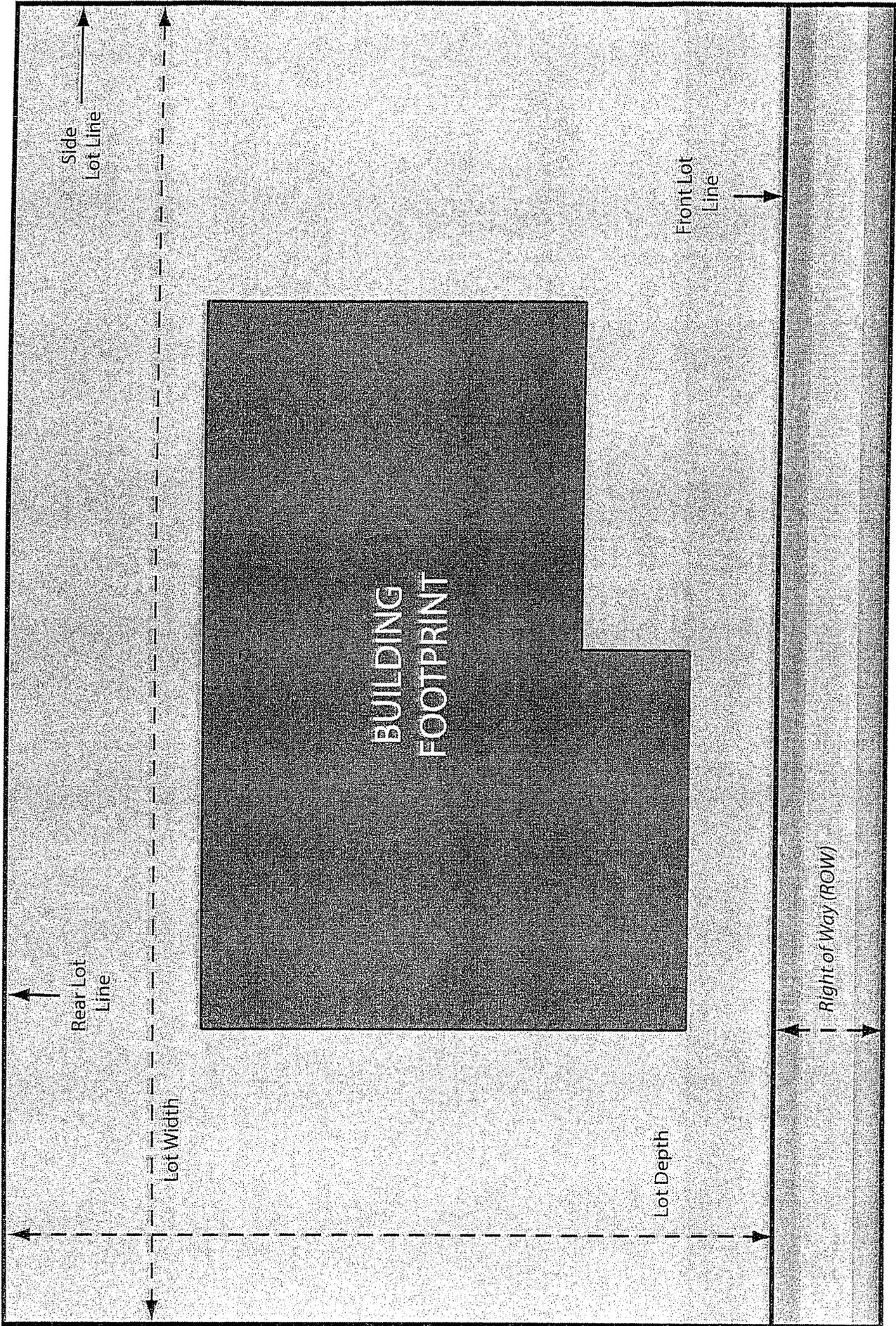
Source: U.S. Bureau of the Census, Census data for years cited.

According to the 2010 Census, the population of the City of Menominee is slightly younger than that of the county overall. The City's median age in 2010 was 44.0 years, two years younger than Menominee County as a whole at 46.2. The median age of city residents increased 4.6 years from a median age of 39.4 years in 2000.

The City's age structure is presented in four categories in Figure 4.1: preschool, normal school age, normal working age, and normal retirement age. People in the normal retirement category comprise 18.3 percent of the city's population, the preschool category comprises 5.6 percent, the normal school age category comprises 18.3 percent and the normal working age category comprises 57.7 percent of the population.

Figure 4.1 - Population by Age Group





Side Lot Line

Front Lot Line

BUILDING FOOTPRINT

Rear Lot Line

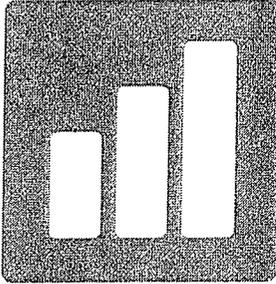
Lot Width

Lot Depth

Right of Way (ROW)

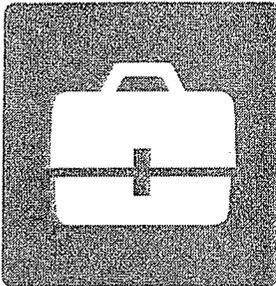
GOALS

ECONOMIC DEVELOPMENT



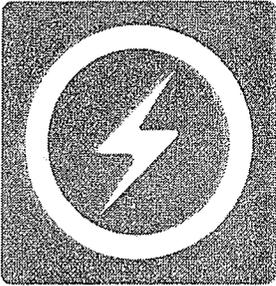
Grow and diversify the region's economy.

WORKFORCE DEVELOPMENT



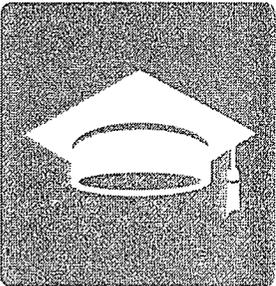
Strengthen the region's workforce pipeline.

TRANSPORTATION & INFRASTRUCTURE



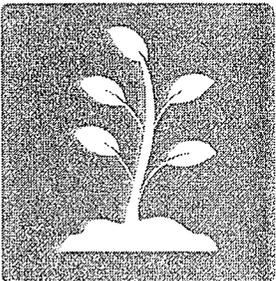
Optimize infrastructure and network conditions and connectivity.

EDUCATION



Enhance and expand educational opportunities.

QUALITY OF LIFE



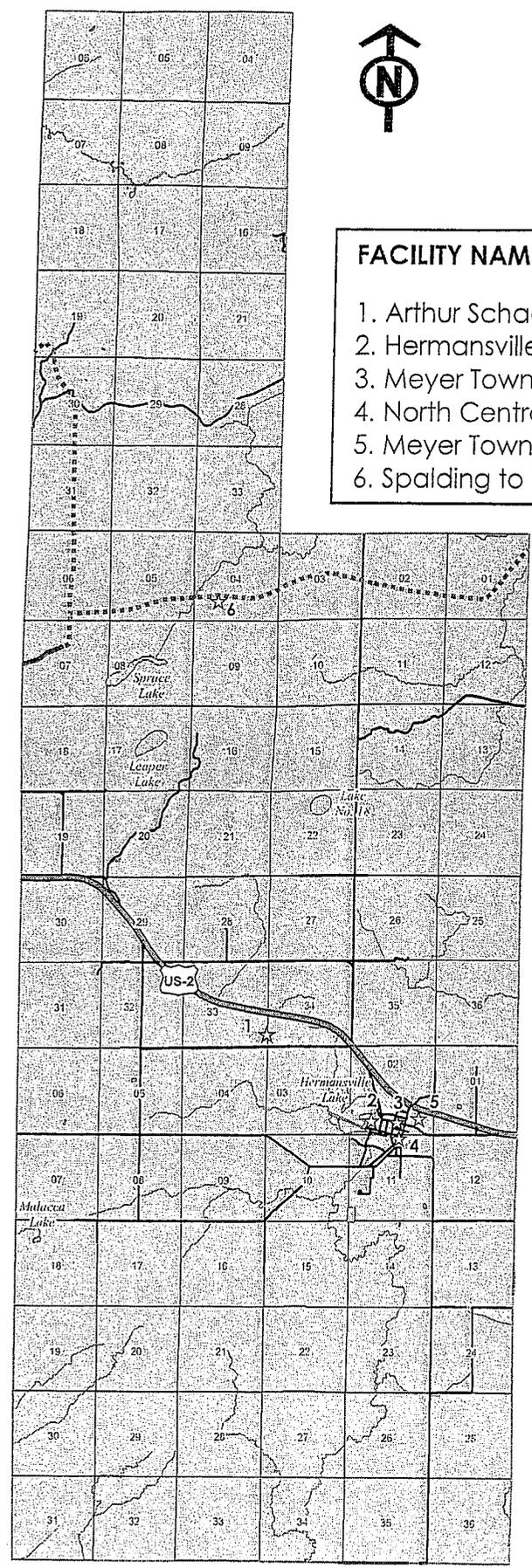
Improve quality of life for all residents.

MAP 5-1

Meyer Township Recreation Facilities

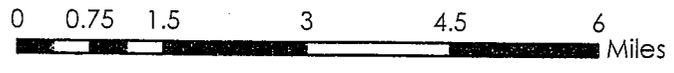


- FACILITY NAMES**
1. Arthur Schaefer Roadside Park
 2. Hermansville Lake
 3. Meyer Township Community Center
 4. North Central Elementary School
 5. Meyer Township Recreational Area
 6. Spalding to LaBranch Snowmobile Trail



LEGEND

- ☆ Facilities
- Snowmobile Trail
- County Road
- Highway
- ~ Rivers
- Lakes
- Twp. Sections



Powell Township Parks & Recreation Plan 2015-2019

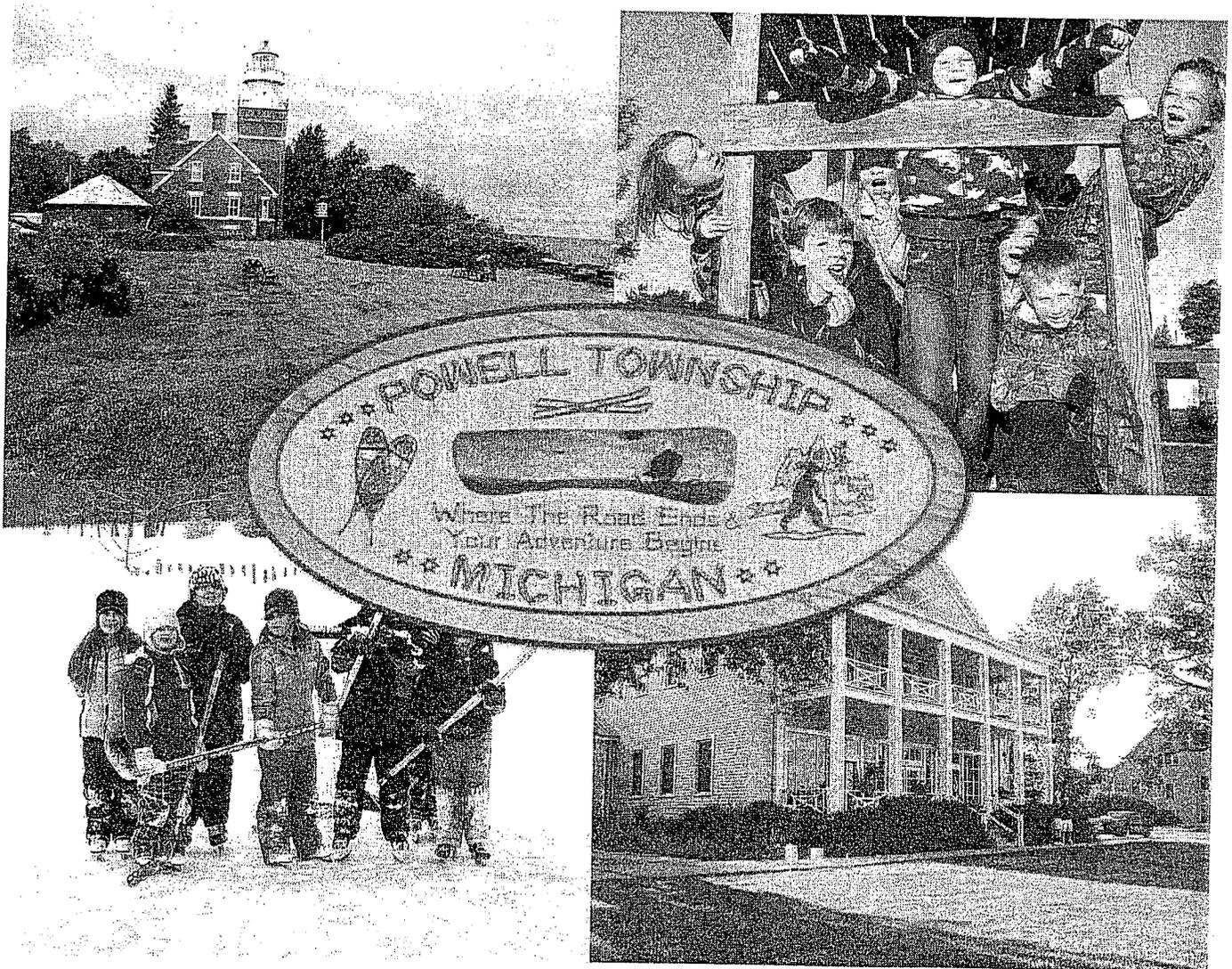


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3.0	Administrative Structure	7
4.0	Natural Resources Inventory	8
5.0	Recreation Inventory.....	9
6.0	Planning & Public Participation	14
7.0	Goals & Objectives	17
8.0	Action Plan	19

Appendix A - Budget

Appendix B - Public Input

Appendix C - Minutes, Resolutions, Checklist

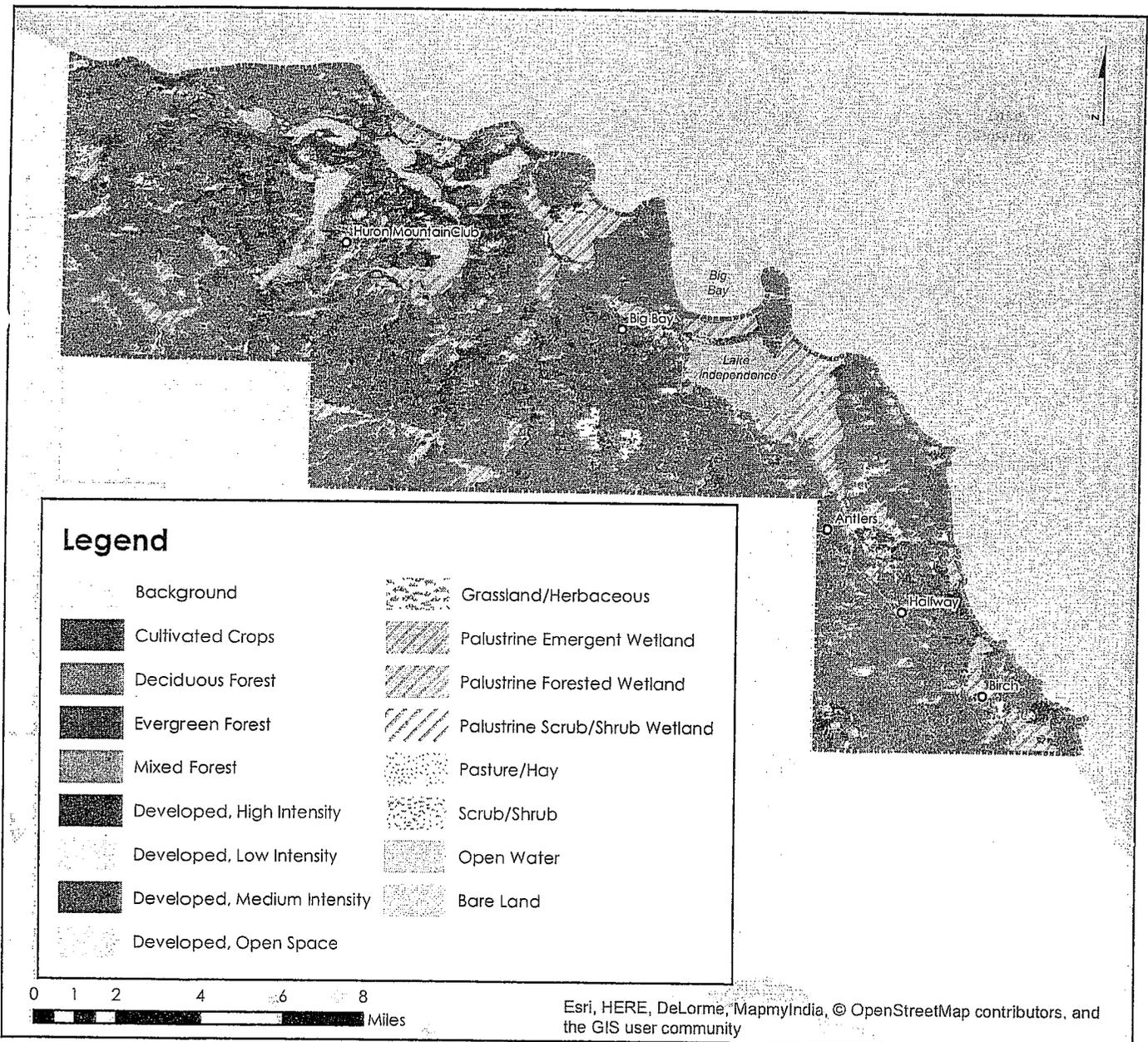
Appendix D - Map

4

Natural Resource Inventory

Powell Township is largely forested with miles of very high quality trout streams and old growth forest. The majority of this property is privately owned as large parcels managed for timber production. Many of these parcels are enrolled in the Commercial Forest Act and are available to the public for recreation. A number of other large land holdings also contribute to the pristine nature of the Township's land cover, including the Huron Mountain Club and the Yellow Dog Preserve. The Blue Ribbon trout waters of the Yellow Dog River and the Salmon-Trout River are located within the Township's Boundary.

MAP 4.1 - POWELL TOWNSHIP LAND COVER





Recreation Inventory

• • • • •

Powell Township’s Recreation Inventory includes a description of each facility along with with its classification and accessibility rating. A list of nearby parks and recreation facilities is also included, as Township residents often travel to the City of Marquette and beyond for more options. See Map 5.1 in Appendix D for the locations of these facilities.

PARK CLASSIFICATION

Mini-Park: A park containing specialized facilities that serve a concentrated or limited population or specific group such as tots or the elderly. They are usually between 2,500 sq. ft. and one acre in size.

Neighborhood Park/Playground: An active recreation site incorporating one or more open space areas designed for field sport and providing play apparatuses. The open space areas should be able to serve the needs of both youths and adults. A baseball field with adjoining playground and restrooms would be an example of a neighborhood park. They are generally 5 to 10 acres in size and serve a 1/4 to 1/2 mile distance.

Community Park/Recreation Area: Area of diverse environmental quality. It may include areas suited for intense recreational facilities such as athletic complexes and large swimming pools or an area of natural quality for outdoor recreation such as walking, viewing, sitting, and picnicking. They are usually between 30 and 50 acres in size and serve a radius of 1/2 to 3 mile distance.

Regional Park/Recreation Area: Area of natural or ornamental quality for outdoor recreation, such as picnicking, boating, fishing, swimming, camping, and trail uses. It may include play areas. These types of facilities are usually greater than 50 acres and tend to attract individuals from outside the community.

ACCESSIBILITY RATINGS

Figure 5.1: Accessibility Ratings

Accessibility Rating	Definition
1	None of the facilities/park areas meet accessibility guidelines.
2	Some of the facilities/park areas meet accessibility guidelines.
3	Most of the facilities/park areas meet accessibility guidelines.
4	The entire park meets accessibility guidelines.
5	The entire park was developed/renovated using universal design principles.

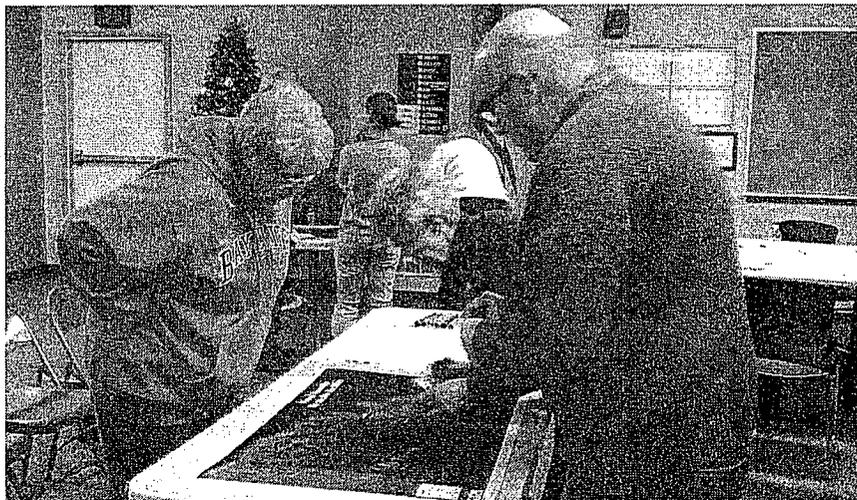
Figure 6.2: Existing Public Open Space

Type of Park	Park Land Area (Acres)	Land Area Standard (Acres)
Mini Parks		
Halfway Fire Hall Playground	0.50	
<i>Subtotal</i>	0.50	0.25 to 0.50
Neighborhood Parks		
Draver Park	3.60	
Halfway Ball Field	28.00	
<i>Subtotal</i>	31.60	1.00 to 2.00
Community Parks		
Burns Landing	3.85	
<i>Subtotal</i>	3.85	5.00 to 8.00
Regional Parks		
Thomas Rock	389.00	
Perkins Park	71.00	
<i>Subtotal</i>	460.00	5.00 to 10.00
Total Park Area	495.95	11.25 to 20.50

Source: Roger A. Lancaster, Ed. 1983, Recreation, Park and Open Space Standards and Guidelines, Alexandria, Virginia: National Recreation and Park Association.

PUBLIC PARTICIPATION PROCESS

Powell Township held a public workshop on December 9th, 2014 which was advertised around Big Bay and in the Mining Journal. Residents and stakeholders also had the opportunity to provide their thoughts and input through an online survey accessible through the Powell Township website throughout the public review process.



Public Input Session

7

Goals & Objectives

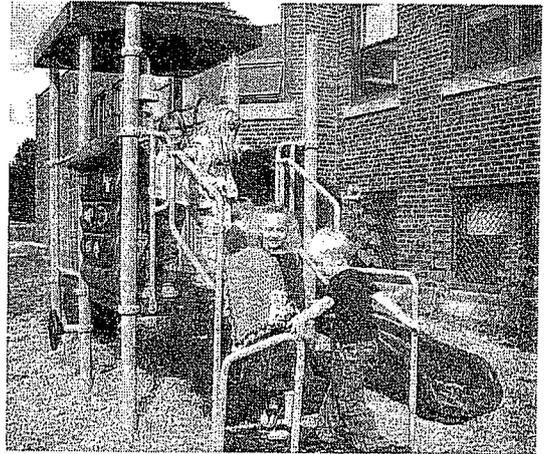
Powell Township used the guidelines and public input described in Chapter 6 to develop the following goals. Chapter 8, "Action Plan" contains the objectives/projects that will be implemented to achieve these goals.

Goal: Continue to improve and develop recreation facilities to support tourism within the Township.

Natural beauty and existing recreational facilities draw many tourists to the Township. Miles of Lake Superior shoreline, many inland lakes, waterfalls, steep slopes and the undeveloped character of the area, as well as the historic significance of some sites in the Township, serve to bring both transient visitors and summer residents to the Township. Approximately 50% of the Township's housing units are for seasonal or recreational use. The relative remoteness of the area and the lodging and dining facilities available in Powell Township results in the community of Big Bay playing host to tourists and nearby residents that also visit the Northern reaches of neighboring Michigamme, Champion, Ishpeming, and Marquette Townships. Tourism has the potential to become a significant engine of economic activity and growth and ensuring the availability of quality recreation facilities will continue to attract tourists to the area.

Goal: Increase the quality and availability of recreational facilities for all-ages.

Powell Township has experienced an increase in population that has continued for the last forty years. This is in part due to an influx of retirees, evidenced by the increase in retirement-age individuals from 17.3% of the population in 2000 to 22.3% of the population in 2010. Meeting the recreation needs of the Township's older population may require following universal design principles to renovate existing facilities.



Children playing at Powell Township school.

Children comprise 13.1% of the Township's 2010 population of 816. Providing recreation activities that interest youth is also important to help attract and retain families with children and reverse the national trend of increased childhood obesity and disconnect from the natural world.

Goal: Ensure that future recreation developments align with the character of the Township.

Quality of life is a key attribute that brings residents and visitors to Powell Township. The natural features are major part of the setting that makes the Township a superior place to live, work, and recreate. As the population continues to increase, more formal development of recreation facilities is important to maintaining the Township's quality of life. These improvements need to match the character of the place and its people.

Discussion – Community Master Plan Update.

DRAFT

City Manager O'Toole stated administration and the Planning Commission will discuss a proposal submitted by the Central Upper Peninsula Development Regional Commission (CUPPAD) to update the City of Escanaba's Master Plan and review the City of Escanaba's Zoning Ordinance. The Master Plan is required by law. CUPPAD is proposing to update the Master Plan for \$12,600 as the City of Escanaba is a member. In 2006 the cost was \$30,000 to update the Master Plan. Work will begin this upcoming winter 2015 and completed during spring 2016. A joint meeting of all Boards and Commissions will be held and various public input meetings will take place. The Zoning Ordinance will also be reviewed and updated where necessary.

CUPPAD Representative Rhiannon Haller stated CUPPAD currently employs six staff members to provide guidance to local units of government and private enterprises for land use planning, transportation planning, ordinance development, economic development, census data, mapping and technical assistance. In updating the Master Plan and reviewing the Zoning Ordinance, compliance with the Michigan Planning and Zoning Enabling Acts will be included.

City Manager O'Toole stated the Plan Showcase is a pilot project, at no cost to the City, CUPPAD will develop high-impact materials that summarize the Master Plan, emphasizing community ownership of the process and outlining the goals, objectives, and implementation actions developed as part of the plan update. These materials include a summary document, slideshow, and brief video, and can be used by the City to market the plan and the community of Escanaba. The goal of this showcase is to ensure that the plan remains a living, actionable document that reflects the community's vision so it can be used as a key tool for decision-making.

Commissioner Hellermann stated it would be good to see a summary page on the things that did and did not work in the Master Plan of 2006.

Discussion took place on ensuring all data would be updated and social media would be included. Parts of the current Master Plan will be carried over.

Commissioner Black stated Bay College is working on their Strategic Planning this April and would be a strong alignment. City Manager O'Toole stated working with other entities would be beneficial such as the City doing community data surveys and being used elsewhere versus everyone paying for their own data research.

City Manager O'Toole stated the Master Plan is used as a checklist and every year the goals and objectives are reviewed. The Master Plan information is used in the Five-Year Capital Improvement Plan which then is used for the budget.

Commissioner Warstler stated UPCAP is looking at the livability of Escanaba to include housing, health care, walkability, transportation, etc. and will also provide a lot of useful information when complete. Ms. Haller stated she is in contact with Johnathan Mead.

A motion was made by Vice Chairperson Smyth, seconded by Commissioner Warstler, to recommend to City Council approval of CUPPAD's proposal to update the City of Escanaba's Master Plan, to include review of the City of Escanaba's Zoning Ordinance, for \$12,600. Ayes were unanimous.

DRAFT.



NB-4

Escanaba Public Safety

Director Kenneth A. Vanderlinden

1900 Third Avenue North, Escanaba, MI 49829
Telephone: (906) 786-6810 Fax (906) 786-6030

MEMORANDUM

TO: James V. O'Toole, Escanaba City Manager

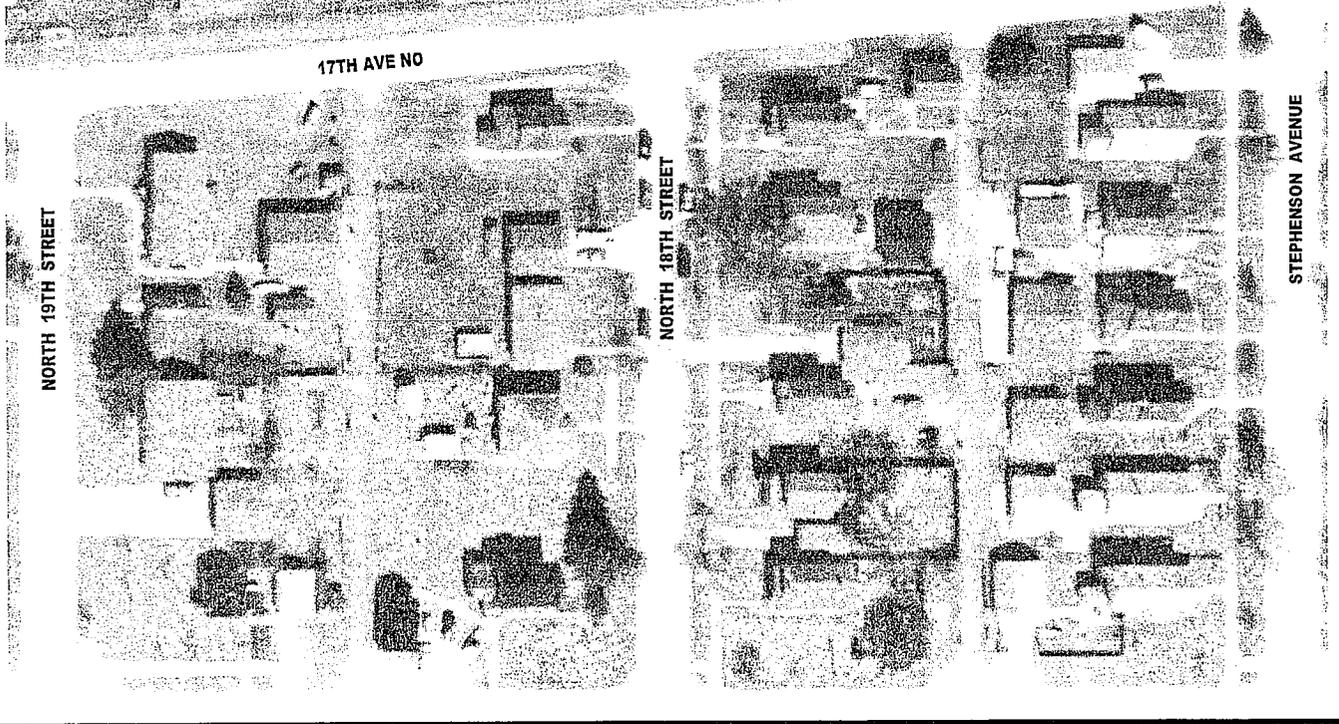
FROM: Director Kenneth A. Vanderlinden

DATE: January 29, 2015

SUBJECT: UPSET Lease

Michigan State Police Detective Lieutenant Tim Sholander, the Commander for UPSET, is seeking approval of a lease with the City of Escanaba for land space at the Department of Public Works location. The space will be used to establish a 30x40 pole barn, for the team to utilize as storage. UPSET will cover all expenses involved with the project, to include; all permits, land preparation, construction and maintenance of the building. If UPSET were to vacate the building, the land (and building) will revert back to the City.

I fully support this collaboration. Thank you.



New Upset Storage Building Location
Public Works Facility

DATE: 1/2015

SCALE: NA

DRWG. NO.: NA

CITY OF ESCANABA

410 LUDINGTON ST. ESCANABA, MICH. 49829 (906) 786-9402



PLOT
 SECTION
 REFERENCE
 INDEX

L:\Engineering\Top\Drawings\2015\UpsetBuilding\kop.dwg 1-29-15 11:41:02 AM t10wer

LEASE AGREEMENT

THIS AGREEMENT, made this ____ day of _____, 2015, by and between THE CITY OF ESCANABA, a Michigan municipal corporation, hereinafter "LESSOR", and UPPER PENINSULA SUBSTANCE ENFORCEMENT TEAM, of P.O. Box 86, Marquette, Michigan 49855, hereinafter "LESSEE".

Recitals

- A. Lessor is the owner of the Department of Public Works buildings, located at 1715 Sheridan Road, Escanaba, Michigan.
- B. Lessee desires to lease and Lessor is willing to lease to Lessee a section of property marked in "Exhibit A". Lessee desires to construct a 30 x 40 pole barn described as "Exhibit B" on the section of property described in "Exhibit A", in accordance with the terms and conditions herein.

NOW THEREFORE, in consideration of the mutual promise of the parties and other good and valuable consideration, the receipt of which is hereby acknowledged, it is agreed as follows:

1. Leased Premises

- 1. Lessee agrees to develop architectural and engineering plans for any and all construction/renovations/remodeling required to meet the specific needs of Lessee for Lessee's intended use. Lessee shall be responsible for constructing all renovations at Lessee's cost, and Lessee shall obtain Lessor's written approval of all such plans and specifications prior to beginning any construction activity.
- 2. Lessee shall have access to the Premises during all hours that the Department of Public Works is open to the public, and shall have access to the Premises during non-public and public hours.
- 3. Lessee shall not install any signage within the Premises or outside or within the Department of Public Works buildings.

2. Term of Lease

- 2.1 The term of this Agreement shall be for a period of three (3) years beginning _____ and ending _____, and may be renewed by written mutual consent of the parties for three (3) year terms upon terms and conditions as agreed upon by the parties.
- 2.2 Upon termination of this lease either by its terms or by default, Lessee shall

immediately remove all contents from the building and Lessor's premises.

2.3 Lessor shall have the option of retaining the building and ownership of said building or giving notice to the Lessee to remove the building and restore the premises to its pre-leased condition.

3. Rent

3.1 The monthly rental amount shall be One (\$1.00) Dollar due in advance on the first day of each month. The rental amount is subject to annual reviews by Lessor and may be increased upon written consent of the parties.

4. Use of Leasehold Premises

4.1 Lessee shall use Premises only for Law Enforcement operations, and not for any purposes that would:

- a) be deemed hazardous to the public or adjoining premises including, but not necessarily limited to, fire, and environmental type hazards;
- b) constitute a violation of any public law or requirement;
- c) cause damage or injury to the Department of Public Works property and adjoining buildings. (ordinary wear and tear excepted);
- d) interfere with normal operations of the Department of Public Works building's heating, air conditioning, plumbing, or other mechanical or electrical systems;
- e) constitute a public or private nuisance;
- f) interfere with other Department of Public Works buildings and equipment;
- g) alter the appearance of the Department of Public Works building's grounds, other than the construction of the proposed building as described in "Exhibit B", without prior written approval of the Lessor;
- h) place merchandise, materials, supplies, signs, or other things of any kind in common areas without written approval;
- i) permit refuse to accumulate in or around Premises; and,
- j) obstruct entry ways.

- 4.2 Lessee is solely responsible for obtaining all necessary licenses and permits and otherwise complying with all laws as needed to comply with Lessee's intended use of the Premises.
- 4.3 Lessee shall be responsible for all environmental violations caused in whole or part by its employces, agents, visitors or invitees.

5. Use of Common Areas by Lessee

- 5.1 Lessee and its invitees shall have the right in common with Lessor, its invitees, and others to use the entrance ways, parking area and surrounding area, subject, however, to rules and regulations of Lessor regulating use of same, rules providing for safety and maintenance, and changes in the layout of common areas.

6. Maintenance and Repair

- 6.1 Lessee shall be responsible for all ordinary janitorial and cleaning of the Premises.
- 6.2 Lessee shall be solely responsible for the maintenance and repair of all equipment located on the Premises.
- 6.3 Lessor reserves the right to make any repairs or alterations that it deems necessary and desirable to the common areas. Lessee will be notified of any repairs or alterations to the Premises at least seven (7) days in advance except in emergency situations.

7. Insurance and Indemnity

- 7.1 Lessee shall not permit any activity on the Premises which would invalidate or be in conflict with Lessor's fire, boiler, sprinkler, water damage, and extended coverage insurance policies covering the Department of Public Works buildings and contents therein.
- 7.2 Lessee shall not permit any activity on the Premises which would cause Lessor's rate for its insurance described herein to be increased.
- 7.3 Lessee at its sole expense shall be responsible for insuring its own tangible personal property, equipment, and fixtures from loss from fire and other casualty and shall at all times provide Lessor with a certificate evidencing such coverage.
- 7.4 Lessee at its sole expense shall maintain liability insurance protecting and insuring Lessee and Lessor from all claims for injury or damage to persons or property arising out of the use of the Premises or the common areas of the Department of Public Works buildings by Lessee, its employees, agents, invitees, and licensees. The amount of the insurance shall be not less than **One Million and 00/100**

Dollars (\$1,000,000.00) per occurrence for accident, bodily injury, or death; not less than **Five Hundred Thousand and 00/100 Dollars (\$500,000.00)** for property damage. Lessee shall at all times provide Lessor with a copy of said policies with proof of payment of premium thereon. The insurance policies shall bear endorsements to the effect that the insurer agrees to notify Lessor not less than thirty (30) days in advance of any modifications or cancellations thereof. Lessor shall be named as an additional insured on all insurance policies required by this lease.

7.5 Lessee will indemnify and hold Lessor harmless from and against all loss, cost, expense and liability whatsoever (including Lessor's cost of defending against the foregoing, such cost to include attorney's fees) resulting or occurring by reason of Lessee's construction on, use of or occupancy of the Premises.

8. Damage by Fire or Other Causes

8.1 If the Premises are damaged by fire or other peril, the damage shall be repaired by Lessee and at Lessee's expense.

9. Assignment/Subletting

9.1 Lessee may assign or sublet the Premises upon written approval by Lessor's city manager or his designee.

9.2 In no event shall a sublease be allowed that would jeopardize the tax-exempt status of the City.

9.3 Lessor may freely assign its rights and obligations under this Lease Agreement to any third party pursuant to a Purchase and Sale Agreement, Land Contract or similar instrument.

10. Use of Premises by Lessor

10.1 Lessor reserves for itself and its contractors and agents the right to enter the Premises at reasonable times for the purpose of inspecting, maintaining, installation, operation and repair services.

10.2 Lessor may close the building which is the subject of this Lease Agreement, in whole or in part, at any time during the leasehold period. In such event, the parties understand and agree that the Lessor is not responsible to reimburse the Lessee for any construction costs paid by Lessee to improve the leasehold space.

11. Covenant of Quiet Enjoyment

11.1 Lessor warrants and represents that it has full authority to execute this lease for

the above term. Lessor covenants that upon Lessee paying the rents and performing its covenants and duties prescribed herein, Lessee may, except as otherwise described herein, have the exclusive and responsible right to have, hold and enjoy the leasehold.

12. Lessor's Right to Perform Lessee's Obligation

12.1 If Lessee defaults in the observance or performance of any term or covenant of this lease, Lessor may, without waiving the default, remedy the default at Lessee's expense. If, in connection therewith, Lessor makes any expenditure or incurs any obligation for the payment of money or in instituting, prosecuting, or defending any action or proceeding commenced before or during the term of this lease, or after the expiration or termination of this lease including, but not necessarily limited to legal expense and attorneys' fees, Lessee shall pay to Lessor on demand the sums paid or obligations incurred together with legal fees and costs.

13. Default by Lessee

13.1 If the Lessee fails to pay rent when due; if the Lessee fails to perform any other obligations under this agreement within thirty (30) days after receiving written notice of the default from the Lessor; if the Lessee makes any assignment for the benefit of creditors or a receiver is appointed for the Lessee or its property; or if any proceedings are instituted by or against the Lessee for bankruptcy (including reorganization) or under any insolvency laws, Lessor may terminate this lease, reenter the Premises, and seek to relet the Premises on whatever terms the Lessor thinks advisable. Notwithstanding reentry by the Lessor, the Lessee shall continue to be liable to the Lessor for rent owed under this lease and for any rent deficiency that results from reletting the premises during the term of this lease. Notwithstanding any reletting without termination, the Lessor may at any time elect to terminate this lease for any default by the Lessee by giving the Lessee written notice of the termination.

13.2 In addition to the Lessor's other rights and remedies as stated in this lease, and without waiving any of those rights, if the Lessor deems necessary any repairs that the Lessee is required to make or if the Lessee defaults in the performance of any of its obligations under this lease, the Lessor may make repairs or cure defaults and shall not be responsible to the Lessee for any loss or damage that is caused by that action. The Lessee shall immediately pay to the Lessor, on demand, the Lessor's costs for curing any defaults, as additional rent under this lease.

13.3 The rights and remedies of Lessor shall be cumulative as more particularly provided at law or in equity pursuant to the laws of the State of Michigan.

14. Miscellaneous

- 14.1 This agreement shall be binding on the parties and inure to the benefit of the Lessor and Lessee and their respective successors and assigns.
- 14.2 This agreement shall be governed by and construed in accordance with the laws of the State of Michigan.
- 14.3 This agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this agreement shall not be binding upon either party except to the extent incorporated herein.
- 14.4 Any modification of this agreement or additional obligations assumed by either party in connection with this agreement shall be binding only if evidenced in a writing signed by each party or an authorized representative of each party.
- 14.5 Waiver by Lessor of any breach of any covenant or duty of Lessee under this lease is not a waiver of a breach of any other covenant or duty of Lessee or any subsequent breach of the same covenant or duty.
- 14.6 The invalidity of any portion of this agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement of the invalid provision.
- 14.7 All notices to be given under this lease shall be in writing and mailed, postage prepaid, or by certified or registered mail, return receipt requested, or delivered personally or by courier delivery, or sent by telecopy (immediately followed by one of the preceding methods) to Lessor's address and Lessee's address as above stated or any other place that Lessor or Lessee may designate in a written notice given to the other parties. Notices shall be deemed served on the earlier of receipt of three (3) working days after the date of mailing.

The parties have set their hands on the day and year first above written.

LESSOR:

LESSEE:

**CITY OF ESCANABA,
a Michigan municipal corporation**

**UPPER PENINSULA SUBSTANCE
ENFORCEMENT TEAM**

By: **Marc Tall**
Its: Mayor

By:
Its:

By: **Robert Richards**
Its: Clerk

Exhibit B



Greg
Cell Phone: (906) 360-6371
Phone Number: (906) 789-7720
Email: garnold@clearybuilding.com
Branch Email: escanaba@clearybuilding.com

10/8/2014
SHOLANDER, TIM
Doc ID: 1237020141008162907

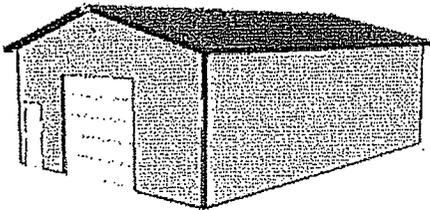
Client Proposal - Erected

Building Specification For:

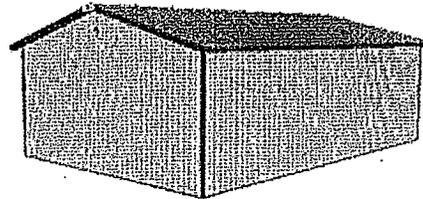
SHOLANDER, TIM
1715 SHERIDAN RD
ESCANABA, MICHIGAN 49829
Home Phone: [REDACTED]
Email: garnold@clearybuilding.com

Building Site Location:

Location: N/A
Tenant: N/A
1715 SHERIDAN RD
ESCANABA, MICHIGAN 49829
County: DELTA



Endwall 1 & Sidewall 2



Endwall 2 & Sidewall 1

Notes

1. Only the Primary building is shown above.
2. These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

Protector Laminate 30' 0" width x 40' 0" (Bays at 8' o.c.) length x 13' 4" eave height with 12' 0" truss clearance from 100'-0" mark.

Truss (Standard Lower Chord) with 3/12 roof pitch.

Default ceiling design: Not Designed to Support a Ceiling

Type foundation: In Ground

Concrete floor: No

54 psf Roof Snow Load with 2"x4" Continuous 1' 8" inch on center purlins.

- Trusses are "made to order" for each building and designed by our Engineering Department.
- We manufacture a non-spliced laminated treated column with a two bolt saddled truss to column connection for superior strength. The Cleary column has a 50 year warranty against rot and decay.

Exterior Finishes

Roof: Grand Rib 3 Plus

- Lifetime Film Integrity Warranty, 35 Year Fade and Chalk Warranty, and G-90 Galvanizing Up to 1.0 ounce of Zinc Protection.

Siding: Grand Rib 3 Plus

Wainscot: None

Ventilation

Standard Ridge Cap for venting the entire ridge.

12" Aluminum soffit (Sidewall) with vented soffit on S1 & S2

12" Aluminum soffit (Endwall) with vented soffit on E1 & E2

Accessories



Greg
Cell Phone: (906) 360-6371
Phone Number: (906) 789-7720
Email: garnold@clearybuilding.com
Branch Email: escanaba@clearybuilding.com

10/8/2014
SHOLANDER, TIM
Doc ID: 1237020141008162907

Client Proposal - Erected

(1) Overhead frame out. Size: 12' 0" Width x 10' 0" Height
Headroom Available: 1' 8"

OVERHEAD DOOR NOT INCLUDED UNLESS OTHERWISE NOTED IN WRITING IN THE ADDITIONAL BUILDING COMPONENTS SECTION.

(1) Series 20 Standard 3'-0" x 6'-8" with 2x6 frame None

Features: No Embossment, No Closer, No Deadbolt, EZ-KNOB/KNOB ORBIT ENTRY GRADE 2 (STAINLESS STEEL),
No Latch Guard, No Panic Hardware, No Kick Plate, No Chain
Keyed alike key group number: 1

Interior Finish / Insulation

Condensation Control: None
Wall Insulation: None
Interior Nailers: None
Interior Liner: None

Additional Building Components

Overhead Doors
1 12x10 insulated door
Concrete Floor
1200 sqft 4" floor

Project Investment

Project as specified: \$22,233
Cash discount (3%): \$667
Total with discounts: \$21,566

- Please note this price is subject to change without notice after 10/31/2014
- Includes material, labor, tax, delivery, warranties and builder's risk insurance.

Dumpster Option

Seller to place scrap in the dumpster and remove from site **\$400**
Note: If Dumpster Option is not selected, Seller will pile scraps and packaging near building for Purchaser use or disposal.

1. Cleary Trained Crews
2. Workers Compensation and Builders Risk Insurance
3. Only National Builder debt free since 1985.
4. SteelWood University® - through our best-in-class in-house curriculum, we invest in our employees' education to have the premier team to provide you the best solution and the best service.
5. 99.0% Customer Satisfaction
6. Fully staffed for concept, engineering and construction with just one point of contact for you.
7. Dedicated to your design with personal service specialized by our unique Shamrock Service Guarantee.
8. Best warranties in the industry with the financial strength to stand behind them.

Payment Terms



Greg
Cell Phone: (906) 360-6371
Phone Number: (906) 789-7720
Email: garnold@clearybuilding.com
Branch Email: escanaba@clearybuilding.com

10/8/2014
SHOLANDER, TIM
Doc ID: 1237020141008162907

Client Proposal - Erected

Amount	Type	Percent	Description
\$4,313	Down Payment	20 %	Upon the signing of the contract with CLEARY BUILDING CORP.
\$8,626	Delivery Payment	40 %	Payment due upon first load of building materials. In the event that multiple loads of materials are required, due to the size of the building, the remaining materials will be shipped to the site as needed while the building is under construction
\$8,627	Final Payment	40 %	Paid upon Completion and such payment to be delivered to the crew foreman of CLEARY BUILDING CORP.

License numbers by state: VA #2705 123094A, MI #2102150963, MN #20076522, IL #104.002640, AZ # ROC212050 Limit \$250,000, NM #86107 Limit \$1,000,000, NV #0042464 Limit \$2,000,000, OR # CCB 115247, WA # CLEARBC044NE
This contract has not been reviewed for energy code compliance. Conformance to the International Energy Conservation Code (IECC) may necessitate additional costs not included in this contract.

NB-5

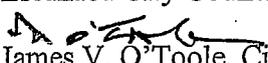
James V. O'Toole
City Manager



410 Ludington Street
Escanaba, Michigan 49829
Phone (906)786-0240

MEMORANDUM

February 5, 2015

TO: Escanaba City Council
FROM: 
James V. O'Toole, City Manager
SUBJECT: Power Outage and Restoration Costs

Administration is seeking Council approval on a number of items at the February 5, 2015, regularly scheduled meeting concerning the recent power outage and the costs associated with the locally declared disaster.

In that the situation remains fairly fresh, details and needs are still being identified. For that reason, it is impossible to make a specific "all-inclusive" and itemized request at this time. However, due to the seriousness of the situation and the immediate need to establish a more permanent and reliable power supply, the following is being requested:

1. **Purchasing Policy Waiver.** Administration is requesting a temporary waiver on purchasing policy requirements for repair work associated with the substation damage of February 2, 2015.
2. **Emergency Response Costs/Repair/Replacement/Restoration Costs.** Administration is seeking approval to pay for all initial emergency response costs and future costs associated with the substation damage including, but not limited to, the deployment of resources, labor, materials, repair/replacement/restoration of damaged equipment, fuel, supplies, engineering design, permits, legal costs (SSR matters) and any other costs related to the substation incident.
3. **Mobile Substation Lease.** Administration is seeking approval of an "Equipment Lease" between the City of Escanaba and the Wisconsin Electric Power Company for the use of a mobile substation, temporary fencing, wiring and other miscellaneous materials needed until a more permanent substation solution is engineered, constructed and energized.

If approved by Council, all costs associated with the substation damage will be closely accounted for in a separate account and reported back to the Council on a regular basis.

Equipment Lease

THIS AGREEMENT, made this 2nd day of February, 2015, by and between Wisconsin Electric Power Company d/b/a We Energies (the "Company") and City of Escanaba Electric Department ("Escanaba")

WHEREAS, due to equipment failure at the City of Escanaba Substation, there is an emergency need for certain equipment to provide electric service and a request has been made by Escanaba to the Company for the use of the Company's mobile substation and Company desires to assist Escanaba and lease the mobile substation under the terms and conditions hereinafter described.

NOW, THEREFORE, the parties do hereby mutually agree as follows:

1. The Company will lease to Escanaba for use at its facility located at the City of Escanaba Substation the following equipment - mobile substation, temporary fencing, wiring and other miscellaneous material (the "Mobile Substation").
2. The lease of the Mobile Substation shall commence on February 2, 2015 upon the start of its transportation to Escanaba and shall continue month by month until terminated by the parties. The term shall not exceed 2 months unless an extension is mutually agreed to by both parties.
3. Escanaba shall pay the sum of (\$3,000.00) as a monthly rental fee for the Mobile Substation. This sum is payable at the commencement of the lease based on an invoice that will be presented to Escanaba. Any partial month shall be billed as a full month.
4. Escanaba shall pay all costs associated with the installation, removal, transportation, labor, material, ongoing maintenance costs and any other costs related to the mobile substation. Invoices will be presented to Escanaba after the mobile substation has been installed for associated installation costs and after it is returned to the Company for removal and other costs as outlined above.
5. Escanaba agrees that it will be fully responsible for any damage caused to the Mobile Substation while being loaded, transported or used as part of this Agreement and that Escanaba will pay for any and all repairs in order to return the Mobile Substation back to Company in substantially the same condition it exists as of the date of this Agreement.

6. The Company shall retain title to the Mobile Substation at all times, and the Mobile Substation shall not be or become a part of or be permanently attached to Escanaba's premises, but shall at all times remain and be personal property severable from the premises, and the Company shall have the right to remove the Mobile Substation from the premises at any time upon or after the termination of the lease with Escanaba.
7. Escanaba shall provide, at its own expense, suitable and effective housing and protection for the Mobile Substation while in its possession, and shall not permit the Mobile Substation to be subjected to loads in excess of those which it is designed to carry.
8. Escanaba agrees to perform a daily inspection by 0900 hours each day of the Mobile Substation to identify potential security or equipment problems. Whenever repairs are necessary or security issues are identified, Escanaba shall notify the Company in writing by 1100 hours each day thereof and the Company will make such repairs with reasonable diligence, and no one other than the Company's authorized representative shall be permitted to make repairs to the Mobile Substation without the consent of the Company. Escanaba shall reimburse the Company for the cost of such repairs promptly upon receipt of an invoice from the Company. At no time shall any entity other than We Energies enter the temporarily secured Mobile Substation area.
9. The company shall have the right at all times to inspect and examine the Mobile Substation and to make such changes and improvements in the Mobile Substation as shall, in its opinion, be necessary for the proper operation thereof without cost to Escanaba.
10. Escanaba agrees to indemnify, hold harmless and defend Company, and its affiliate companies, its officers, directors, employees, agents, attorneys, and representatives from and against any and all claims, demands, suits, actions, proceedings, liabilities, damages, losses, costs, and expenses of every kind and description, including attorneys' fees, by reason of injury to or death of any person, including Escanaba employees and its contractors and agents, or any property damage, arising out of or relating to this Agreement, including but not limited to the loading, transportation, operation and use of the Mobile Substation.
11. No delay by the Company in enforcing any of its rights hereunder shall be deemed a waiver of such rights, nor shall a waiver by the Company of its rights or remedies in any one instance be deemed a waiver of the same, or any other right or remedy, in any other instance. The Company shall not be liable for any damage resulting from defects in or failure of the Mobile Substation.

12. This Agreement shall be binding upon the personal representatives, successors and assigns of the respective parties hereto and is effective as of the date written above.

CITY OF ESCANABA ELECTRIC DEPARTMENT

By: _____

Title: _____

WISCONSIN ELECTRIC POWER COMPANY

d/b/a We Energies

By: _____

Title: _____

CHRISTOPHER R. JONES
202.662.2181 telephone
202.654.5619 facsimile
christopher.jones@troutmansanders.com

TROUTMAN SANDERS

TROUTMAN SANDERS LLP
Attorneys at Law
401 9th Street, N. W., Suite 1000
Washington, D.C. 20004-2134
202.274.2950 telephone
troutmansanders.com

February 5, 2015

[VIA FEDERAL EXPRESS]

General Counsel
Attn: Jeffrey Small
Midcontinent Independent System Operator
720 City Center Drive
Carmel, IN 46032

Re: Escanaba SSR - NOTICE OF OUTAGE EVENT

Dear Jeff:

Per my email of February 4, 2015, please be advised that the City of Escanaba's generating station that is the subject of the current System Support Resource ("SSR") Agreement experienced a catastrophic event early Monday, February 2, 2015 that resulted in significant damage to the substation that connects the generation station to the ATC system, as well as to at least one of the generating units itself. At this point, both of the steam units and the combustion turbine are on outage indefinitely. We understand the outage has been reported in MISO's "CROW" system through the Manitowac Utility, but I ask that you forward this message to the operations team at MISO that may need notice of the outage.

The City is currently investigating the event, as well as all possible scenarios for repair/replacement of damaged equipment. Pursuant to Section 9.G of the SSR Agreement, the City of Escanaba will need to coordinate soon with MISO on the prospect for those repairs, including costs and timelines and, ultimately, whether MISO deems them necessary for purposes of system reliability. Please do not hesitate to call with any questions.

Sincerely,

Christopher R. Jones
Counsel to the City of Escanaba

cc: Jim O'Toole, City of Escanaba
Mike Dewar, City of Escanaba
Mike Furmanski, City of Escanaba