



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, June 4, 2015, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE – Pastor Chris Johnson of Christ the King Lutheran Church
APPROVAL/CORRECTION(S) TO MINUTES – Regular Meeting – May 21, 2015, Special Meetings May 11, 2015, May 13, 2015, May 20, 2015, May 28, 2015, June 1, 2015

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION

AWARD PRESENTATION

Meritorious Service Award/Retirement Proclamation – Tom Penegor

BRIEF PUBLIC COMMENT

PUBLIC HEARINGS

1. **Public Hearing – Industrial Facilities Exemption Certificate (IFT) – Bell's Brewery, Inc. – 3525 Airport Road.**

Explanation: Bell's Brewery, Inc., an eligible business, is requesting an IFT exemption for a new addition to their existing facility and new personal property equipment pursuant to PA 198 of 1974, the Industrial Property Tax Abatement Act, for their property located at 3525 Airport Road.

UNFINISHED BUSINESS.

None.

NEW BUSINESS

1. **Approval – Use of Public Space – Walk for Life – Pregnancy Services of Delta County.**

Explanation: Pregnancy Services of Delta County is seeking Council approval to use the Municipal Dock area in Ludington Park on September 19, 2015, for their annual Walk for Life event. Administration is recommending approval of the request contingent upon the following: 1) Proper insurance is provided naming the City of Escanaba as an additional insured and 2) event sponsors provide all labor material and cleanup at the conclusion of the event.

2. **Approval – Resolution – Revocation of OPRA Exemption Certificate No. 3-05-0027 – 720 Ludington Street – H2 Development LLC.**
Explanation: On September 20, 2005, the City of Escanaba granted an Obsolete Property Rehabilitation Exemption for property located at 720 Ludington Street. On May 7, 2009, the property and exemption was transferred to H2 Development LLC. Administration is now requesting Council revoke the OPRA Exemption Certificate (No. 3-05-0027) pursuant to Section 12 of PA 146 of 2000 in that the property owner has not proceeded in good faith in paying the property taxes as required by the program.

3. **Discussion – Senate Bill 282 and House Bill 4575 – Michigan Electric Infrastructure Act.**
Explanation: Council will discuss Senate Bill 282 and House Bill 4575, bills which are designed to regulate the siting and construction of certain transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide for certain fees.

4. **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.

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

Respectfully Submitted



James V. O'Toole
City Manager

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Work Session Meeting
Monday, May 11, 2015**

Pursuit to a special meeting notice posted April 28, 2015, the meeting was called to order by the Honorable Mayor Marc D. Tall at 12:13 p.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.

ADJUSTMENTS TO THE AGENDA

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

CONFLICT OF INTEREST DECLARATION – None

NEW BUSINESS

Discussion – Senate Bill 282 – Siting and Construction of Electric Transmission Lines – Senator Tom Casperson.

Senator Tom Casperson was present to discuss the intent and concept of Senate Bill 282, which was a bill to regulate the siting and construction of certain electric transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide certain fees for Michigan's long term electrical energy needs. During discussion, the following discussed topics included:

- Issue came to light during Upper Peninsula electrical rate discussions between Cliffs Natural Resources and Wisconsin-based energy company WE Energies, owner of the Presque Isle Power Plant;
- The Upper Peninsula rate issue was resolved when Cliffs Natural Resources agreed to purchase most of their power from Presque Isle Power Plant through 2020;
- The Upper Peninsula relies on Wisconsin Power, who govern the rates, which may not be a good idea. The bill addresses the Upper Peninsula's reliance of Wisconsin Power for transmission. Mr. Casperson suggested Michigan was better off with a Michigan solution;
- Senator Casperson advised talks with Michigan Lower Peninsula power providers have been positive, and stated costs would be spread out throughout

City Council Minutes
May 11, 2015 – cont.

the State;

- It was suggested there were many unknowns about SB 282, especially the financial impacts to the residents of Escanaba;
- City Administration questioned the benefit of eliminating ATC and WE Energies, and joining another zone short on capacity. City Administration suggested Wisconsin would be looking out for their best interest, not the Upper Peninsula;
- Costs would be a long term solution and needed to be discussed with a panel if SB 282 was approved;
- Discussed the MISO modeling that determined costs and who could bid on the project;
- Discussed EPA's decision to shut down coal fired power plants, lower and upper Michigan plants;
- Discussed technical difficulties and proposed new sites;
- Discussed the realistic talk of providing power to the Upper Peninsula from lower power companies;
- City still needed further discussions on purchase of power for the future, and asked if the City would be able to opt out of SB 282.

GENERAL PUBLIC COMMENT

City resident Glendon Brown, and City Electrical Advisory Committee member, stated the City's current electrical energy provider was Nextra. He wanted Senator Casperson to remember that the large megawatt electrical plant in Gaylord was a peaking unit plant, and Appleton Wisconsin anticipated to be adding a large full cycling power plant. Mr. Brown concluded by saying the City of Escanaba was well served by American Transmission Company (ATC), and ATC was currently constructing the last component of electrical transmission into central Upper Peninsula.

ANNOUNCEMENTS

Mayor Tall proclaimed May 15-16, 2015, American Association of University Women (AAUW) Above the Bridge Days, and further acknowledged the Escanaba, Iron Mountain-Kingsford and Marquette AAUW members for all the work they are doing in the Upper Peninsula of Michigan for improving the lives of women and girls.

Hearing no further public comment, the Council adjourned at 12:58 p.m.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

OFFICIAL PROCEEDINGS
CITY COUNCIL
ELECTRICAL ADVISORY COMMITTEE
CITY OF ESCANABA, MICHIGAN
Special Joint Meeting
Wednesday, May 13, 2015

Pursuit to a meeting notice posted May 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, Ralph B. Blasier, and Michael R. Sattem.

Absent: None.

Present: Electrical Advisory Committee (EAC) Members: Chairperson Tim Wilson, and Glendon Brown.

Absent: Two vacancies and Power Plant Liaison, Electrical Advisory Committee (EAC) Members John Anthony, Larry Arkens, and Ann Bissell,.

Also Present: City Manager James V. O'Toole, Electric Superintendent Mike Furmanski, Mike Dewar, Pro Energy Services, Inc. Representative Jack Scott, Power System Engineering Representative Tom Butz, members of the public and media.

ADJUSTMENTS TO THE AGENDA

City Manager O'Toole asked to reinstate the Electric Department regular purchasing practices.

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

CONFLICT OF INTEREST – None

PUBLIC HEARING – 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 current departmental activities.

- Discussed repair of Underground fault at the Delta County Airport;
- Summer time work activities had begun with the crews;
- Reviewed summary of billed expenses since February 2, 2015;
- Discussed waiver of the purchasing policy;

- Briefly reviewed a protest that was filed with FERC regarding the SSR Agreement with White Pine Power Station.

Baribeau moved, Blasier seconded, to reinstate the City purchasing policy for the Electric Department.

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

MOTION CARRIED.

Update – Shutdown of Power Plant – Pro Energy Services, Inc.

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

Mr. Scott introduced Rob Piper, who would be helping him to provide a project schedule to shut down the Escanaba Power Plant. Later in the week, the first draft was expected. A Software application was being used as a management tool, and would define when parts of the project should be done and would also provide as a communication tool for everyone.

- Due to February Event, Power Plant and combustion turbine was shut down and out of service;
- Personnel began preparing for permanent June 14th shutdown;
- Coal would be removed from the coal bunkers to prevent spontaneous combustion;
- There were no NPDES Violations in April;
- There were no groundwater deviations in April;
- Reviewed portions of the Power Plant that were being dismantled, and discussed the need for security guards for the Power Plant once shut down.

Approval – Professional Services – Spill Prevention, Control, and Countermeasures Plan.

Administration sought Council approval to accept a proposal from TriMedia Environmental and Engineering of Marquette, MI to update/design a Spill Prevention, Control, and Countermeasures plan for the West Side Substation, the Cold Storage facility, and the new substation in an amount not to exceed not-to-exceed \$4,000.00.

NB-3 After a brief description of the scope for the Spill Prevention, Control, and Countermeasures plan, Blasier moved, Beauchamp seconded, to accept a proposal from TriMedia Environmental and Engineering of Marquette, MI to update/design a Spill Prevention, Control, and Countermeasures plan for the West Side Substation, the Cold Storage facility, and the new substation in an amount not to exceed not-to-

exceed \$4,000.00

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

Ayes: Blasier, Beauchamp, Sattem, Baribeau, Tall

Nays: None

MOTION CARRIED.

Approval – Distribution Pole Purchase.

Administration sought Council approval to purchase wooden distribution poles from Thomasson Company of Philadelphia, MS, in the amount of \$37,781.48.

NB-4 Sattem moved, Blasier seconded, to approve to purchase wooden distribution poles from Thomasson Company of Philadelphia, MS, in the amount of \$37,781.48.

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

Ayes: Sattem, Blasier, Baribeau, Beauchamp, Tall

Nays: None

MOTION CARRIED.

Approval – Distribution System Cable Purchase

Administration sought Council approval to purchase 15kV cable from Border States Electric of Green Bay, WI in an amount not to exceed \$12,000.00.

NB-5 Beauchamp moved, Sattem seconded, to approve to purchase 15kV cable from Border States Electric of Green Bay, WI in an amount not to exceed \$12,000.00.

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

Ayes: Beauchamp, Sattem, Blasier, Baribeau, Tall

Nays: None

MOTION CARRIED.

Approval – West Side Substation Equipment Replacement and Upgrade.

Administration sought Council approval to retain Energis High Voltage Resources of Green Bay, WI to replace the voltage regulators and associated equipment at the West Side Substation in an amount not to exceed \$22,000.00.

NB-6 Baribeau moved, Blasier seconded, to approve to retain Energis High Voltage Resources of Green Bay, WI to replace the voltage regulators and associated equipment at the West Side Substation in an amount not to exceed \$25,000.00.

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

Ayes: Baribeau, Blasier, Sattem, Beauchamp, Tall

Nays: None

MOTION CARRIED.

Update – Power Plant Sale.

The administration updated the City Council, Electrical Advisory Committee and the Citizens of Escanaba regarding the sale of the plant.

- Talks continue with Sterling Energy. Both sides were working of the Term Sheet;
- RFP's was sent out;
- Briefly reviewed SB 282 meeting with Senator Casperson.

GENERAL PUBLIC COMMENT

Don Raciot commented on Spill Prevention Control Measures and suggested adding the Power Plant Oil. Also commented on Term Sheet and questioned on what items would be taken out and also suggested the hiring of security measures.

Glendon Brown commented on SB 282. He advised the cost allocation was still not defined. A Study of Michigan transmission system was to be done in only 120 days, seems like a huge sum of money and duplicates MISO's study. Mr. Brown related City Consultant Tom Butz concern of revenue requirements were lower than cost of congestion.

SB 282 would help the Northern areas of the Upper Peninsula, but the City of Escanaba was connected to Wisconsin and had plenty of Electrical power. The City of Escanaba should be looked at differently since our electrical power was from Wisconsin. Council continued to urge Administration to schedule another Energy Summit. Political realities were not in order, and suggested Cities of the Lower Peninsula would not want to help pay for electrical power in Upper Michigan.

COUNCIL/COMMITTEE, STAFF REPORTS – None

ADJOURNMENT

Joint City Council & Electrical Advisory Minutes
May 13, 2015 – cont.

Hearing no further public comment, or further reports from the Electrical Advisory Committee or Council, the meeting adjourned at 6:44 p.m.

Respectfully submitted,

Robert S. Richards
City Clerk

Approved: _____
Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
PLANNING COMMISSION
DOWNTOWN DEVELOPMENT AUTHORITY
HISTORIC DISTRICT COMMISSION
CITY OF ESCANABA, MICHIGAN
Special Council Meeting
Wednesday, May 20, 2015**

Pursuit to a special meeting notice posted April 28, 2015, the meeting was called to order by the Honorable 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, Mayor Pro Tem Ronald J. Beauchamp, Council Members Patricia A. Baribeau, Ralph B. Blasier, and Michael R. Sattem.

Absent: None

Planning: Chairperson Patrick Connor, Vice Chairperson Thomas Warstler, Commission Members Brian Black, Paul Caswell, Kelvin Smyth, Roy Webber, and Stephen Buckbee.

Absent: James Hellermann, and Christine Williams

DDA: Vice Chairperson Dan Bender, Tara Deno, Mary Finlan, Jeffrey Slagstad, and Mitch Taylor.

Absent: Chairperson Sue Parker, DDA Trustees Andy Crispigna, and Jeffrey Slagstad.

Historic: Chairperson Don Curran, Vice Chairperson Judith Fouts, Commissioners Suzell Eisenberger, Elizabeth Keller, and Ellie O'Donnell.

Absent: Karen Lindquist, and Monte Morrison,

Also Present: City Manager James V. O'Toole, Robert S. Richards City Clerk, DDA Director Ed Legault, Jennifer Tucker and Michelle Parkkonen of the Michigan Economic Development Corporation (MDEC), Peter Allen and Associates representative Lisa Sauve of SYNECDOCHE, City Code Enforcement Blaine DeGrave, Media and members of the public.

ADJUSTMENTS TO THE AGENDA

Beauchamp moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve the agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

NEW BUSINESS

Presentation/Discussion – Michigan (MEDC) Redevelopment Ready Communities Program (RRC) – Report of Findings.

Jennifer Tucker and Michelle Parkkonen of the Michigan Economic Development Corporation (MDEC) made a presentation on the City of Escanaba's Report of Findings under a review conducted in accordance with the Michigan Economic Development Corporation Redevelopment Ready Communities Program (RRC). The RRC Program was a statewide program that certifies communities as "development ready" based on effective policies, efficient processes and broad community support. Michelle Parkkonen and Jen Tucker provided a Redevelopment Ready Communities Report of Findings. (See Attachment – A) During discussion, the following was reviewed:

- The next step was to have the City Council adopt a Resolution authoring the implementation of recommendations necessary to receive Redevelopment Ready Communities Certification from the Michigan Economic Development Corporation;
- City then needed to complete quarterly progress reports, and provide updates to the City Council and Planning Commission;
- Once Best practices are met, City will be a RRC Certified and will become certified for MEDC projects;
- It was suggested that once the City Master Plan was amended, most of the City issues would be corrected;
- It was further suggested, under Section 3.1 of the RRC Report of findings - Development of a Review Policy and Procedures, to use BS&A or use a Spreadsheet application similar to what the City of Kalamazoo prepared.

RESOLUTION

Authoring the implementation of recommendations necessary to receive Redevelopment Ready Communities Certification from the Michigan Economic Development Corporation

Upon motion made by Council Member Beauchamp, seconded by Council Member Baribeau the following resolution was adopted:

WHEREAS, the City of Escanaba has engaged in the MEDC Redevelopment Ready Communities Program, including entering into a Memorandum of Understanding with the MEDC and undergoing an evaluation of the City's redevelopment practices as reported in the Redevelopment Ready Communities Assessment Report and Evaluation of Findings dated ;and

WHEREAS, the MEDC has developed a program for certifying Redevelopment Ready Communities and the City of Escanaba desires to achieve that certification by implementing best practices and recommended strategies for redevelopment; and

WHEREAS, the City of Escanaba is currently updating its Master Plan and will utilize recommendations and technical assistance to ensure that development readiness is appropriately addressed in that document; and

WHEREAS, the program includes evaluating the strong partnerships with city boards and commissions related to development including the City Council, Planning Commission, Zoning Board of Appeals and DDA; and

WHEREAS, after review of the Redevelopment Ready Communities Assessment Report, the City of Escanaba is willing to complete the tasks as outlined, which will involve interaction with the aforementioned City boards and commission; and

WHEREAS, certain recommendations have and will be made by the MEDC that are required in order for the City to attain Redevelopment Ready Communities Certification.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Escanaba, Michigan, through its City Council, authorizes the implementation of recommendations made by the MEDC and that are necessary to receive Redevelopment Ready Communities Certification from the MEDC.

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

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

RESOLUTION DECLARED ADOPTED.

Council recessed at 6:29 p.m. and came back into open session at 6:40 p.m.

Presentation/Discussion – Michigan (MEDC) Redevelopment Ready Communities Program (RRC) – Mr. Peter Allen – Allen and Associates/Adjunct Faculty Member, University of Michigan Department of Architecture and Urban Planning.

Recently, Mr. Peter Allen, along with his team, conducted an evaluation of Escanaba's downtown along with several signature buildings located within the downtown to determine what could be done to enhance preservation of the properties. Peter Allen and Associates representative Lisa Sauve of SYNECDOCHE, made a presentation on his findings and talked about the emerging trends in downtown property use in Michigan.

Lisa Sauve reviewed a possible downtown scenario to attract millennials to Downtown Escanaba through a series of developments starting with Northern Michigan Bank. It involved creation of efficiently apartments, coffee shop, beer garden, and WiFi accessibility to create a life style which would allow individuals to work virtually from home via the internet, and have access to the City's Natural Resources for a quality of life. Eventually, the goal would attract new businesses to downtown to support the millennials and their life style, and promote façade improvement to for the downtown businesses.

GENERAL PUBLIC COMMENT – None

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

Hearing no further business or public comment, the meeting adjourned at 7:25 p.m.

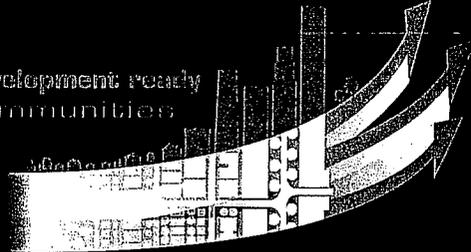
City Council Minutes
May 20, 2015 – continued

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc. D. Tall, Mayor

redevelopment ready
communities



Redevelopment Ready Communities®
Report of Findings



City of Escanaba
March 2015

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Executive summary

Redevelopment Ready Communities® (RRC) is a certification program supporting community revitalization and the attraction and retention of businesses, entrepreneurs and talent throughout Michigan. RRC promotes communities to be development ready and competitive in today's economy by actively engaging stakeholders and proactively planning for the future—making them more attractive for projects that create places where people want to live, work and invest.

In January 2014, the Michigan Economic Development Corporation (MEDC) announced the second open application round for communities interested in achieving RRC certification. MEDC received submissions from over forty communities across the state. Escanaba's application scored in the top tier and was selected to receive a full RRC assessment. We applaud the city's efforts in working to achieve RRC certification. The foundation of the evaluation is the RRC best practices. Developed by experts in the public and private sector, the best practices are the standard to achieve certification and designed to create a predictable experience for investors, businesses and residents working within a community. Communities must demonstrate that all best practice evaluation criteria have been met to receive RRC certification. The report of findings outlines

recommended actions to meet each best practice criteria and each community must demonstrate how the required criteria is being accomplished.

Escanaba is the 19th community to be evaluated under the statewide RRC program and is on its way to becoming redevelopment ready. With a history of proactive planning and a strong community vision outlined in various planning documents, the city has positioned itself to strengthen local quality of life. Despite solid support for redevelopment projects, proactive planning efforts and community engagement, our evaluation found Escanaba still has work to do in order to receive RRC certification. In a time when businesses can locate anywhere in the world, a community that is dedicated to a proactive approach for redevelopment and straightforward procedures will stand out. While a spirit for redevelopment exists, a public participation plan formalizing the community engagement process must be finalized, available redevelopment sites need to be packaged and marketed and a unified marketing strategy must be established. The RRC certification is a statement to the private sector that Escanaba's development process is streamlined, predictable and user-friendly and these steps will help ensure the city's competitiveness and secure RRC certification.

The basic assessment tool for evaluation is the RRC Best Practices. These six standards were developed in conjunction with public and private sector experts and address key elements of community and economic development. A community must demonstrate all of the RRC best practice components have been met to become RRC certified. Once received, certification is valid for three years.

Measurement of a community to the best practices is completed through the RRC team's research, observation and interviews, as well as the consulting advice and technical expertise of the RRC advisory council. The team analyzes a community's development materials, including, but not limited to: the master plan;

redevelopment strategy; capital improvements plan; budget; public participation plan; zoning regulations; development procedures; applications; economic development strategy; marketing strategies; and website. Researchers observe the meetings of the community's governing body, planning commission, zoning board of appeals and other committees as applicable. In confidential interviews, the team also records the input of local business owners and developers who have worked with the community.

A community's degree of attainment for each best practice criteria is visually represented in this report by the following:

	Green indicates the best practice component is currently being met by the community.
	Yellow indicates some of the best practice component may be in place, but additional action is required.
	Red indicates the best practice component is not present or outdated.

This report represents the findings of the evaluation of the city of Escanaba's redevelopment processes and practices. All questions should be directed to the RRC team at RRC@michigan.org.

Best Practice 1.1—The plans

Best Practice 1.1 evaluates community planning and how the redevelopment vision is embedded in the master plan, downtown development plan, corridor plan and capital improvements plan. The master plan sets expectations for those involved in new development and redevelopment, giving the public some degree of certainty about their vision for the future, while assisting the city in achieving its stated goals. Local and city-wide plans can provide key stakeholders with a roadmap for navigating the redevelopment process in the context of market realities and community goals.

The Michigan Planning Enabling Act (MPEA), Public Act 33 of 2008, requires that the planning commission create and approve a master plan as a guide for development and shall review the master plan at least once every five years after adoption. Escanaba's master plan was adopted in 2006 and the city is currently working with a consultant to update the plan. As the update has not been completed, the evaluation focuses on the 2006 master plan. The revitalization of Escanaba's historic downtown and lakeshore is a focus of multiple planning documents, including the master plan, Northshore Redevelopment Plan and Downtown Development and TIF plan.

Goals include converting the underutilized waterfront and portions of Ludington Street into mixed-use areas, reorganizing the downtown into concentrated definable districts and developing a variety of housing types. Both the master and downtown plan outline specific projects and programs to unify the city, encourage economic viability and assist with regional competitiveness. Objectives identify initial actions and the primary parties responsible for implementation. Each project has an associated time frame, which serves as a benchmark for fiscal and planning purposes. The forthcoming master plan update should also incorporate these elements to meet the best practice criteria. The master plan identifies the zoning ordinance as the most effective

implementation tool for many programs and projects, particularly for increasing the variety of housing types and reorganizing downtown districts, which would require zoning amendments. The city should plan to align priority projects in the six-year capital improvements plan (CIP) within identified priority redevelopment areas and target available resources to maximize return on investment.

Walkability is an important concept in sustainable design and has valuable economic, environmental and health benefits. According to walkscore.com, Escanaba is "somewhat walkable" and some errands can be accomplished on foot. The city is currently working to connect the city's bike path with Gladstone's proposed bike plan project. All recent planning documents highlight the importance of interconnected pedestrian-oriented facilities as an integral part of the city's transportation network.

Dwindling resources and increasing costs put pressure on local governments to make limited budgets work more efficiently. A comprehensive CIP is an essential tool for the planning and development of the social, physical, and economic wellbeing of a community, can be used as a tool to implement the master plan and provides a link between planning and budgeting for capital projects. Escanaba has adopted a six year CIP that is reviewed and updated annually and is available on the city's website. Capital projects are consistent with adopted plans and have been prioritized. Planning for future investment is not only a best practice for redevelopment readiness, but a CIP encourages project coordination internally and externally and assists with implementing the community vision established during the master planning process. Return on investment may be maximized by using local capital improvement funds, along with state and federal funding, to leverage private investment. Coordination with multiple agencies and community groups to focus funding is key to successful implementation.

Best Practice 1.1—The plans *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The governing body has adopted a master plan in the past five years.	<input type="checkbox"/> Adopt an updated master plan in compliance with MPEA and Best Practice 1.1	15 months
	The master plan identifies a strategy for redevelopment or the governing body has adopted a redevelopment plan.	✓	
	The governing body has adopted a capital improvements plan.	✓	
	The governing body has adopted a downtown plan, if applicable.	✓	
	The governing body has adopted a corridor plan, if applicable.	✓	

Best Practice 1.2—Public participation

Best Practice 1.2 assesses how well the community identifies and engages its stakeholders on a continual basis. Public participation aims to prevent or minimize disputes by creating a process for resolving issues before they become an obstacle. Stakeholders are frequently engaged in the planning process and Escanaba demonstrates that public participation efforts are proactive. The city is currently updating the master plan and the planning process is intended to encourage citizen participation to ensure that consensus on the direction of the plan is achieved. The city has used traditional and proactive methods to engage stakeholders including council announcements, newsletters, bimonthly televised manager’s calls, individual mailings, cable notification, newspaper advertising, online postings, social media, focus groups, community workshops and charrettes. Escanaba’s city manager hosts a monthly “Java with

Jim” gathering to receive feedback from community stakeholders. Results and outcomes are shared through social media posts, meetings, minutes posted online and within planning documents. Escanaba has achieved broad community participation during planning processes, leading to the creation of plans that define the community’s vision and elicit widespread support.

While Escanaba demonstrates exceptional public engagement efforts, the city must draft a public participation plan, identifying interested and affected stakeholders and their unique communication needs. The public participation plan should serve as the city’s best practices for obtaining input and acknowledge that public input in planning and policy development processes is crucial to building consensus and obtaining buy in from community stakeholders.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The community has a public participation plan for engaging a diverse set of community stakeholders.	<input type="checkbox"/> Draft a public participation plan as outlined in Best Practice 1.2	6 months
	The community demonstrates that public participation efforts go beyond the basic methods.	✓	
	The community shares outcomes of public participation processes.	✓	

Best Practice 2.1—Zoning regulations

Best Practice 2.1 evaluates the city's zoning ordinance to determine how well it regulates and implements the goals of the master plan. Inflexible or obsolete zoning regulations can discourage development. As the legal tool to implement the master plan, it is critical that zoning regulations align with master plan recommendations for land use. Implementation strategies described in Escanaba's master plan provide a framework to use the zoning ordinance as the instrument to transform the vision of the master plan into reality. Many of the tasks outlined promoting mixed use development and reorganization of the downtown require amendments to the zoning ordinance. Once the forthcoming master plan update has been adopted, the city should review the zoning ordinance to ensure the two are in alignment.

Escanaba's zoning ordinance and map are accessible online, on the city's website and via an online publishing service, allowing developers and other interested stakeholders to access information at any time. While special land use requirements and approval procedures are clearly defined and general review standards and conditions of approval are outlined in the ordinance, the zoning ordinance is somewhat difficult to navigate. When the zoning ordinance is updated, the city should consider streamlining text, adding graphics and including a use-matrix to clarify regulations.

Zoning is an essential tool for shaping inviting, walkable communities. Escanaba provides for areas of mixed use development in appropriate locations by right, including residential units above non-residential uses in the central retail commercial district on Ludington Street. Encouraging residents to live downtown can add to the 24-hour vitality of the area and increase the sense of community. To increase the variety and the amount of housing available in priority development districts and appeal to the needs of both baby boomers and millennials, additional areas should permit non-traditional housing types. The city should also revise the ordinance to provide for additional districts that permit mixed use by right to allow for flexibility in development types. Form based regulations that emphasize building form and primarily manage physical form, with a

lesser focus on land use than traditional zoning, may be appropriate for the downtown, where the city has developed a vision to enhance community character.

By placing a high priority on creating walkable places and mixing uses, communities can increase the likelihood of walking and biking trips, reduce harmful emissions and increase social interaction. To be walkable, communities must have a non-motorized network of sidewalks and/or pathways and safe crossing areas. Escanaba's zoning ordinance outlines regulations for non-motorized systems, the installation of public sidewalks and bike racks. The city has adopted a complete streets resolution supporting non-motorized enhancements for all users and is working to implement the "Non-Motorized Master Plan" and "Recreation Plan."

Provision of adequate parking can be challenging in downtowns of all sizes. Escanaba's zoning regulations outline requirements for bicycle parking and access management standards have been developed, limiting the number of driveways, encouraging shared access and service drives to improve traffic safety and protect investment in roads. Rethinking parking design to appropriately manage supply and demand and better meet the needs of communities, developers and users is essential. Flexible parking regulations should be considered, including shared parking options, parking maximums, payment in-lieu of parking and waivers.

Stormwater runoff is a major cause of water pollution in developed areas. While Escanaba requires landscape plans for certain types of development, innovative green infrastructure standards should be incorporated when the zoning ordinance is updated. Many green infrastructure elements can be integrated into parking lot designs. Permeable pavements can be installed in sections and rain gardens and bioswales can be included in medians and along a parking lot perimeter. Benefits include urban heat island mitigation and a more walkable built environment. When the zoning ordinance is updated, standards for green infrastructure such as rain gardens, green roofs and bioswales should be included to help mitigate the effects of stormwater runoff.

Best Practice 2.1—Zoning regulations *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The governing body has adopted a zoning ordinance that aligns with the goals of the current master plan.	<input type="checkbox"/> Review master plan goals and zoning regulations to ensure zoning ordinance regulates for the master plan vision	18 months
	The zoning ordinance is user-friendly and accessible online.	<input type="checkbox"/> Add a use matrix or other element and streamline text to improve user-friendliness	18 months
	The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.	✓	
	The zoning ordinance includes flexible zoning tools to encourage development and redevelopment.	✓	
	The zoning ordinance allows for a variety of housing options.	✓	
	The zoning ordinance includes standards to improve non-motorized transportation.	✓	
	The zoning ordinance includes flexible parking requirements.	<input type="checkbox"/> Add flexible parking standards	18 months
	The zoning ordinance includes standards for green infrastructure.	<input type="checkbox"/> Incorporate green infrastructure standards into the zoning ordinance	18 months

Best Practice 3.1—Development review policy and procedures

Best Practice 3.1 evaluates the city's site plan review policies and procedures, project tracking and internal/external communications. The purpose of the site plan review process is to ensure that plans for specific types of development comply with the zoning ordinance. An efficient site plan review process is integral to becoming redevelopment ready and can assist a community in attracting investment dollars. Site plan review procedures and timelines should be communicated in a clear and concise manner to prospective developers and business owners. To do this, sound internal procedures need to be in place and followed. The framework for Escanaba's site plan review process is clearly documented in the zoning ordinance and regulations identify the planning commission as the party responsible for review.

The city of Escanaba has two staff members well versed in planning and zoning requirements that serve as intake professionals and are capable of completing preliminary reviews of plans submitted. The city manager serves as the zoning administrator and is the point person on development projects and coordinates the review of site plans. Developers and consultants can meet with staff involved with the site plan review process to discuss conceptual development project details, free of charge. Pre-application conferences are encouraged by staff, and applicants may also meet with the planning commission to elicit feedback and receive guidance. While the availability of pre-application meetings are outlined in the zoning ordinance, the availability of and clearly defined expectations for pre-application meetings should be posted online.

Documenting internal processes helps to ensure consistency over time, regardless of staffing. Streamlined, well documented site plan policies ensure a smooth and predictable experience when working with a community.

The city has created a site plan review process flowchart that is available online. Timelines should be added to outline expectations for the applicant. The internal site plan review team meets with the developer, and outside agencies, such as MDOT and the Delta County building department are included when necessary. Projects are not formally tracked through the development process and the city should create a simple tracking mechanism. Tracking development projects allows for increased transparency and efficiency, keeps staff well informed, provides clarification as to the status of a project and can assist in measuring the results of the approval process.

Significant public opposition or concern can slow down the review and approval of a project and ultimately cost a developer time and money. Often, public concern arises out of limited or incorrect understanding of a project. By soliciting public input early in the process, well before required public meetings and hearing, neighbors can make their concerns known to the developer and decision makers. Escanaba encourages developers to meet with neighborhood stakeholders and the public is invited to city hall to review development plans. Notices that include a preliminary site plan are mailed out to adjacent property owners.

Overall, stakeholder interviews provided positive feedback, particularly with the personalized customer service provided by city staff. While Escanaba exhibits great customer service and responsiveness, there are opportunities for improvement. While city staff evaluates the site plan review process at various board and commission meetings, the city does not obtain formal customer feedback. The city should develop a customer feedback mechanism to determine the success of or issues with the site plan review process, and amend the process accordingly.

Best practice findings

Best Practice 3.1—Development review policy and procedures *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The zoning ordinance articulates a thorough site plan review process.	✓	
	The community has a qualified intake professional.	✓	
	The community defines and offers conceptual site plan review meetings for applicants.	✓	
	The community has a clearly documented internal staff review policy.	✓	
	The appropriate departments engage in joint site plan reviews.	✓	
	The community has a method to track development projects.	<input type="checkbox"/> Develop a simple tracking mechanism for development projects	6 months
	The community promptly acts on development requests.	✓	
	The community encourages a developer to seek input from neighboring residents and businesses at the onset of the application process.	✓	
	The community annually reviews the successes and challenges with the site plan review and approval procedures.	<input type="checkbox"/> Develop a customer feedback mechanism	6 months

Best Practice 3.2—Guide to Development

Best Practice 3.2 evaluates the availability of the community's development information. Land use planning and development is a process that involves a wide range of stakeholders. For the process to work effectively, everyone involved must know their roles and responsibilities. Development materials should be assembled to help citizens, developers and public officials gain a better understanding of how the development process in each community works. Contact information, meeting schedules and packets, relevant plans, application forms and submittal requirements

are available on Escanaba's website. The city has also developed flowcharts to assist with navigating through various development processes.

It is important that developers understand review and permitting costs at the start of the process, so there are no surprises later. While Escanaba's fee schedule is readily available on the city's website, it was last adopted in 2004. The city should review the fee schedule annually during the budget process to ensure that fees and costs are fair to applicants and affordable by the community.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The community maintains an online guide to development that explains policies, procedures and steps to obtain approvals.	✓	
	The community annually reviews the fee schedule.	<input type="checkbox"/> Review the fee schedule annually	3 months

Best Practice 4.1—Recruitment and orientation

Best Practice 4.1 evaluates how a community conducts recruitment and orientation for newly appointed or elected officials and board members. Numerous boards, commissions and committees advise city leaders on key policy decisions. An online application for open board and commission seats has been developed and vacancies are posted on the city’s website and newsletter. While each board and commission has a dedicated page on the city’s website with a description of responsibilities, a brief overview of the role of each group should be added to the application.

Assisting newly elected officials and appointees with learning basic information about the structure and processes of government and community and economic development is vital to them playing a part in the city achieving its goals and objectives. The city has compiled all documents for orientation packets online and the land development tools webpage includes rules of procedure, pertinent forms and applications, Michigan Municipal League handbooks and relevant planning, zoning and development information to provide to newly elected and appointed officials.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The community sets expectations for board and commission positions.	✓	
	The community provides orientation packets to all appointed and elected members of development related boards and commissions.	✓	

Best Practice 4.2—Education and training

Best Practice 4.2 assesses how a community encourages training and tracks training needs for appointed and elected officials, board members and staff. Trainings provide officials and staff with an opportunity to expand their knowledge and ultimately make more informed decisions about land use and redevelopment issues. Training needs are reviewed as part of the annual budget process and training is covered under a line item in each department's budget for professional development. Administration contacts both staff and officials about upcoming educational opportunities and encourages attendance. However, the city acknowledges that due to budget constraints and revenue cuts, training funds are typically the first funds to be scaled back or eliminated. Escanaba should partner with other communities and agencies to continue to offer training, and focus on webinars that can be attended remotely at low to no cost for the city.

Tracking training is a useful way to identify future training needs by documenting education received,

identifying gaps and determining what training should be focused on in the future. Escanaba does not formally track individual training needs and attendance. A simple tracking mechanism should be developed to log training information. Turnover in officials and staff can create gaps in knowledge about development, which makes ongoing training essential.

Joint work sessions between boards and commissions are essential to foster communication and effectively address development issues. Collaborative study sessions are held between boards and commissions on a subject specific basis and attendees report back formally at regularly scheduled board and commission meetings. Administration also provides regular updates at various meetings to keep each group informed. The planning commission and DDA both present annual performance reports to the city council. The city also hosts monthly Delta County joint governmental meetings where numerous stakeholders discuss hot button issues and share information.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The community has a dedicated source of funding for training.	✓	
	The community identifies training needs and tracks attendance of the governing body, boards, commissions and staff.	<input type="checkbox"/> Develop a mechanism to track training needs and attendance	6 months
	The community encourages the governing body, boards, commissions and staff to attend trainings.	✓	
	The community shares information between the governing body, boards, commissions, and staff.	✓	

Best Practice 5.1—Redevelopment Ready Sites®

Best Practice 5.1 assesses how a community identifies, visions and markets their priority redevelopment sites. Communities must think strategically about the redevelopment of properties and investments should be targeted in areas and properties that have the potential for positive future redevelopment. Focusing on the redevelopment and reuse of a single property can catalyze further development around it. Restoring buildings without a vision for the surrounding area is often insufficient to generate lasting change. The master plan identifies the downtown and waterfront as targets for redevelopment, with a focus on mixed use.

While Escanaba has established a vision for several priority districts, the city must research the individual parcels, gather background information, package and proactively market available redevelopment sites. The long-term vision and policy goals for redevelopment areas must be evaluated when determining options for property reuse. Community stakeholders should be given an opportunity to provide input on the redevelopment

vision for priority sites. Stakeholder involvement can assist Escanaba with using redevelopment as a tool for creating a sense of place based on the city's unique assets, particularly for sites where redevelopment may be viewed as controversial.

The city must identify information that a developer would need to pursue a project on each site and bundle the materials in a property information package that includes available resources. Incentives can be used to strengthen and grow the community and regional economic base. Asserting what the city is willing to negotiate for specific sites will entice developers to spend their time and financial resources pursuing a project in Escanaba. Incentive information should be included in the property information packages when developed. The city should continue to collaborate with the local real estate community and Delta County Economic Development Alliance (DCEDA) on cross-promotional marketing of properties. Property information packages should be posted on the city's website.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The community identifies and prioritizes redevelopment sites.	<input type="checkbox"/> Identify and prioritize redevelopment sites	6 months
	The community gathers preliminary development research for prioritized redevelopment sites.	<input type="checkbox"/> Gather background information for specific priority sites	6 months
	The community has development a vision for the priority redevelopment sites.	✓	
	The community identifies available resources and incentives for prioritized redevelopment sites.	<input type="checkbox"/> Identify available resources and incentives for priority redevelopment site	9 months
	A property information package for the prioritized redevelopment site(s) is assembled.	<input type="checkbox"/> Complete property information package for priority redevelopment site	9 months
	Prioritized redevelopment sites are actively marketed.	<input type="checkbox"/> Post property information package on city's website	9 months

Best Practice 6.1—Economic development strategy

Best Practice 6.1 evaluates what goals and actions a community has identified to assist in strengthening its overall economic health. Strategic economic development planning is critical to attract jobs and new investment in communities. Escanaba’s master plan emphasizes building on existing infrastructure to rejuvenate the economy, with a focus on tourism, industry and retail. The plan outlines economic opportunities and challenges and has identified a vision for realizing a diversified economy. Specific economic development projects have been identified along with implementation steps, a timeline and responsible parties. The city annually reviews the strategy and its implementation steps.

Escanaba partners with the Delta County Economic Development Alliance (DCEDA) for business attraction, retention and expansion efforts. The DCEDA serves as a one-stop shop for businesses and site selectors and works with federal, state and local resources to coordinate formal incentive programs, including TIF, low interest loans

and tax credits. The city should continue to collaborate with the DCEDA to drive job creation and retention and promote the city’s priority redevelopment sites.

The city is actively participating in the central Upper Peninsula’s Regional Prosperity Collaborative and is a partner in the newly formed Superior Trade Zone (STZ) that will collaboratively focus on reinvigorating economic development and job creation in the central Upper Peninsula. All units of government in Delta and Marquette counties are participating. The STZ business plan embraces economic development strategies built upon regional strengths and support for existing and emerging industry clusters. The STZ is focusing on public-private collaboration on a regional scale to support economic development efforts and includes the development of strategic priorities and action items. Escanaba’s economic development strategies should be reviewed during the master plan update to ensure alignment with current regional objectives and amended as necessary.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The governing body has approved an economic development strategy.	✓	
	The governing body annually reviews the economic development strategy.	✓	

Best Practice 6.2—Marketing and promotion

Best Practice 6.2 evaluates how the community promotes and markets itself. Community marketing and promotion can take many forms, but the goal is to create a positive image that rekindles community pride and improves consumer and investor confidence. Marketing and branding should frame what sets a community apart from others. Escanaba does not currently have a community marketing strategy that identifies specific opportunities and strategies to attract businesses, talent and real estate development. Development of marketing strategies should be coordinated with the DDA, the commerce center and other tourism providers. Enhanced marketing efforts can assist with sharing the established vision, values and goals outlined in the master plan. The marketing strategy should also include specific approaches to promoting prioritized redevelopment sites. Coordinated marketing strategies strive to strengthen the image of the community, heighten awareness and promote the city. Escanaba must market the city with the intent of positioning the community as an attractive place to live, work and invest.

Visitors to a community's website need to be able to find accurate information quickly and the importance of

a user-friendly website cannot be overstated. The city's website is somewhat difficult to navigate. The website includes pages where pertinent planning, zoning and economic development information is assembled, but the information is overwhelming and can be difficult to locate and search for. Reorganizing the website can improve ease of use and allow information to be easily accessed at any time. Council and board/commission meeting packets, agendas and minutes are posted on the website and are up to date. Property information packages should be uploaded to the website when completed. Escanaba has a community Facebook page that is updated on a regular basis with various announcements and events. The Facebook page link is available on the city's website and the DDA and chamber should also link to the pages. While Escanaba's Twitter account is updated regularly, it is nearly impossible to find, as it is listed under the city treasurer's name and could easily be mistaken for a personal account. The city should consider exploring additional digital platforms for marketing and communication purposes and creating a social media policy to ensure consistency in messaging.

Status	Evaluation criteria	Recommended actions for certification	Estimated timeline
	The community has developed a marketing strategy.	<input type="checkbox"/> Develop a unified marketing strategy as outlined in Best Practice 6.2	12 months
	The community has an updated, user-friendly municipal website.	<input type="checkbox"/> Reorganize municipal website to improve the user experience	12 months

Conclusion

The RRC program assists communities in maximizing their economic potential by embracing effective redevelopment tools and best practices. The city must find a balance between removing unnecessary delays and hurdles, while preserving the integrity of the community's vision and goals, positioning the city for success. Escanaba has exhibited a strong commitment to improving their redevelopment readiness and is working diligently to meet the best practice criteria and achieve the Redevelopment Ready Certified Community® designation. Next steps for

the city include the governing body adopting a resolution of support to proceed with the RRC program. Escanaba will need to continue to implement actions toward achieving certification. Staff has attended the RRC Best Practice trainings and is required to submit quarterly progress reports to inform the RRC Team of progress made in terms of implementing the necessary steps to meet the RRC best practices. Once Escanaba has met all of the best practice criteria, the city will be a certified Redevelopment Ready Community®.

Escanaba, MI

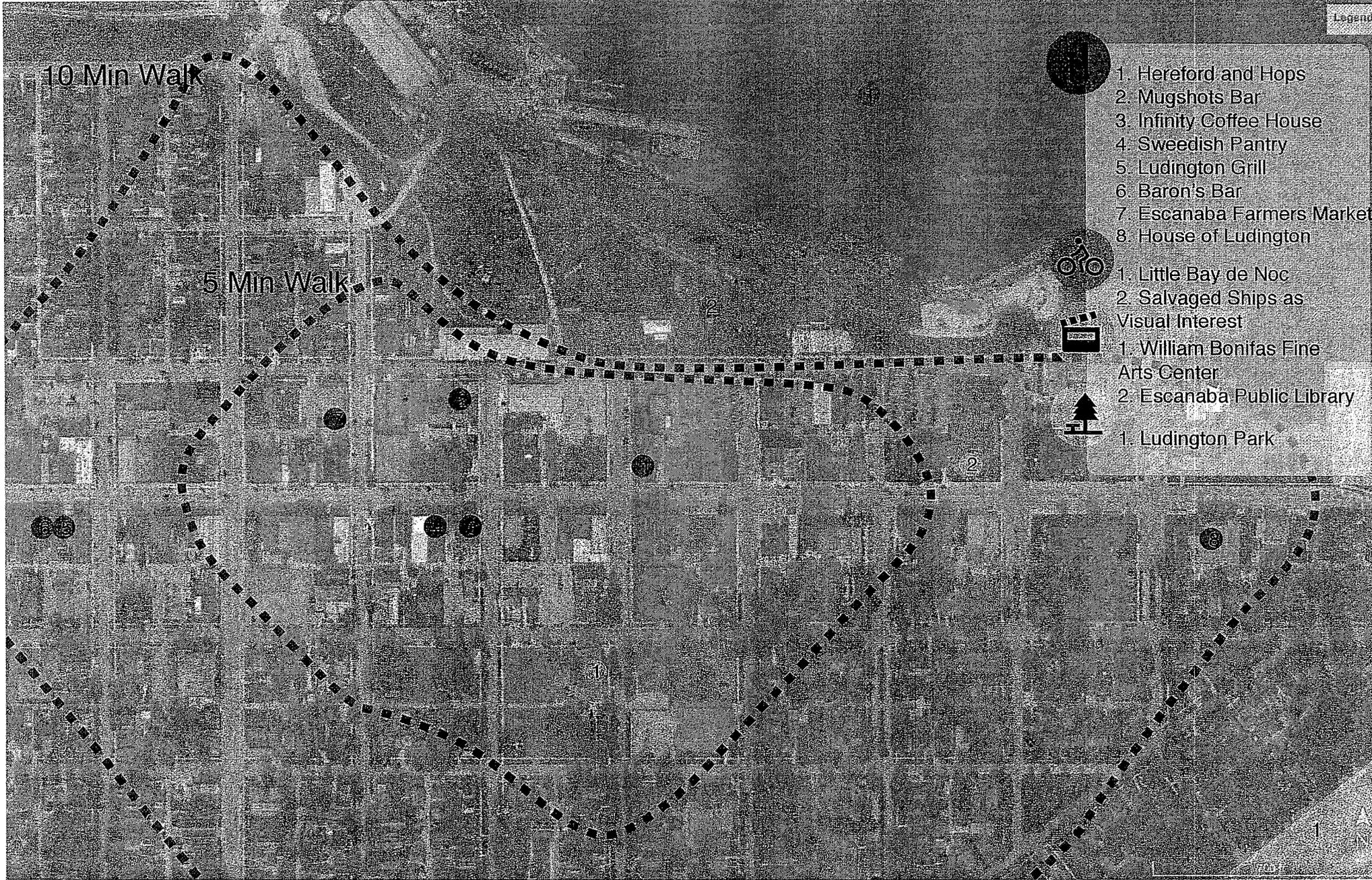


PURE MICHIGAN[®]
Michigan Economic Development Corporation



Peter Allen
& Associates

SYNECDOCHE



10 Min Walk

5 Min Walk



- 1. Hereford and Hops
- 2. Mugshots Bar
- 3. Infinity Coffee House
- 4. Swedish Pantry
- 5. Ludington Grill
- 6. Baron's Bar
- 7. Escanaba Farmers Market
- 8. House of Ludington

- 1. Little Bay de Noc
- 2. Salvaged Ships as Visual Interest

- 1. William Bonifas Fine Arts Center
- 2. Escanaba Public Library

- 1. Ludington Park



Facade Improvements

Total 11,400 sf

1st Floor 5092 sf

2nd Floor 2500 sf

3rd Floor 3800 sf

Canopy 9500 sf

Lot 7000 sf

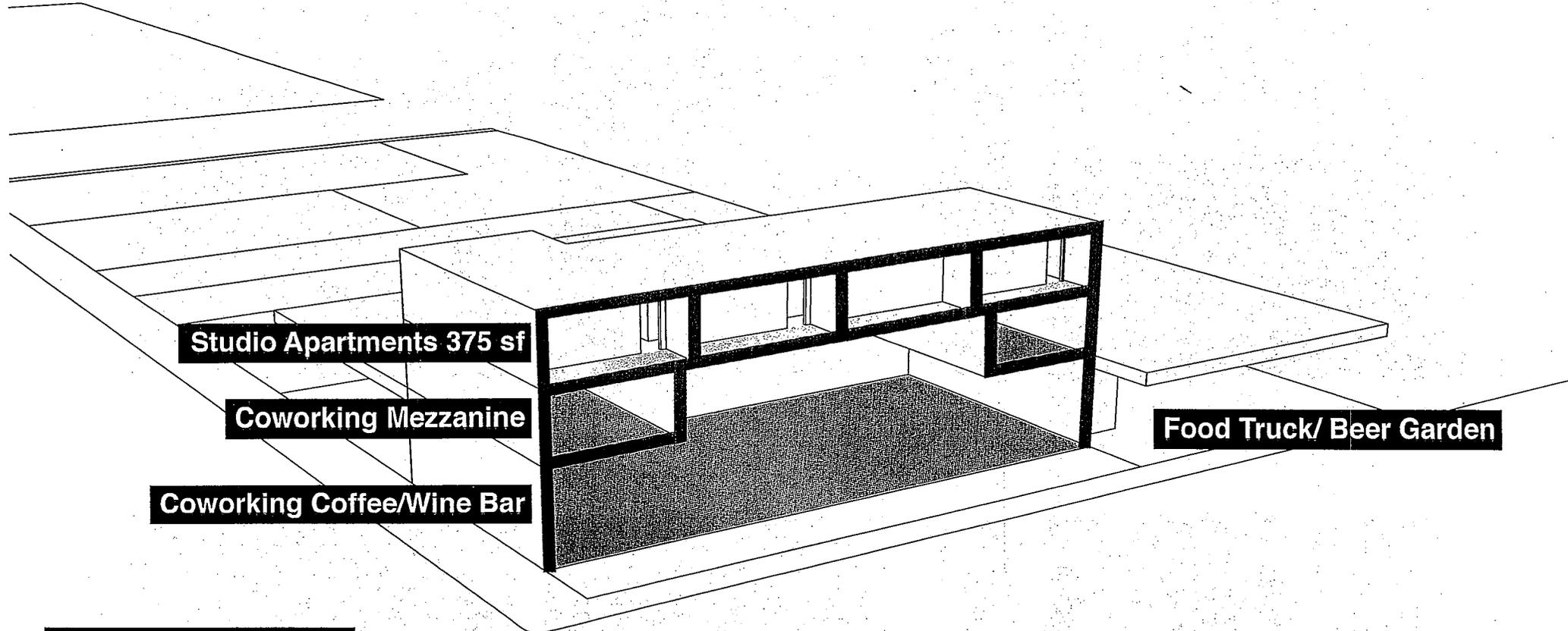
In a Commercial District there shall be a rear yard of at least (25) feet in depth on every lot as measured at right angles from the rear lot line to the nearest part of the principal building. The minimum dimension of such court shall be ten feet.

When the principal use is commercial, buildings or structures hereafter erected shall not occupy more than eight-five percent (85%) of the area lot.

When the principal non-conforming use is residential, buildings or structures hereafter erected shall not occupy more than fifty percent (50%) of the area of the lot.

Zone: Commercial District

Facade Improvements



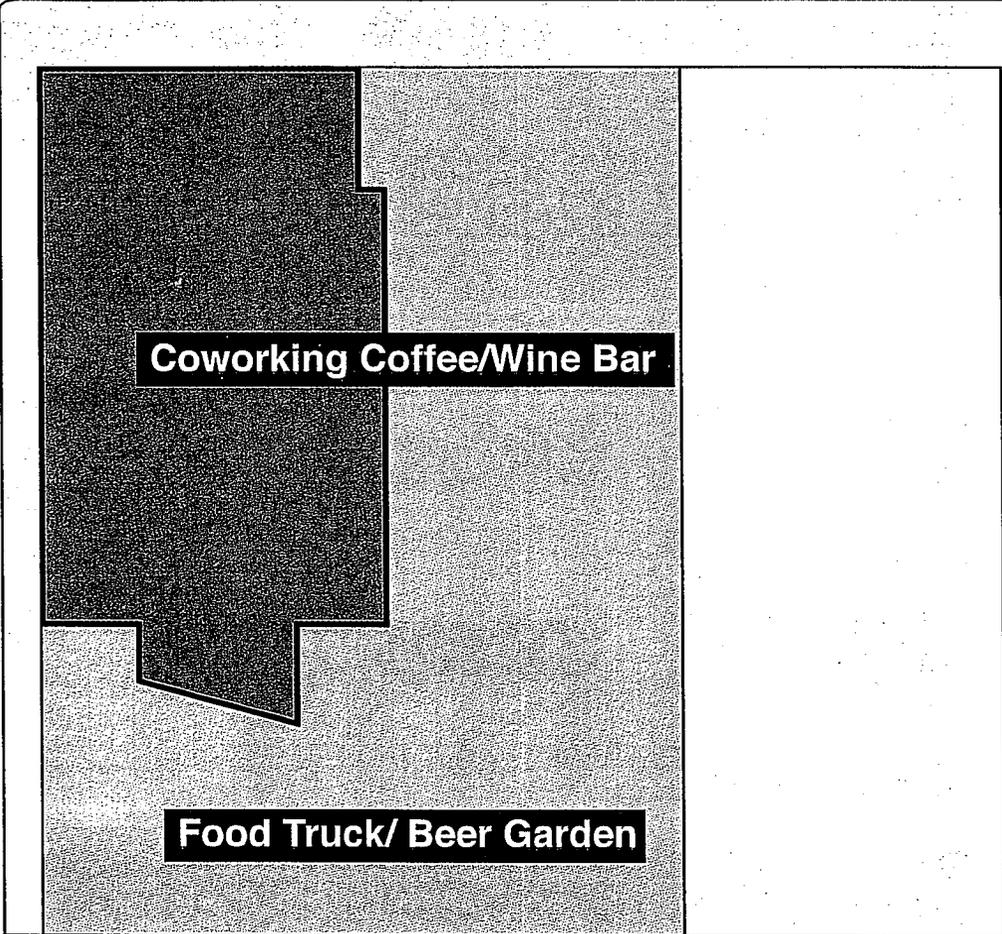
Studio Apartments 375 sf

Coworking Mezzanine

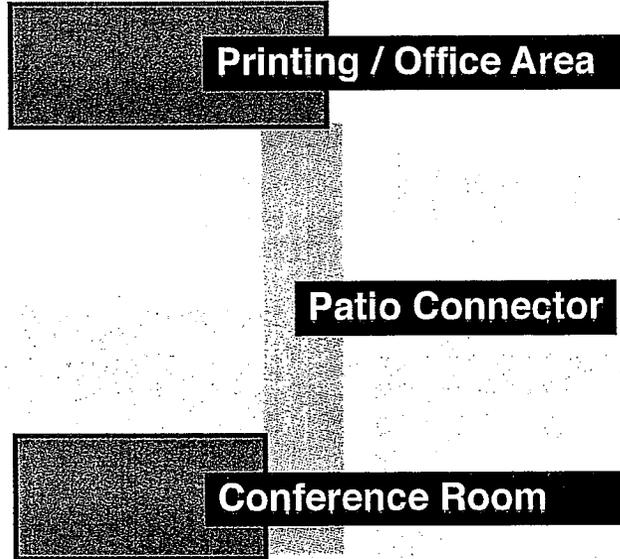
Coworking Coffee/Wine Bar

Food Truck/ Beer Garden

Cross Section



Street Level - Coworking Hub



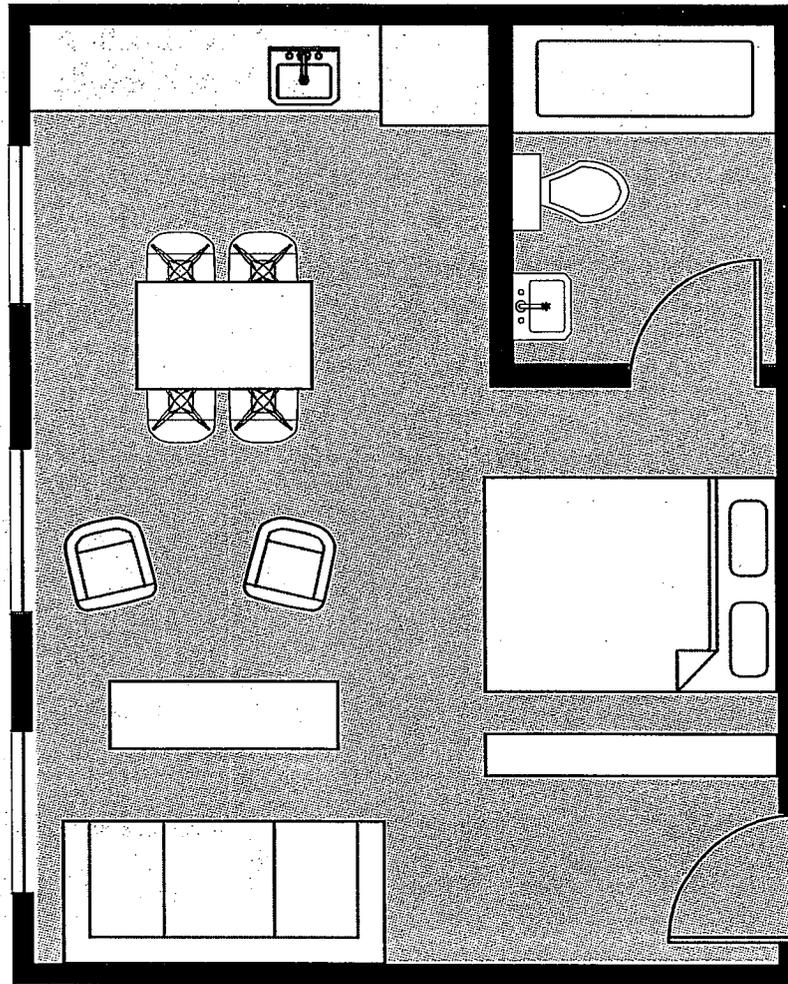
2nd Level Mezzanine

Coworking Space



3rd Level Residential

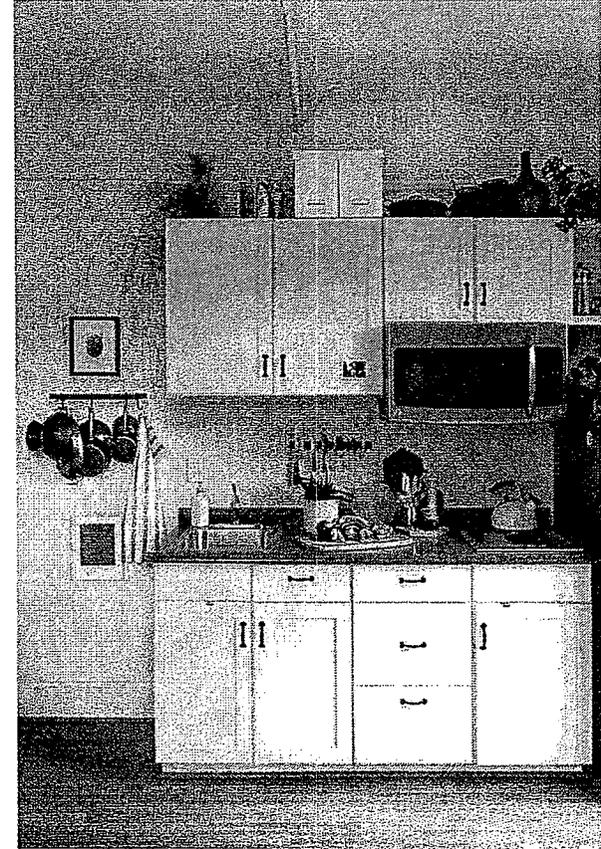
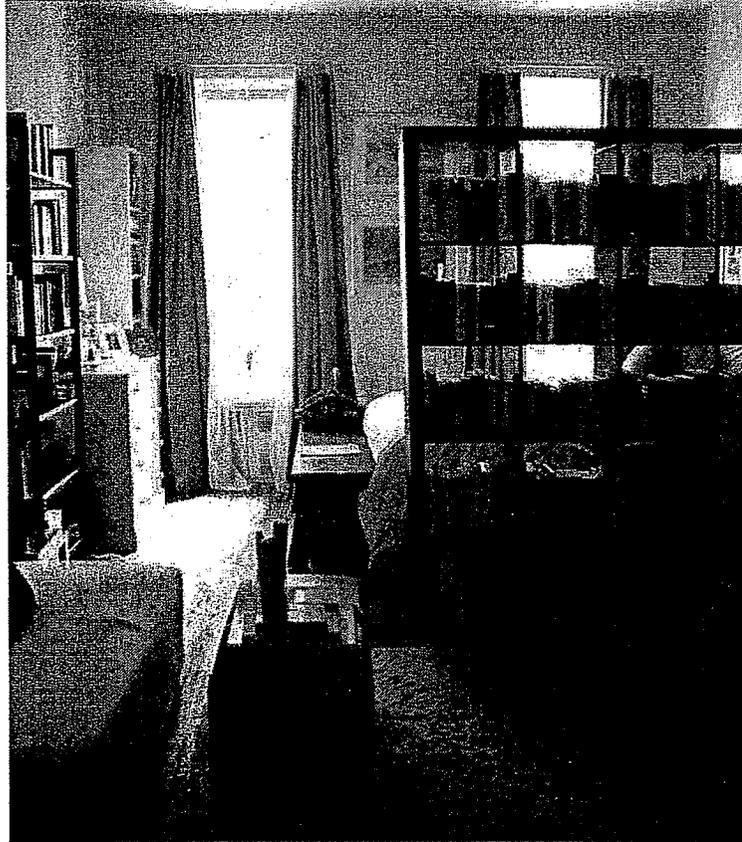
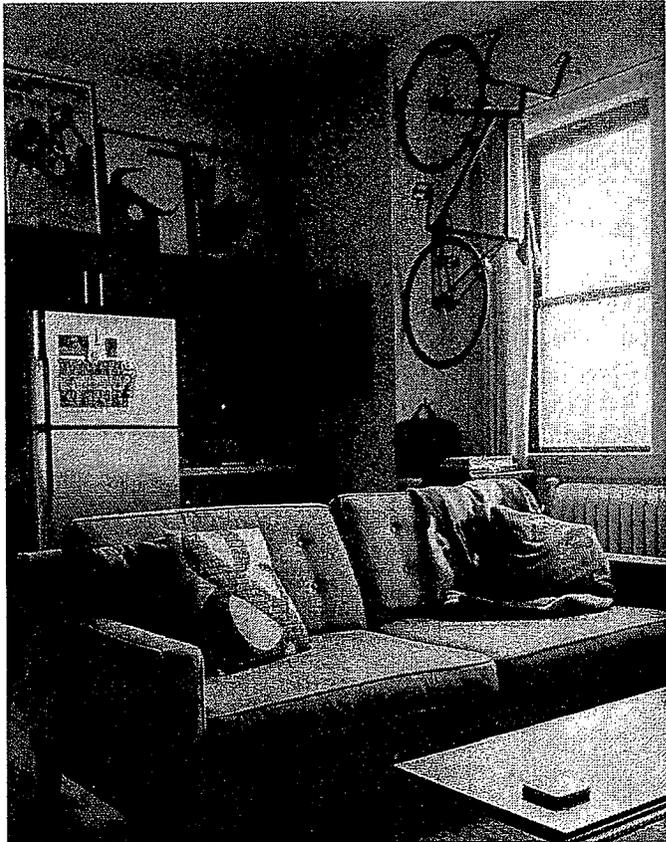
375 sf efficiency units



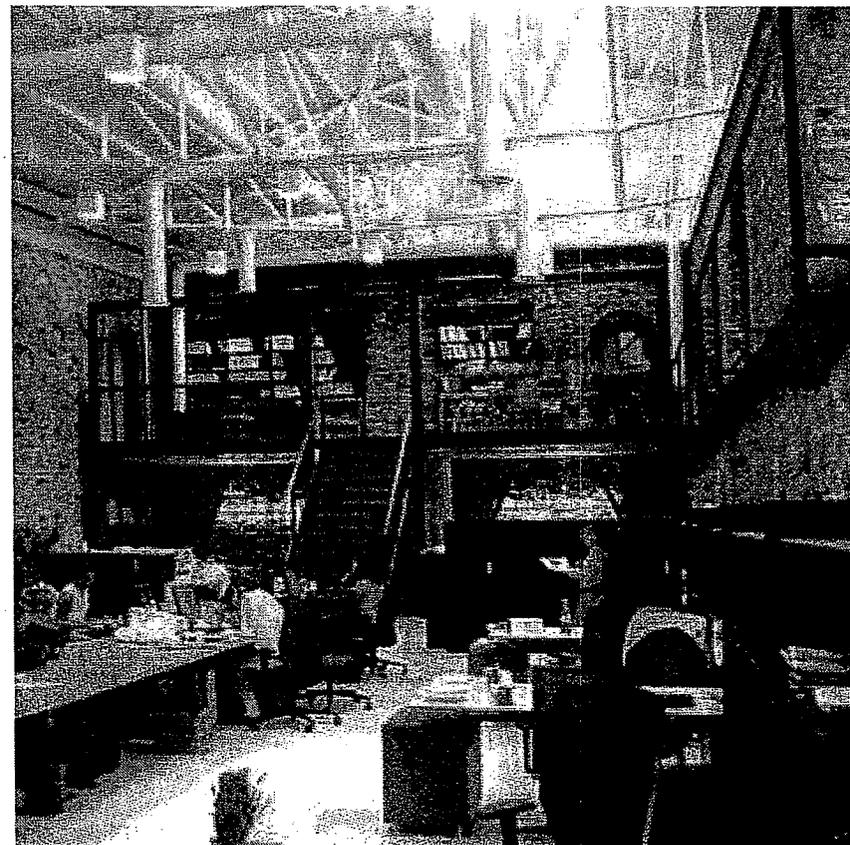
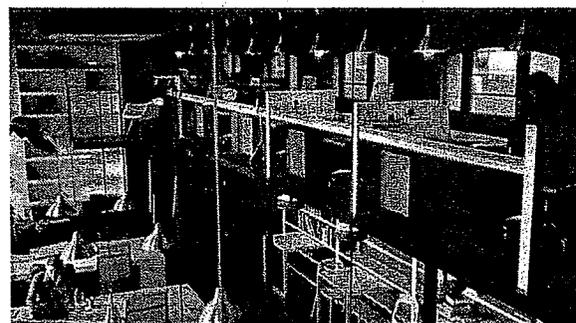
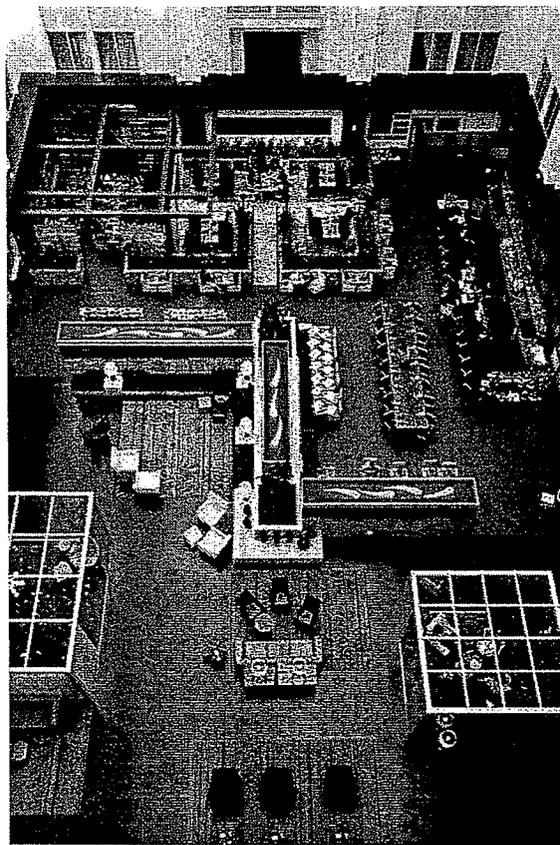
3rd Level Residential

7 - 375 sf efficiency units

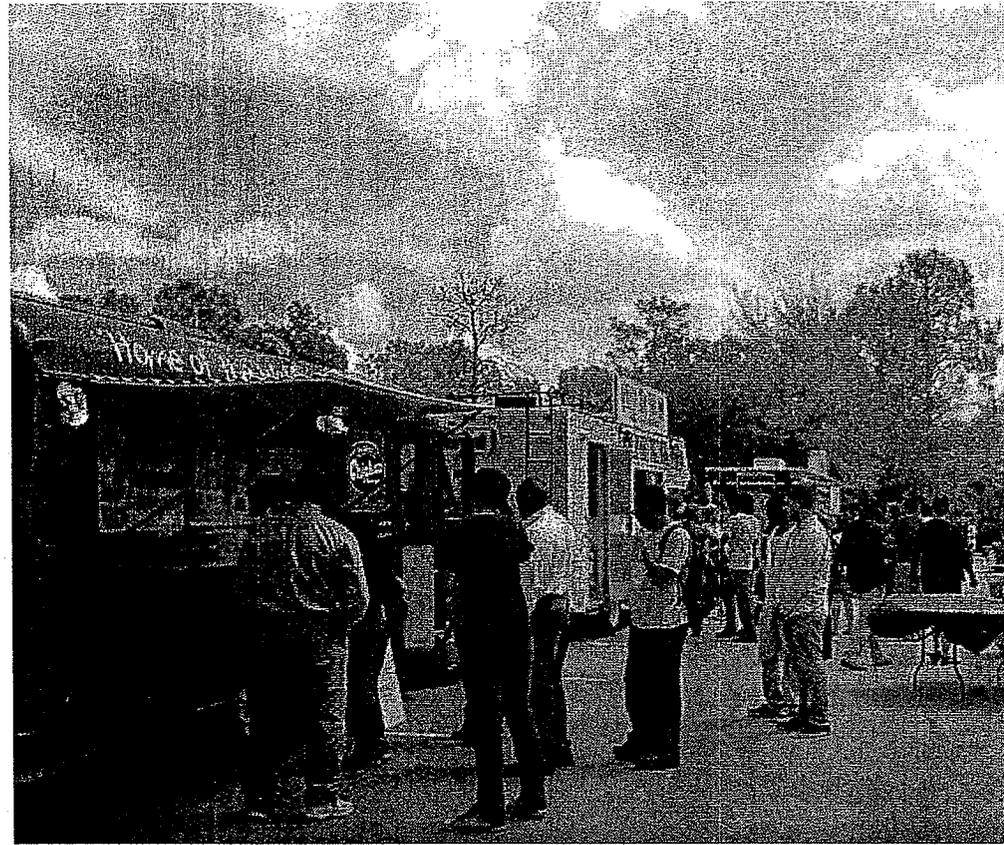
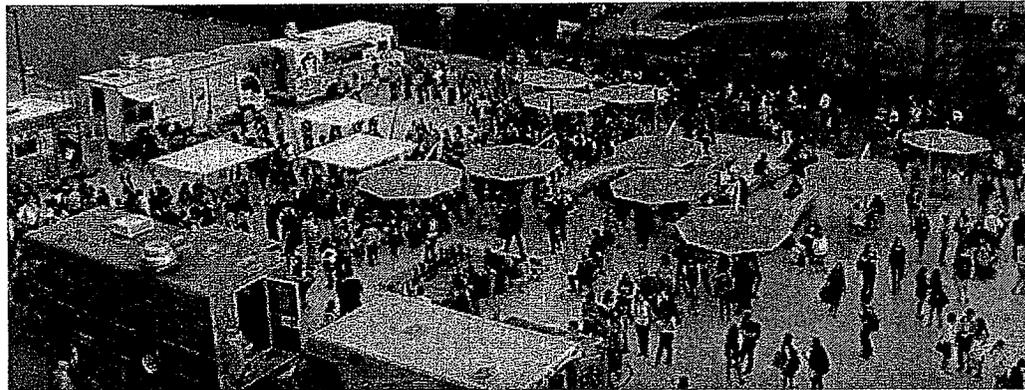
Efficient Units



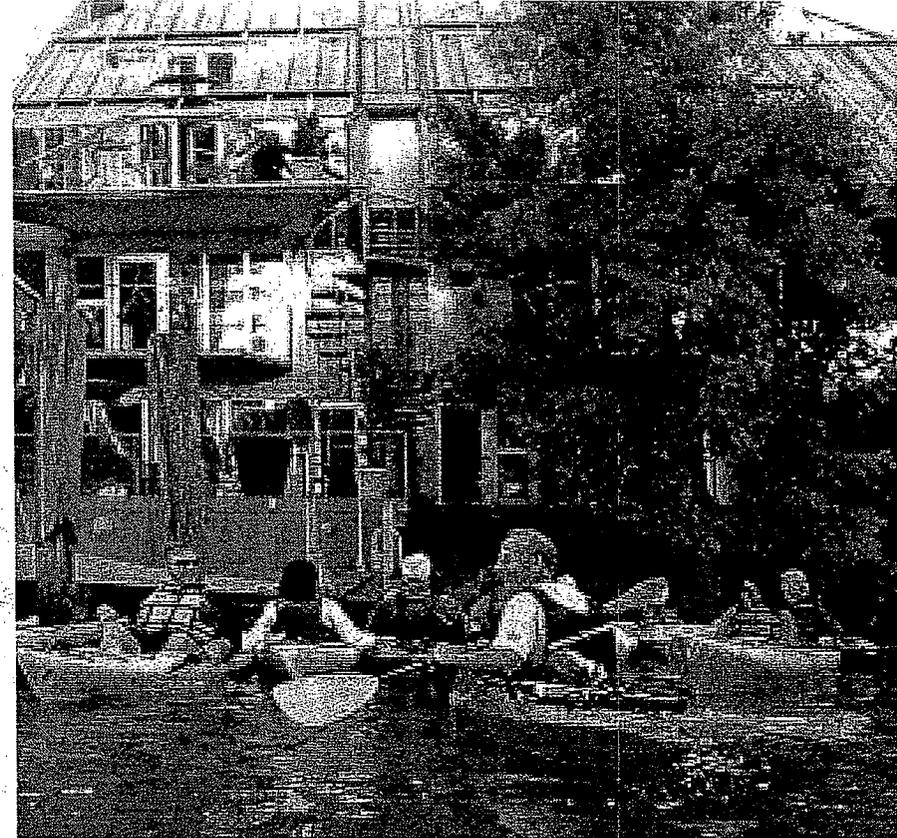
Co-working Space



Black and white photograph of a crowded outdoor event, possibly a fair or festival, with many people and structures visible in the background.



Lifestyle



CoWORK

Central Michigan University Research Corporation Mount Pleasant, MI

*Business accelerator and
incubator for entrepreneurs,
startups, freelancers, and students;
in the Mt. Pleasant Smart Zone*



User Fees and Member Plans

(source: CMURC, CoWork)

Lite (\$80/month) - Access to CoWork Monday- Friday from 8-5pm

Basic (\$100/month) - 24/7 access to CoWork, use of Collaboration Room (up to 2 hrs/month)

First Class (\$175/month) – 24/7 access to CoWork, designated mailbox and lockable file cabinet, use of Executive Board Room and Collaboration Room (up to 8 hrs/month), printing and copying

Resident (\$250/month) – 24/7 access, dedicated desk and seat, access to Executive Board Room and Collaboration Room, mailbox and lockable file cabinet, printing and copying

Day Pass (\$15/day) - one day access on Monday- Friday from 8-5pm

Facilities Include

Open and private work stations

Collaboration room

Executive board room

Kitchen facilities

Mailbox room and file cabinet/storage

Warehaus Holland, Michigan

4,000 SF co-working space that provides a collaborative, social and innovative working environment for small businesses and freelancers.



User Fees and Member Plans

(source: GRBJ)

Basic membership (\$125/month) includes table space, printers, internet

Office spaces range from \$400 - \$750/month on monthly lease

Facilities Include

Shared work stations

Print/fax/scan station

Kitchen area

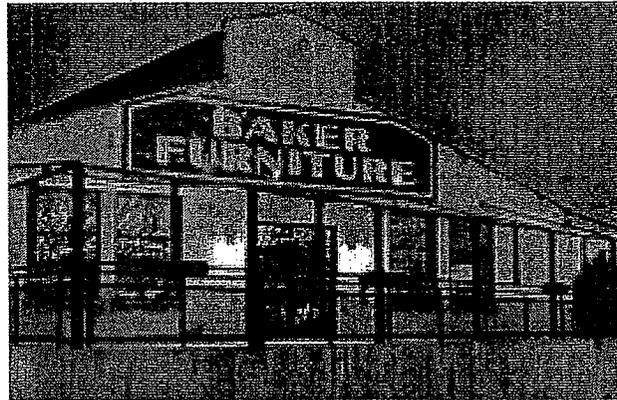
Bar

Videoconferencing, whiteboards

Baker Lofts

Holland, Michigan

Mixed-use, historic building with 23 lofts (studio, 1-3 bdrm), 8,000 SF coworking space (Baker Commons), event space, deli, restaurant, salon and storage facilities.



User Fees and Member Plans

(source: Baker Commons)

Single Day (\$10) – 100 mb internet and common area

Virtual Office (\$50) – mail address, discount to fit center, printing

Basic (\$125/month) – conference room, 100 mb internet, discount to fitness center

Premium (\$250/month) – 24/7 access, dedicated work area, printing, 100 mb internet, conferene room (1 hr)

Rookie (\$425/month) – Premium benefits plus small private office, conference room (2 hr), glass writing wall

Pro (\$500/month) - Premium benefits plus medium private office

Enterprise (\$700/month) - Premium benefits plus large lockable private office

Facilities Include

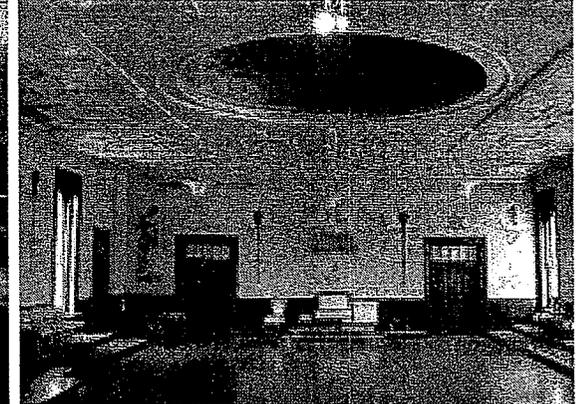
12 glass-walled private offices

2 conference rooms

Kitchen and bar

7Hills Makerspace and Makervillage Rome, Georgia

7Hills is a downtown makerspace housed in historic Cherokee Masonic Lodge; collaborative, membership-based for community of local artists, engineers, business people, and economic developers.



User Fees and Member Plans

(source: 7Hills Makerspace)

Keyed Member (\$80/month) 24/7 access, use of all tools and supplies

Non-keyed Member (\$40/month) use of lab from Monday to Thursday (6 pm to midnight)

Makervillage is a member-based organization housed in five historic properties (over 9,200 SF). It supports the development of locally-based creative and tech industry in Rome, GA.

Anchor tenants include SAI Digital, Brand Red Studios and Civitium. (Northwest Georgia News)

Average Employment Growth & Corresponding Potential Income for Rent in Escanaba, Ages 22-34

Leading Industries	Average New Jobs	Average New Hires	Potential Income Towards Rent Per Month
Retail Trade (16.9%)	38	83	\$837
Other Services (except Public Admin.) (11.9%)	22	54	\$823
Construction (10.5%)	39	63	\$1,255
Health Care & Social Assistance (9.5%)	24	62	\$890
Accommodation & Food Services (9.1%)	45	90	\$461
<i>Total</i>	<i>167</i>	<i>351</i>	<i>\$853</i>

1 Year Estimates between 2013 Q2 to 2014 Q1

* Based on county data from US Census Bureau County Business Patterns (CBP) program and the 2010 Census. CBP data for 2012 were released in May, 2014

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, May 21, 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 Jacob Comer of New Life Assembly of God Church, gave the invocation and led Council in the Pledge of Allegiance.

City Attorney Peterson asked to amend the May 7, 2015, Council minutes. Attorney Peterson read the amendment into the minutes reflecting further language for use of the Catherine Bonifas Trust Funds.

Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from May 7, 2015, as amended and read.

ADJUSTMENTS TO THE AGENDA

City Manager O'Toole stated it was brought to his attention that CRS, which is the vendor that provides the City of Escanaba with our Workers Comp Excess Insurance and Workers Comp Third Party Admin Services, inadvertently thought our contract with them was up for renewal. Upon doing a records check it was determined that we have 2 more years on their contract. Manager O'Toole asked Council to drop agenda items NB#10 and NB#11 from the Council Agenda.

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

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS

Public Hearing and Adoption – FY 2015-16 Budget.

The Council has conducted five (5) public hearings and two (2) budget work sessions to set a proposed FY2015-16 operating budget. This was the final public

hearing on the FY 2015-16 City operating budget and would establish a City millage rate of 17.00 mills.

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

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

PH-1 Sattem moved, Blasier seconded, to establish the City millage rate at 17.00 mills for 2015-2016 Budget Year and to adopt the 2015-2016 City Budget as published.

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

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

MOTION CARRIED.

UNFINISHED BUSINESS – None

NEW BUSINESS

First Reading of Ordinance No. 1157, the Appropriations Ordinance, Including the Millage Rate of 17.00 Mills and Setting the Date of Thursday, May 28, 2015, for the Second Reading, Public Hearing, and Adoption.

Once the City Council approves the budget, the Council must approve a tax levy and authorize appropriations to implement the budget. Administration recommended a special meeting for Thursday, May 28, 2015, at 7:30 a.m. be scheduled for the second reading, public hearing, and adoption of the Appropriations Ordinance No. 1157.

NB-1 Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to set the date of May 28, 2015, at 7:30 a.m. for the second reading, public hearing, and adoption of the Appropriations Ordinance No. 1157 and millage rate of 17 mills.

First Reading of Ordinance No. 1158, the Tax Levy Ordinance, and Setting the Date of Thursday, May 28, 2015, for the Second Reading, Public Hearing and Adoption.

Section 9, Chapter VIII, of the City Charter requires the City, by Ordinance, levy taxes that may be necessary to meet the appropriations' needs. Administration recommended a special meeting for Thursday, May 28, 2015, at 7:30 a.m. be scheduled for the second reading, public hearing, and adoption of Tax Levy Ordinance No. 1158.

NB-2 Blasier moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to set the date of May 28, 2015, at 7:30 a.m. for the second reading, public hearing, and adoption

of Tax Levy Ordinance No. 1158.

First Reading of Ordinance No. 1159, the Electric Rate Ordinance, and Setting the Date of Monday, June 1, 2015, for Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets electric utility rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1159 and to schedule the second reading and public hearing for June 1, 2015, at 8:00 a.m.

NB-3 Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to set the date of June 1, 2015, at 8:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1159.

First Reading of Ordinance No. 1160, the Wastewater Rate Ordinance, and Setting the Date of Monday, June 1, 2015, for the Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets wastewater utility rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1160 and to schedule the second reading and public hearing for June 1, 2015, at 8:00 a.m.

NB-4 Beauchamp moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to set the date of June 1, 2015, at 8:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1160.

First Reading of Ordinance No. 1161, the Water Rate Ordinance, and Setting the Date of Monday, June 1, 2015, for Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets water utility rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1161 and to schedule the second reading and public hearing for June 1, 2015, at 8:00 a.m.

NB-5 Beauchamp moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to set the date of June 1, 2015, at 8:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1161.

First Reading of Ordinance No. 1162, the Solid Waste Ordinance, and Setting the Date of Monday, June 1, 2015, for the Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets solid waste rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1162 and to schedule the second reading and public hearing for June 1, 2015, at 8:00 a.m.

NB-6 Sattem moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to set the date of June 1, 2015, at 8:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1162.

Approval – Use of Public Space – North Shore Boat Launch – Bay de Noc Great Lakes Sports Fisherman (GLSF) Bass Tournament.

GLSF requested use of the North Shore Boat Launch on July 18, 2015, for a GLSF Bass Tournament. Administration recommended approval of the request contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured and 2) event sponsors provide all labor material and cleanup at the conclusion of the event.

NB-7 Baribeau moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve a request from GLSF for use of the North Shore Boat Launch on July 18, 2015, for a GLSF Bass Tournament, contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured and 2) event sponsors provide all labor material and cleanup at the conclusion of the event.

Approval - Recreation Water Equipment Vendor - Aronson Island Beach House.

Administration sought Council approval to award Mish Watersports, LLC. of Escanaba, Michigan, the 2015 recreational water equipment concession which will be located at the Aronson Island Beach House facility in Ludington Park.

NB-8 Blasier moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve to award Mish Watersports, LLC. of Escanaba, Michigan, the 2015 recreational water equipment concession which will be located at the Aronson Island Beach House facility in Ludington Park.

Approval - Janitorial Services - City Hall/Library Complex.

Administration sought Council approval to award a 1 year janitorial services contract for the City Hall/Library Complex to Hi Tec Building Services of Jenison, Michigan in the amount of \$38,400. Under the terms of their proposal, Hi Tec Building Services will provide all janitorial supplies, custodial services and sidewalk snow removal.

NB-9 Beauchamp moved, Sattem seconded, to approve to award a 1 year janitorial services contract for the City Hall/Library Complex to Hi Tec Building Services of Jenison, Michigan in the amount of \$38,400.

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

Ayes: Beauchamp, Sattem, Blasier, Baribeau, Tall

Nays: None

MOTION CARRIED.

The following two items were removed from the Council Agenda:

Approval – Workers Compensation Excess Insurance.

Administration requested Council authorization for a two year renewal of its workers compensation excess insurance policy with Midwest Employers Casualty at an annual premium of \$147,309.

Approval – Workers Compensation Third Party Administrative Services.

Administration requested Council authorization for a three year renewal of its workers compensation, third party administrative services agreement with Comprehensive Risk Services. The renewal rate is to remain at the current annual rate of \$7,200 plus expenses and plus cost for claims above the quoted threshold.

Approval – Water/Wastewater Chemical Purchases.

Administration sought Council approval on the following chemical bids:

1. Wausau Chemical Co., Wausau, WI. Award of a bid to furnish approximately 35,000 pounds of Hydrofluosilicic acid for use in drinking water treatment of \$44.15 /cwt in 2750 pound totes.
2. ChemTrade Chemicals US, LLC, Parsippany, NJ. Award of bid to furnish approximately 100 net tons of Aluminum Sulfate liquid in the amount of \$309.00 per dry ton.
3. BHS Marketing, LLC, Salt Lake City, UT. Award of bid to furnish approximately 95 tons of Soda Ash in 50 pound bags for use in drinking water treatment in the amount of \$18.746/ cwt 50lb bags.
4. Kirmira Water Solutions, Inc. Lawrence, KS. Award of bid to furnish approximately 50 tons of dry weight Ferric Chloride in the amount of \$579.00 / dry ton.
5. Hydrite Chemical Company, Oshkosh, WI. Award of bid to furnish approximately 10 tons of Liquid Chlorine in amount of \$59.50 per cwt in ton cylinders.
6. Hawkins Inc., Roseville, MN. Award of bid to furnish approximately 10 tons of Liquid Chlorine in amount of \$59.50 per cwt in 150 pound cylinders.

7. Thatcher Co, Salt Lake City, UT. Award of bid to furnish Powdered Activated Carbon in the amount of \$0.839 per pound bagged.

NB12(1-7) By Council Member Blasier, seconded by Council Member Beauchamp, that the Chemical Bid agenda items be approved as proposed in the unit prices as stated.

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

Ayes: Blasier, Beauchamp, Sattem, Baribeau, Tall

Nays: None

MOTION CARRIED.

Update – Power Generation– City Manager’s Office.

Manager O’Toole updated the Council and public on the latest developments related to the Escanaba Power Plant and the Upper Peninsula electrical situation in general. The following was reviewed:

- Letter of intent and term sheet to Sterling;
- Power Plant shutdown continues for June 14, 2015;
- Monitoring UP Electrical Transmission bills;
- Discussed preparing a resolution of intent regarding SB 282.

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

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

- Reappointed Robert Buckbee to the Harbor Advisory Committee, term ending June 2018;
- Reappointed Jonathan Harris to the Recreation Advisory Board, term ending June 2018;
- Reappointed Jon Liss to the Board of Appeals for a one year extension, ending June 2016;
- Reappointed Patrick Connor to the Planning Commission for a one year extension, ending June 2016.

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

- Delta County Credit Union and Members of the Animal shelter, and members of the public were thanked for their cleanup efforts;
- Council Members Congratulated all area Graduates;
- Wished everyone a safe Memorial Day Weekend;
- Mayor Tall thanked Middle School Teacher Michelle Dykema for her coordination efforts of her 6th grade classes to discuss City issues with himself and Mayor Pro Tem Beauchamp.

Hearing no further public comment, the Council adjourned at 7:32 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Special Council Meeting
Thursday, May 28, 2015**

Pursuant to a meeting notice posted on May 22, 2015, the Council of the City of Escanaba convened in special session in Room 101 of City Hall at 7:30 a.m., to approve the annual appropriations and tax levy ordinances, and/or any other items to be brought before the Council.

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

Absent: Patricia A. Baribeau

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

APPROVAL OF AGENDA

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

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

UNFINISHED BUSINESS – None

PUBLIC HEARINGS

Second Reading, Public Hearing of Ordinance No. 1157, the Appropriations Ordinance, Including the Millage Rate of 17.00 Mills.

In accordance with Chapter VIII. General Finance of the City Charter, Section 9, Council was required by ordinance to levy taxes that are necessary to meet the appropriations made for the upcoming fiscal year.

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

Hearing no public comment, Mayor Tall closed the public hearing and the following resolution was made:

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

Resolved, That Ordinance No. 1157, the Appropriations Ordinance, given its second reading and public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the

requirements of the City Charter.”

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

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

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1157 adopted by title:

“AN ORDINANCE TO MAKE APPROPRIATIONS AND CORRESPONDING REVENUES FOR THE YEAR ENDED JUNE 30, 2016.”

Full text in Ordinance Record “K”

Second Reading, Public Hearing of Ordinance No. 1158, the Tax Levy Ordinance.

In accordance with Chapter VIII. General Finance of the City Charter, Section 9, Council must approve a tax levy and authorize appropriations to implement the budget for the upcoming fiscal year.

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

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

After discussion of the Tax Levy figures in Sections 101 and 102 of the Tax Levy Ordinance 1158, it was Council consensus to amend Sections 101 and 102 to reflex a Tax Levy of \$5,189,250.

PH-2 “By Council Member Blasier, seconded by Council Member Beauchamp;

Resolved, That Ordinance No. 1158, the Tax Levy Ordinance setting the millage rate at 17 mills, given its second reading and public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter.”

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

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

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1158 adopted by title:

“AN ORDINANCE TO LEVY SUCH TAXES AS MAY BE NECESSARY TO MEET APPROPRIATIONS MADE AND ALL SUMS REQUIRED BY LAW TO

BE RAISED TO DEFRAY THE DEBTS, EXPENDITURES, AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING ON THE 30TH DAY OF JUNE, 2016, AND REQUIRING AN AUTHORIZED LEVY ON THE JULY, 2015, CITY TAX ROLL OF RETURNED UNPAID SPECIAL ASSESSMENTS, TOGETHER WITH SUCH PENALTIES THEREON AS IS PROVIDED BY THE CITY CHARTER.”

Full text in Ordinance Record “K”

NEW BUSINESS – None

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS

- Bark in the Park, and Krussin Klassics were scheduled this weekend in Ludington Park.

Hearing no further public comment, the Council adjourned at 7:47 a.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Special Council Meeting
Monday, June 1, 2015**

Pursuant to a meeting notice posted on May 22, 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, 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.

APPROVAL OF AGENDA

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

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

UNFINISHED BUSINESS – None

PUBLIC HEARINGS

Escanaba City Charter required the Council to pass electric, wastewater, water and solid waste utility rate ordinances on the first Monday of June, for the upcoming fiscal year 2015-16.

Second reading, public hearing and adoption of Ordinance No. 1159, the Electric Rate Ordinance. A five (5) percent rate increase was being recommended.

Annually, the City Council set electric utility rates for the next fiscal year. Administration recommended approval of the electric rates as provided. Council was asked to consider this the second reading, public hearing, and adoption of Ordinance No. 1159.

Inasmuch as this was a public hearing, Mayor Tall asked for comments from the Council and audience relative to the setting of the Electric Rate Ordinance No. 1159.

No comments were heard.

PH-1a “By Council Member Sattem, seconded, by Council Member Blasier;

Resolved, That Ordinance No. 1159, the Electric Rate Ordinance, given its second reading and public hearing at this meeting, be and it is hereby adopted, and that it be published in accordance with the requirements of State law and the City Charter.”

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

Ayes: Sattem, Blasier, Baribeau, Beauchamp, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1159, adopted by title:

AN ORDINANCE FIXING THE RATES TO BE CHARGED BY THE CITY OF ESCANABA FOR ELECTRIC ENERGY DEMAND AND AVAILABILITY OF SERVICE, TO BE IN FULL FORCE AND EFFECT ON THE BILLINGS PROCESSED AFTER JUNE 30, 2015, AND ALL BILLINGS THEREAFTER UNTIL FURTHER AMENDED BY THE COUNCIL.

Full text in Ordinance Record “K.”

Second reading, public hearing and adoption of Ordinance No. 1160, the Wastewater Rate Ordinance. A three (3) percent rate increase was being recommended.

Annually, the City Council set wastewater utility rates for the next fiscal year. Council was asked to consider this the second reading, public hearing, and adoption of Ordinance No. 1160.

Inasmuch as this was a public hearing, Mayor Tall asked for comments from the Council and audience relative to the setting of the Wastewater Rate Ordinance No. 1160.

No comments were heard.

PH-1b“By Council Member Blasier, seconded, by Council Member Beauchamp;

Resolved, That Ordinance No. 1160, the Wastewater Rate Ordinance, given its second reading and public hearing at this meeting, be and it is hereby adopted, and that it be published in accordance with the requirements of State law and the City Charter.”

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

Ayes: Blasier, Beauchamp, Sattem, Baribeau, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1160, adopted by title:

AN ORDINANCE FIXING THE CHARGES TO BE ASSESSED BY THE CITY OF ESCANABA FOR WASTEWATER COLLECTION AND TREATMENT AND THE AVAILABILITY OF SERVICE TO BE IN FULL FORCE AND EFFECT ON THE BILLINGS PROCESSED AFTER JUNE 30, 2015, AND ALL BILLINGS THEREAFTER UNTIL FURTHER AMENDED BY THE CITY COUNCIL.

Full text in Ordinance Record “K.”

Second reading, public hearing and adoption of Ordinance No. 1161, the Water Rate Ordinance. A three (3) percent rate increase was being recommended.

Annually, the City Council set water utility rates for the next fiscal year. Council was asked to consider this the second reading, public hearing, and adoption of Ordinance No. 1161.

Inasmuch as this was a public hearing, Mayor Tall asked for comments from the Council and audience relative to the setting of the Water Rate Ordinance No. 1161.

No comments were heard.

PH-1c “By Council Member Beauchamp, seconded by Council Member Blasier;

Resolved, That Ordinance No. 1161, the Water Rate Ordinance, given its second reading and public hearing at this meeting, be and it is hereby adopted, and that it be published in accordance with the requirements of State law and the City Charter.”

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

Ayes: Beauchamp, Blasier, Baribeau, Sattem, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1161, adopted by title:

THE ORDINANCE FIXING THE RATES TO BE CHARGED BY THE CITY OF ESCANABA FOR WATER DISTRIBUTION, TREATMENT, AND AVAILABILITY TO BE IN FULL FORCE AND EFFECT ON THE BILLINGS PROCESSED AFTER JUNE 30, 2015, AND ALL BILLINGS THEREAFTER UNTIL FURTHER AMENDED BY THE COUNCIL.

Full text in Ordinance Record “K.”

Second reading, public hearing and adoption of Ordinance No. 1162, the Solid Waste, Recycling, Yard Waste and Litter Ordinance. An 8.3 rate increase is being recommended.

Annually, the City Council set solid waste rates for the next fiscal year. Council was asked to consider this the second reading, public hearing, and adoption of Ordinance No. 1162.

Inasmuch as this was a public hearing, Mayor Tall asked for comments from the Council and audience relative to the setting of the Solid Waste, Recycling, Yard Waste and Littering Ordinance No. 1162.

No comments were heard.

PH-1d“By Council Member Baribeau, seconded by Council Member Sattem;

Resolved, That Ordinance No. 1162, the Solid Waste, Recycling, Yard Waste and Littering Ordinance, given its second reading and public hearing at this meeting, be and it is hereby adopted, and that it be published in accordance with the requirements of State law and the City Charter.”

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

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

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1162, adopted by title:

AN ORDINANCE TO AMEND CHAPTER 14, FIXING THE CHARGES TO BE ASSESSED BY THE CITY OF ESCANABA FOR SOLID WASTE, RECYCLING, YARD WASTE AND LITTERING, TO BE IN FULL FORCE AND EFFECT ON THE BILLINGS PROCESSED AFTER JUNE 30, 2015 AND ALL BILLINGS THEREAFTER UNTIL FURTHER AMENDED BY THE CITY COUNCIL OF THE CODE OF ORDINANCES OF THE CITY OF ESCANABA

Full text in Ordinance Record “K.”

NEW BUSINESS – None

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS – None

Hearing no further public comment, the Council adjourned at 8:13 a.m.

City Council Minutes
June 1, 2015 – cont.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

P.H.#1
CC 6-4-15

City of Escanaba Assessor

MEMORANDUM

To: Jim O'Toole, Manager
CC: Robert Richards, Clerk
From: Daina Norden, Assessor
Date: 05/21/2015
Re: Council Agenda Item Request (6/4/15)

Agenda Item Request – PUBLIC HEARING – Bell's Brewery Inc. - PA 198 Request

Please place the following on the agenda for the June 04, 2015, council meeting:

Public hearing to Consider Industrial Facility Tax Exemption – Bell's Brewery, Inc., an eligible business, is requesting an IFT exemption for new construction and personal property as pursuant to PA 198 of 1974 for their property located at 3525 Airport Road, Escanaba, MI, parcel number 051-420-3501-300-019. This will be an addition to their current facility which received an IFT last year.

This property is located in an Industrial Development District created by City Council 10/17/13. The exemption requested is for 12 years which is the maximum years allowed. This would give them 50% reduction of taxes on only the new construction added to their property and the personal property added to their business.

This abatement is for \$1,000,000 in Real Property (building) costs and \$850,000 in personal property (equipment) costs.

This property is currently located in a Renaissance Zone. The Renaissance Zone exemption currently exempts all taxes except for debt millages. This is scheduled to expire completely by 2018. Beginning this year properties in the Renaissance Zone will pay 25% of all taxes and 100% of debt millages, which will increase to 50%, then 75%, until 100% in 2018.

The IFT would run concurrently with the Renaissance Zone giving them a 50% exemption on all taxes including debt millages. I have calculated the tax rates which would result from the exemptions for those three years and calculated a savings for the 12 years applied for.

Because of the new Personal Property Tax Reform I did not calculate a savings on the personal property exemption because I believe this will all be new equipment that will be completely exempt in 2016 anyway.

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk 	Date Received by Local Unit 5-14-15
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION
All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Bell's Brewery, Inc.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 312120	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 3525 Airport Road, Escanaba, MI 49829		1d. City/Township/Village (indicate which) Escanaba	1e. County Delta
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Transfer <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Research and Development (Sec. 2(10)) <input type="checkbox"/> Increase/Amendment		3a. School District where facility is located Escanaba Area Public Schools	3b. School Code 21010
		4. Amount of years requested for exemption (1-12 Years) 12 years	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Constuction of additional fermentation and warehouse space. Purchase of additional fermentation and brewing equipment.

6a. Cost of land and building improvements (excluding cost of land)	▶ \$ 1,000,000
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures	▶ \$ 850,000
* Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs	▶ \$ 1,850,000
* Round Costs to Nearest Dollar	Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	▶ 07/01/2015	11/30/2015	▶ <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased
Personal Property Improvements	▶ 07/01/2015	11/30/2015	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. 10. No. of new jobs at this facility expected to create within 2 years of completion.
4-6

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)

b. TV of Personal Property (excluding inventory)

c. Total TV

12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)
10/17/2013

12c. Is this application for a speculative building (Sec. 3(8))?
 Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Patrick F. Gray	13b. Telephone Number [REDACTED]	13c. Fax Number [REDACTED]	13d. E-mail Address [REDACTED]
14a. Name of Contact Person Patrick F. Gray	14b. Telephone Number [REDACTED]	14c. Fax Number [REDACTED]	14d. E-mail Address [REDACTED]
▶ 15a. Name of Company Officer (No Authorized Agents) Larry J Bell, President			
15b. Signature of Company Officer (No Authorized Agents) [Signature]		15c. Fax Number [REDACTED]	15d. Date 5-11-2015
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 8690 Krum Avenue, Galesburg, MI 49053		15f. Telephone Number [REDACTED]	15g. E-mail Address [REDACTED]

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)	
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.		16d. School Code	
16c. LUCI Code		▶ 18. Date of Resolution Approving/Denying this Application	
17. Name of Local Government Body			

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Bell's Brewery, Inc.

Forecasted Real Property IFT Exemption Calculations

prepared by: Daina Norden, Assessor City of Escanaba

5/20/2015

Property No: 051-420-3501-300-021

Site Address: 3525 Airport Road, Escanaba, MI 49829

NOTE: This property is located in a Renaissance Zone until 2018. It will be phasing out of the Renaissance Zone beginning with a 25% millage starting 2015 then 50% in 2016, 75% in 2017, and 100% in 2018. Renaissance Zone properties pay 100% of debt millage. If approved for an Industrial Facilities Tax Exemption Certificate this would run concurrently with the Ren Zone thereby reducing the millages accordingly.

**The SET millage could be waived during the IFE process by the State of Michigan. There is a possibility that tax would either be reduced or exempt.

These valuations are estimates based on known information.

The millages used are based on 2014 millage rates and could fluxuate each year.

		2% Increase	TRUE CASH	TAXABLE	Summer & Winter Combined Rates ESTIMATED ANNUAL TAX												TOTAL
		Schedule	VALUE	VALUE	CITY	Collg Debt	Collg	County	ISD	911	Sheriff	Comm Act	DATA	SCH Debt	SCH Oper	**SET	TOTAL
Year 1	2016	100.00%	1,000,000	500,000	4.5000	0.5000	0.5770	1.2579	0.5962	0.0750	0.2250	0.1500	0.1500	2.3750	4.5000	3.0000	17,9061
		100.00%	1,000,000	500,000	\$2,250	\$250	\$289	\$629	\$298	\$38	\$113	\$75	\$75	\$1,188	\$2,250	\$1,500	\$8,953
Year 2	2017	102.00%	1,020,000	510,000	6.3750	0.5000	0.8654	1.8869	0.8944	0.1125	0.3375	0.2250	0.2250	2.3750	6.7500	4.5000	25.0467
		102.00%	1,020,000	510,000	\$3,251	\$255	\$441	\$962	\$456	\$57	\$172	\$115	\$115	\$1,211	\$3,443	\$2,295	\$12,774
					End of Ren Zone Exemption			End of Ren Zone Exemption			End of Ren Zone Exemption						
Year 3	2018	104.00%	1,040,000	520,000	8.5000	0.5000	1.1538	2.5159	1.1926	0.1500	0.4500	0.3000	0.3000	2.3750	18.0000	6.0000	41.4373
		104.00%	1,040,000	520,000	\$4,420	\$260	\$600	\$1,308	\$620	\$78	\$234	\$156	\$156	\$1,235	\$9,360	\$3,120	\$21,547
Year 4	2019	106.00%	1,060,000	530,000	4.505	\$265	\$612	\$1,333	\$632	\$80	\$239	\$159	\$159	\$1,259	\$9,540	\$3,180	\$21,962
Year 5	2020	108.00%	1,080,000	540,000	4.590	\$270	\$623	\$1,359	\$644	\$81	\$243	\$162	\$162	\$1,283	\$9,720	\$3,240	\$22,376
Year 6	2021	110.00%	1,100,000	550,000	4.675	\$275	\$635	\$1,384	\$656	\$83	\$248	\$165	\$165	\$1,306	\$9,900	\$3,300	\$22,791
Year 7	2022	112.00%	1,120,000	560,000	4.760	\$280	\$646	\$1,409	\$668	\$84	\$252	\$168	\$168	\$1,330	\$10,080	\$3,360	\$23,205
Year 8	2023	114.00%	1,140,000	570,000	4.845	\$285	\$658	\$1,434	\$680	\$86	\$257	\$171	\$171	\$1,354	\$10,260	\$3,420	\$23,619
Year 9	2024	116.00%	1,160,000	580,000	4.930	\$290	\$669	\$1,459	\$692	\$87	\$261	\$174	\$174	\$1,378	\$10,440	\$3,480	\$24,034
Year 10	2025	118.00%	1,180,000	590,000	5.015	\$295	\$681	\$1,484	\$704	\$89	\$266	\$177	\$177	\$1,401	\$10,620	\$3,540	\$24,448
Year 11	2026	120.00%	1,200,000	600,000	5.100	\$300	\$692	\$1,510	\$716	\$90	\$270	\$180	\$180	\$1,425	\$10,800	\$3,600	\$24,862
Year 12	2027	122.00%	1,220,000	610,000	5.185	\$305	\$704	\$1,535	\$727	\$92	\$275	\$183	\$183	\$1,449	\$10,980	\$3,660	\$25,277
				6,660,000													
				Total	\$53,526	\$3,330	\$7,249	\$15,806	\$7,492	\$942	\$2,827	\$1,885	\$1,885	\$15,818	\$107,393	\$37,695	\$255,848

CITY TAXES FORWENT

IF GRANTED 12-YR ABATEMENT \$53,526

TOTAL ESTIMATED TAX SAVINGS

OVER 12-YEAR PERIOD \$255,848

**CITY OF ESCANABA INDUSTRIAL FACILITIES
EXEMPTION AGREEMENT**

This Agreement is entered into by and between the CITY OF ESCANABA, a municipal corporation, with its principal place of business at 410 Ludington Street, PO Box 948, Escanaba, Michigan 49829, hereinafter referred to as "Escanaba", and Bell's Brewery, Inc., a Michigan Corporation, with its principal place of business at 8690 Krum Avenue, Galesburg, Michigan 49053 hereinafter referred to as "Applicant".

RECITALS

1. The Applicant has requested that Escanaba approve its request for an Industrial Facilities Exemption Certificate from the State of Michigan Tax Commission.
2. The Applicant currently exists within an Industrial Development district.
3. Prior to Escanaba's recommending approval of the Industrial Facilities Exemption Certificate, Applicant and Escanaba must enter into a written agreement regarding said certificate which shall be filed with the Michigan Department of Treasury.
4. Escanaba is willing to recommend the approval of an Industrial Facilities Exemption Certificate.
5. The two pages enclosed shall be the "written agreement" for this application.

The Applicant and City of Escanaba further state that no payment of any kind in excess of the fee allowed by Act 198 of 1974, as amended, has been made or promised in exchange for favorable consideration of an exemption certificate application.

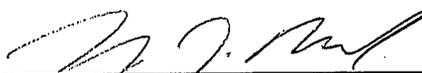
IN WITNESS WHEREOF, this Agreement has been executed on this 20th day of May, 2015

City of Escanaba

Bell's Brewery, Inc.

By: Marc D. Tall

Its: Mayor



By: Larry Bell

Its: President

City of Escanaba Industrial Facilities
Exemption Agreement

STATE OF MICHIGAN)
COUNTY OF DELTA) SS

The foregoing instrument was acknowledged before me on _____ by Marc D. Tall, the mayor of the **City of Escanaba** a Municipal Corporation, on behalf of said corporation.

WITNESS my hand and official seal.

Robert S Richards, Notary Public
Delta County, Michigan
My Commission expires: 12/29/2017

STATE OF MICHIGAN)
COUNTY OF DELTA) SS

The foregoing instrument was acknowledged before me this May 20th 2015 by Larry Bell, the President of **Bell's Brewery, Inc.** a Michigan Corporation, on behalf of said corporation.

WITNESS my hand and official seal.

Donna J. Sean
, Notary Public

My Commission expires: 2-25-2020

**CITY OF ESCANABA RESOLUTION APPROVING
THE APPLICATION
OF BELL'S BREWERY, INC.
FOR A NEW FACILITY EXEMPTION**

Excerpt of the minutes of a regular meeting of the Escanaba City Council held on June 4, 2015, at the City Hall, 410 Ludington Street, Escanaba, Michigan, at 7:00 p.m.

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

Absent: None

The following preamble and resolution was offered by Council Member and supported by Council Member:

WHEREAS, Pursuant to Public Act No. 198 of 1974, MCL 207.551 et seq., after a duly noticed public hearing held on October 17, 2013, this City Council, by resolution, established Bell's Industrial Development District; and

WHEREAS, Bell's Brewery, Inc., has filed an application for an Industrial Facilities Tax Exemption Certificate with respect to a new facility to be acquired and installed within the Bell's Industrial Development District; and

WHEREAS, Before acting on said application, the City of Escanaba held a hearing on June 4, 2015, at the City Hall, 410 Ludington Street, in Escanaba at 7:00 p.m., at which hearing the applicant, assessor, and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, Construction of the facility and/or installation of new machinery and equipment had not begun earlier than six (6) months before May 14, 2015, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, Completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create, or prevent the loss of employment in the City of Escanaba; and

WHEREAS, The aggregate State Equalized Valuation (SEV) of real and personal property exempt from ad valorem taxes within the City of Escanaba, after granting this certificate, will not exceed five percent (5%) of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property exempted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Escanaba that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered, together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 shall not have the effect of substantially impeding the operation of the City of Escanaba or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Escanaba.
2. The application of Bell's Brewery, Inc., for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the Bell's Industrial Development District to wit:

Bell's Industrial Development District: 051-420-3501-300-021 - FROM THE NE CORNER OF NW1/4 OF SW1/4 OF SECTION 1 T.38N.,R.23W. THENCE MEASURE S.89°55'21"W. ALONG THE NORTH LINE OF SAID NW1/4 OF SW1/4 A DISTANCE OF 710.30 FEET, THENCE MEASURE S.00°41'57"W. PARALLEL WITH THE WEST LINE OF SAID NW1/4 OF SW1/4 A DISTANCE OF 86.33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED, THENCE S.89°06'02"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 135.50 FEET TO THE WESTERLY LINE OF A WETLANDS AREA, THENCE S.09°20'13"E. A DISTANCE OF 36.99 FEET, THENCE S.28°46'04"E. A DISTANCE OF 80.56 FEET, THENCE S.77°29'10"E. A DISTANCE OF 106.93 FEET, THENCE N.61°47'07"E. A DISTANCE OF 35.82 FEET, THENCE S.43°43'24"E. A DISTANCE OF 41.59 FEET, THENCE S.36°45'14"E. A DISTANCE OF 85.24 FEET, THENCE S.15°17'47"E. A DISTANCE OF 35.35 FEET, THENCE S.21°31'28"W. A DISTANCE OF 84.55 FEET, THENCE S.43°53'55"E. A DISTANCE OF 64.64 FEET, THENCE N.89°47'34"E. A DISTANCE OF 66.98 FEET, THENCE S.76°06'20"E. A DISTANCE OF 45.69 FEET, THENCE S.42°53'58"E. A DISTANCE OF 87.77 FEET, THENCE S.62°06'28"E. A DISTANCE OF 48.71 FEET, THENCE S.09°29'02"E. A DISTANCE OF 58.89 FEET, THENCE S.16°23'59"E. ALL BEING ALONG SAID WESTERLY LINE A DISTANCE OF 26.28 FEET, THENCE N.89°06'02"W. PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 657.05 FEET, THENCE N.00°41'57"E. PARALLEL WITH SAID WEST LINE A DISTANCE OF 544.00 FEET TO THE POINT OF BEGINNING. CONTAINING 5.10 ACRES. (3525 AIRPORT ROAD)

Be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force and effect for a period of twelve (12) years.

Ayes:

Nays:

County: Delta Unit: City of Escanaba
FOR THE YEAR 2015

SCHOOL	PARCEL NUMBER	PROPERTY	E CLS	TOTAL ASMNT	TOTAL ASMNT	LAND AS	BLDG AS	TOTAL	BOARD/TRIBUNAL
TAXPAYER NAME & ADDRESS	LEGAL DESCRIPTION		X	LOSSES	ADDITIONS	ASSESSED	ASSESSED	VALUATIONS	ADJUSTMENTS
21010	051-440-2813-395-002	(72-5	) 321	0	0	0	82,182 A	82,182 A	
HJR RE #2006-635R	#2006-635R 12/31/06 - 12/30/2018 AD VAL 420-2813-395-003	(Property address:							
2400 I LANE	3707 19TH AVENUE NORTH, 0.01 Total Acres)						C	81,553 C	
BARK RIVER MI 49807							T	81,553 T	
Last Transfer Date: / / (0%) PRE/MBT % = 0									
Most recent sale was on 04/19/2000 for 27,580 by . Terms: WD Lbr/Pg: 561/29									
.....									
21010	051-440-2814-395-002	(78-19	) 321	0	0	0	136,545 A	136,545 A	
MICHIGAN MEATS LLC	2005-506R 12/30/05-12/31/17 \$540311 REAL								
IFT 2005-506R	REF PARCEL NUMBER: 051-420-2813-395-005	(Property address: 3708 19TH AVENUE							
3708 19TH AVENUE NORTH	NORTH)						C	141,396 C	
ESCANABA MI 49829							T	136,545 T	
Last Transfer Date: / / (0%) PRE/MBT % = 0									
.....									
21010	051-440-3501-300-021	(28-2	) 321	0	538,317	0	538,317 A	538,317 A	
BELLS PROPERTIES LLC	SEC 1 T38N R23W [5.10 AC]								
8938 KRUM AVENUE	PRT OF NW1/4 OF SW1/4 [AC#28-2]								
GALESBURG MI 49053	IFE CERT NO: 2014-198 12/31/14-12/30/26 \$1,770,000 REAL PROPERTY								
	REF PARCEL NUMBER: 051-420-3501-300-021								
	(Property address: 3525 AIRPORT ROAD)								
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									
.....									
21010	051-450-0000-287-600	(	) 371	29,921	0	0	29,125 A	29,125 A	
MICHIGAN MEATS LLC	#2005-506 12/30/05-12/30/17 169671	(Property address: 3708 19TH AVENUE NORTH)							
IFT 2005-506P									
3708 19TH AVENUE NORTH									
ESCANABA MI 49829							T	29,125 T	
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									
.....									
21010	051-450-0000-980-000	(	) 371	44	0	0	408,838 A	408,838 A	
EMP INC	#01-231P 12/30/01-12/30/13	(Property address: 3111 NORTH 28TH STREET)							
IFT 01-231P									
ATTN: BARB SCOTT									
P O BOX 1246									
ESCANABA MI 49829							T	408,838 T	
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									

FOR THE YEAR 2015

SCHOOL	PARCEL NUMBER	PROPERTY	E CLS	TOTAL ASMNT	TOTAL ASMNT	LAND AS	BLDG AS	TOTAL	BOARD/TRIBUNAL
TAXPAYER NAME & ADDRESS	LEGAL DESCRIPTION		X	LOSSES	ADDITIONS	ASSESSED	ASSESSED	VALUATIONS	ADJUSTMENTS
21010 EMP INC IFT 04-540P P O BOX 1246 ESCANABA MI 49829	051-450-0000-981-000 ()	#04-540P 12/31/04 - 12/30/16 (Property address: 3111 NORTH 28TH STREET)	371	0	0	0	2,867 A	2,867 A	_____
							C	2,867 C	_____
							T	2,867 T	_____
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									
.....									
21010 EMP INC IFT 04-541P P O BOX 1246 ESCANABA MI 49829	051-450-0000-982-000 ()	#04-541P 12/31/04 - 12/30/16 (Property address: 3111 NORTH 28TH STREET)	371	0	0	0	31,874 A	31,874 A	_____
							C	31,874 C	_____
							T	31,874 T	_____
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									
.....									
21010 ANDEX INDUSTRIES INC IFT 02-010P P O BOX 887 ESCANABA MI 49829	051-450-0002-177-000 ()	#2002-010P 13/30/02-12/30-14 - EXTENDED BY PA 153 & 154 OF 2013. (Property address: 1911 4TH AVENUE NORTH)	371	0	0	0	34,116 A	34,116 A	_____
							C	34,116 C	_____
							T	34,116 T	_____
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									
.....									
21010 BASIC MARINE INC IFT CERT NO 2009-282R 440 NORTH 10TH STREET ESCANABA MI 49829	051-450-2930-200-009 (220-1)	IFT 2009-282 REAL 12/31/09 TO 12/30/21 SET 6 MILLS REAL PROPERTY NUMBER 420-2930-200-009 (Property address: 440 NORTH 10TH STREET)	321	0	0	0	51,479 A	51,479 A	_____
							C	28,947 C	_____
							T	28,947 T	_____
Last Transfer Date: / / (0%) PRE/MBT % = 0									
.....									
21010 BASIC MARINE DAN KOBASIC IFT#2013-162R 440 NORTH 10TH STREET ESCANABA MI 49829	051-450-2930-200-012 ()	IFT 2013-162 REAL 12/31/13 TO 12/30/25 - SET 6 MILLS THIS IS FOR THE PIER (DOCK EXTENSION) REAL PROPERTY NUMBER 420-2930-200-012 SEC 29 T39N R22W [AC# 220-2] PRT E 1/2 NE 1/4 SEC 30 & S 1/2 NW 1/4 [26.92 A M/L] (Property address: 440 NORTH 10TH STREET)	321	0	0	0	0 A	0 A	_____
							C	0 C	_____
							T	0 T	_____
Last Transfer Date: / / (0%) PRE/MBT % = 0									

SCHOOL	PARCEL NUMBER	PROPERTY	E CLS	TOTAL ASMNT	TOTAL ASMNT	LAND AS	BLDG AS	TOTAL	BOARD/TRIBUNAL
TAXPAYER NAME & ADDRESS	LEGAL DESCRIPTION		X	LOSSES	ADDITIONS	ASSESSED	ASSESSED	VALUATIONS	ADJUSTMENTS
21010	051-450-2930-200-013	()	321	0	26,900	0	333,668	A	333,668 A
BASIC MARINE INC	IFT 2013-163 REAL 12/31/13 TO 12/30/25 - SET 6 MILLS								
DAN KOBASIC IFT#2013-163R	THIS IS FOR THE SHORELINE SEAWALL							C	338,497 C
440 NORTH 10TH STREET	REAL PROPERTY NUMBER 420-2930-200-012								
ESCANABA MI 49829	SEC 29 T39N R22W [AC# 220-2]							T	333,668 T
	PRT E 1/2 NE 1/4 SEC 30 & S 1/2 NW 1/4 [26.92 A M/L] (Property address: 440 NORTH 10TH STREET)								
Last Transfer Date: / / (0%) PRE/MBT % = 0									
21010	051-450-3501-300-021	(28-2)	371	0	681,797	0	681,797	A	681,797 A
BELLS PROPERTIES LLC	SEC 1 T38N R23W								
8938 KRUM AVENUE	IFE CERT NO: 2014-198 12/31/14-12/30/26 \$1,800,000 PERSONAL PROPERTY							C	681,797 C
GALESBURG MI 49053	REF PARCEL NUMBER: 051-420-3501-300-021								
	NON-INVENTORY PERSONAL PROPERTY. (Property address: 3525 AIRPORT ROAD)							T	681,797 T
Last Transfer Date: / / (0%) PRE/MBT % = 100MBT Ind.									
21010	051-480-2812-400-007	()	321	0	0	26,612	0	A	26,612 A
EMP INC IFT 04-540R	#2004-540R 12/31/04 - 12/30/16 (Property address: 3111 NORTH 28TH STREET)								
P O BOX 1246								C	27,037 C
ESCANABA MI 49829								T	26,612 T
Last Transfer Date: / / (0%) PRE/MBT % = 0									
21010	051-480-2813-100-007	()	321	0	0	300,680	0	A	300,680 A
EMP INC IFT 04-541R	#04-541R 12/31/04 - 12/30/16 (Property address: 2701 NORTH 30TH STREET)								
P O BOX 1246								C	305,490 C
ESCANABA MI 49829								T	300,680 T
Last Transfer Date: / / (0%) PRE/MBT % = 0									
Totals for all Parcels: Count= 14, Cur. S.E.V.=2,658,100, Prev. S.E.V.=1,433,855, Cur. Taxable=2,634,939, Prev. Taxable=1,409,464									

2015
330,681,713 SEV - 5% of Real + Personal in City 16,534,086

OK



EXPANSION WILL ALLOW US TO EXPAND CAPACITY, TERRITORY FOR UPPER HAND SALES

Six months after officially opening, we are proud to announce our first expansion.

This construction project, which is expected to break ground in July, will add more than 5,400 square feet to the current facility along with an additional 2,780 square footage of outdoor storage.

Ten 100-barrel fermenters, all made in the USA, will be added along with space and infrastructure for additional vessels to be added at a later date. Cold storage and warehouse capacity will also increase.

“This expansion will allow us to extend our sales territory beyond the U.P. into northern portions of adjacent states,” said Larry Bell, president and founder of Bell’s Brewery (Upper Hand Brewery is a division of Bell’s).

Other additions include a second whirlpool, improved yeast handling equipment and an additional grain silo along with modified grain handling equipment.

Upgrades to hot water production, glycol chilling systems and site work which, includes improvements to freight access and additional parking are also planned.

In all, this project will increase Upper Hand’s annual capacity from 5,000 barrels to 15,000 barrels.



BREWED & BOTTLED BY UPPER HAND BREWERY
• ESCANABA, MICHIGAN •

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

DATE(S) OF EVENT: Saturday 9/19/15
Day of Week, Month, Day, Year (eg: Saturday, January 2, 2014)

NAME OF EVENT: Walk for Life

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

Organization: Pregnancy Services of Delta County

Contact Person: Audra Buchonille Phone (day): [REDACTED]

Address: 1801 Ludington St Phone (evening): same as above

City: Escanaba E-mail: [REDACTED]@gmail.com

Postal Code 49829 Website: pregnancyservicesdc.org

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

Fax: _____

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

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

LOCATION

City Park Name: Ludington Park

Building/Facility Name/Area: Municipal Dock

Road (s) Road Closure Required?: Partial Full

DATE / TIME

EVENT TIME <small>This is the time your event would be ready to accept participants or general public.</small>	Event Begins DATE: <u>9/19/15</u> TIME: <u>8AM</u>	Event Ends DATE: <u>9/19/15</u> TIME: <u>3pm</u>
	SET UP TIME <small>When do you want the area reserved for your organization to ensure you have adequate time for set up and tear down.</small>	Set Up Start DATE: _____ TIME: _____	Tear Down End DATE: _____ TIME: _____

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

EVENT DETAILS

TYPE OF EVENT

- Parade Cycling Festival/Event
 Run Walkathon Other (specify) _____

ESTIMATED ATTENDANCE (please estimate all that apply)

Participants # <u>75</u>	Wheelchair Accessible Yes <input type="checkbox"/> No <input type="checkbox"/>
Bands # _____	For events on City Property are you seeking approval to charge:
Vehicles/Floats # _____	Admission Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Volunteers # <u>10</u>	Parking Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
General Public # _____	Is this event: <input checked="" type="checkbox"/> Open to the Public <input type="checkbox"/> For Invited Guests only

EVENT ELEMENTS (complete to ensure proper permits are processed)

Power Requirements* Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Fireworks Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Sound Amplification Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Alcohol Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Access to power if possible Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Live Music Yes <input type="checkbox"/> No <input type="checkbox"/> - possibly	
Tents/Temp. Structures Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Size of tent(s): <u>1 tent, approx 10x20 ft</u>
Amusement Rides Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Provider: _____
Inflatables Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Provider: _____

FOOD & BEVERAGE

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

Food stand locations Indoor Outdoor Inside & Outside

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

- | | | |
|---|---------------------------------------|--|
| <input type="checkbox"/> Chicken/seafood | <input type="checkbox"/> Soups/chilli | <input type="checkbox"/> Other foods (please list) |
| <input type="checkbox"/> Rice/pasta dishes | <input type="checkbox"/> Salad | _____ |
| <input type="checkbox"/> Pop, chips, candy | <input type="checkbox"/> Other meats | _____ |
| <input type="checkbox"/> Hotdogs/hamburgers | <input type="checkbox"/> Baked goods | _____ |

Reservation Fees (check applicable box):

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

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

EVENTS REQUESTING ROAD CLOSURE

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

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

DEFINE THE CLOSURE LIMITS – ATTACH A DETAILED MAP

I have read and understood the Special Events Application.

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

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


Event Organizer Signature

Audra Buchmiller 5/7/15
Print Name & Date

NB #2 cc 6-5-15

City of Escanaba Assessor

Memo

To: Escanaba City Council
CC: Jim O'Toole, City Manager
From: Daina Norden, Assessor
Date: 5/27/2015
Re: June 4th Council Agenda item

**Resolution to REVOKE OPRA exemption
Certificate No. 3-05-0027 H2 Development LLC**

An Obsolete Property Rehabilitation Exemption Certificate was issued September 20, 2005 to Gehring Rentals District #1, Certificate No. 3-05-0027.

On May 7, 2009 the City Council granted a transfer of the OPRA Certificate to H2 Development LLC.

On April 20, 2015 Robert Valentine, Treasurer filed a Certificate of Non-Payment of OPRA Taxes with the Delta County Register of Deeds at Liber 1128 page 859. Necessary parties have been notified of the non-payment of taxes and given required time to pay said delinquent taxes.

Currently the taxes associated with that Certificate are still delinquent.

I request that the City of Escanaba revoke Certificate No. 3-05-0027 pursuant to sec.12 of PA 146 of 2000 for failure to proceed in good faith.

**Certificate of Non-Payment of
OPRA Taxes**

Robert Valentine, Treasurer of the City of Escanaba, Michigan, herewith certifies that pursuant to warrants for collection of 2013 and 2014 property taxes, signed by Daina Norden, City Assessor of the City of Escanaba, Michigan, has authorized and commanded to collect from Neal Hendrickson the OPRA taxes assessed to him under the aforementioned warrants, and contained in the 2013 and 2014 property tax roll, and to pay over, account for, and dispose of all sums so collected, according to the laws of the State of Michigan.

AND the aforementioned taxes are assessed against the parcels of property bearing the following property numbers, addresses and legal descriptions:

051-492-2929-302-004 720 Ludington Street, Escanaba, MI 49829

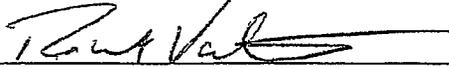
051-490-2929-302-004 720 Ludington Street, Escanaba, MI 49829

Lot 7, Block 41, Original Plat of Escanaba

AND that the aforementioned parcels of property had taxable valuations of \$109,923 and \$77,500 respectively on both the 2013 and 2014 tax rolls.

AND that such valuations resulted in base tax amounts of \$7,200.86 and \$6,901.22 for 2013 and 2014 respectively, which together with interest and late charges of \$723.35 and \$1,398.33 for 2013 and 2014 respectively, result in total unpaid and delinquent OPRA taxes totaling \$16,223.76 as of the filing date of this document.

AND that they are filing this Certificate of Non-Payment, together with an Affidavit of Proof of Service, with the Register of Deeds of Delta County in order to affect proceedings upon the lien in the same manner as provided by law for the foreclosure of Mortgage Liens upon Real Property in the Circuit Court.



Robert J. Valentine, Treasurer
City of Escanaba

Date: 4/17/2015

Prepared by: Robert J. Valentine
Return to: Robert J. Valentine, City Treasurer, City of Escanaba, P. O. Box 948, Escanaba, MI 49829

RECEIVED APR 20 2015

**PROOF OF SERVICE
OF
CERTIFICATE OF NON-PAYMENT OF OPRA TAX**

Robert J. Valentine, City Treasurer of the City of Escanaba, being duly sworn, deposes and says that on 4/20/15, he served a Certificate of Non-Payment of OPRA Tax upon Neal Hendrickson of H2 Development, by enclosing said Certificate in a sealed envelope with Certified Mail postage thereon, fully prepaid and addressed to their home address of 17674 Otsego Pike, Bowling Green, OH 43402, and depositing said envelope in a United States mail receptacle.



Robert J. Valentine, Treasurer
City of Escanaba

Date: 4/20/15

Prepared by: Robert J. Valentine
Return to: Robert J. Valentine, City Treasurer, City of Escanaba, P. O. Box 948, Escanaba, MI 49829



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JAY B. RISING
STATE TREASURER

October 21, 2005

Sent Certified Mail

Final Notice Letter

Timothy Kitchen, Owner
Gehring Rentals
720 Ludington Street, Apt. 1
Escanaba, MI 49829

ELIZABETH KELLER, ASSR.
City of Escanaba.
P.O. BOX 948
ESCANABA, MI 49829

RE: Obsolete Property Rehabilitation Exemption Certificate 3-05-0027, Gehring Rentals, located at 720 Ludington Street, City of Escanaba, Delta County

Dear Sir or Madam:

The State Tax Commission has received an application for an Obsolete Property Rehabilitation Exemption Certificate as referenced above. The Commission considered the application at a meeting held on 9/20/2005, and approved the above referenced certificate in the amount of \$50,000 to begin with the tax year 2006 (July 2006 tax bill).

The certificate (enclosed) is the legal authority for the assessor to place the project certified on an Obsolete Properties Tax Roll (specific tax roll) pursuant to the requirements of Section 10 of Public Act 146 of 2000.

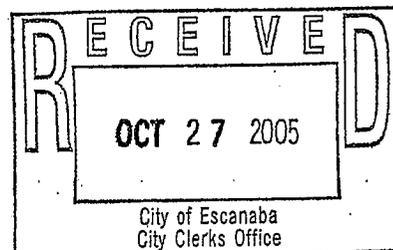
THE STATE TREASURER **HAS EXCLUDED** FROM THE SPECIFIC TAX ONE-HALF OF THE MILLS LEVIED FOR LOCAL SCHOOL OPERATING PURPOSES AND ONE-HALF OF THE STATE EDUCATION TAX TO BE LEVIED FOR A PERIOD OF SIX YEARS.

If you have any questions regarding this Certificate or implementation of the Act, please contact the Department at (517) 373-3272.

Very truly yours,

Kelli Sobel
Executive Secretary
State Tax Commission

c: Clerk, City of Escanaba





JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

JAY B. RISING
STATE TREASURER

October 17, 2005

Timothy Kitchen, Owner
Gehring Rentals
720 Ludington Street, Apt. 1
Escanaba, MI 49829

Dear Mr. Kitchen:

The Michigan Department of Treasury has reviewed your application for an Obsolete Property Rehabilitation Exemption for the project located at 720 Ludington Street, in the City of Escanaba, application number 3-05-0027, under Public Act 146 of 2000. Your application was properly completed and the proposed project conformed to the minimal statutory requirements for the exemption. **The project has been approved for exemption from taxation on the investment for rehabilitation of the real property.**

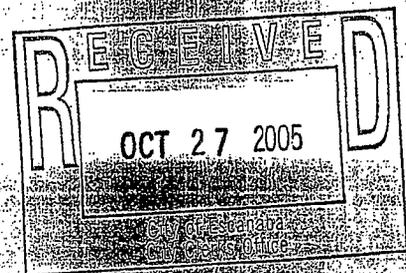
This letter is to inform you that your application has been approved for the additional exemption of up to ½ of the mills levied for local school operating purposes and for the State Education Tax.

For questions regarding this letter, please contact the Department at P.O. Box 30471, Lansing, MI 48909-7971 or call (517) 373-3272.

Sincerely,

Jay B. Rising
State Treasurer

c: Cynthia B. Farthofer, Deputy State Treasurer
State and Local Finance
Frederick Headen, Director
Bureau of Local Government Services



STATE OF MICHIGAN
OFFICE OF THE STATE TAX COMMISSION
DEPARTMENT OF TREASURY

OBSELETE PROPERTY REHABILITATION ACT
(Sections 125.2781 to 125.2797, inclusive, M.C.L.)

Pursuant to the provisions of Sections 125.2781 to 125.2797 inclusive, M.C.L., the State Tax Commission hereby finds that the commercial housing property or commercial property owned by Gehring Rentals, and located at 720 Ludington Street, City of Escanaba, Delta County, Michigan, within Obsolete Property Rehabilitation District which commercial housing property or commercial property is more particularly described in Obsolete Property Rehabilitation Application No. 3-05-0027, is designed and acquired primarily for the purpose of rehabilitation of commercial housing property or commercial property and otherwise complies with Section 2 and with other provisions of the act.

Therefore, as provided by Sections 125.2781 to 125.2797 inclusive, MCL, the State Tax Commission hereby certifies as a commercial housing property or commercial property the property located at 720 Ludington Street, City of Escanaba, Delta County, Michigan:

This certificate is issued to Gehring Rentals for a rehabilitation facility project.

THE STATE TREASURER HAS EXCLUDED FROM THE SPECIFIC TAX ONE-HALF OF THE MILLS LEVIED FOR LOCAL SCHOOL OPERATING PURPOSES AND ONE-HALF OF THE STATE EDUCATION TAX TO BE LEVIED FOR THIS CERTIFICATE FOR A PERIOD OF SIX YEARS.

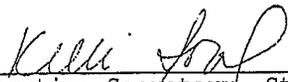
This certificate, unless revoked as provided by Act 146 P.A. 2000 shall remain in force for a period of 12 year(s);
Beginning 12/31/2005, and ending 12/30/2017.

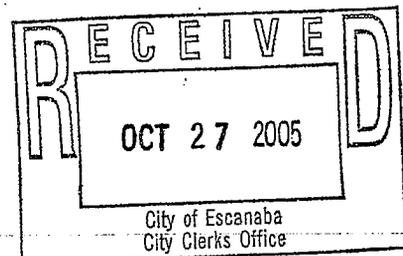
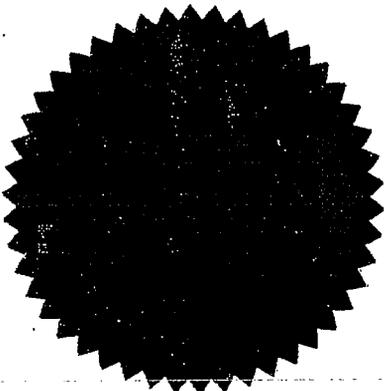
The real property investment cost in the facility covered by this certificate is:
Investment Amount - \$50,000.

The taxable value of the existing commercial housing property or commercial property (real property excluding land) covered by this certificate is as follows:
Taxable Value - \$77,500.

This Obsolete Property Rehabilitation certificate is issued on 9/20/2005.

CERTIFICATE NO. 3-05-0027


Executive Secretary, State Tax Commission



Parcel Number: 051-010-2929-302-004

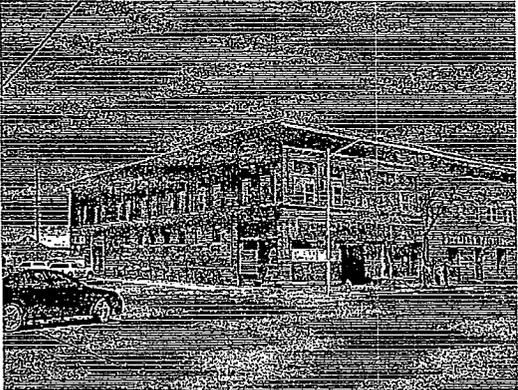
Jurisdiction: City of Escanaba

County: Delta

Printed on

05/28/2015

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
	KITCHEN	180,000	03/31/2005	WD	WD	799/574		0.0
	VANDEWYNGEARDE	185,000	11/09/2001	LC	LC	623/1		0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status			
720 LUDINGTON STREET	School: Escanaba Schools 21010								
Owner's Name/Address	P.R.E. 0%								
H2 DEVELOPMENT LLC 17674 OTSEGO PIKE BOWLING GREEN OH 43402	Map #:								
	2015 Est TCV 33,875 TCV/TFA: 2.42								
Taxpayer's Name/Address	X Improved	Vacant	Land Value Estimates for Land Table 2/301.COMERCIAL & INDUSTRIAL						
H2 DEVELOPMENT LLC 17674 OTSEGO PIKE BOWLING GREEN OH 43402	X Public Improvements		* Factors * 50 X 140						
	X Dirt Road		Description	Frontage	Depth	Rate %Adj. Reason	Value		
	X Gravel Road		E LUDINGTON	50.00	140.00	1.0000 1.0000 525 120 CORNER	31,500		
	X Paved Road		50 Actual Front Feet, 0.16 Total Acres Total Est. Land Value =				31,500		
	X Storm Sewer		Land Improvement Cost Estimates						
	X Sidewalk		Description	Rate	CountyMult.	Size %Good	Cash Value		
	X Water		Commercial/Industrial	Local Cost	Land Improvements				
	X Sewer		Description	Rate	CountyMult.	Size %Good %Arch.Mult	Cash Value		
	X Electric		WATER&SEWER	2500.00	1.00	1.0 95 100	2,375		
	X Gas		Total Estimated Land Improvements True Cash Value =				2,375		
	X Curb								
	X Street Lights								
	X Standard Utilities								
	X Underground Utils.								
Tax Description	Topography of Site								
LOT 7 OF BLK 41 OF THE ORIGINAL PLAT [OPRA CERT 03-05-0027 DIST 1 - LAND ONLY, BLD ASS'D ON 490-2929-302-004 & 492-2929-302-004]	X Level		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
Comments/Influences	X Rolling		2015	15,750	1,188	16,938			16,938S
STORE FRONT W APARTMENTS - LAND ONLY	X Low		2014	17,112	0	17,112			17,112S
	X High		2013	17,245	0	17,245			17,245S
	X Landscaped		2012	17,236	0	17,236			17,236S
	X Swamp								
	X Wooded								
	X Pond								
	X Waterfront								
	X Ravine								
	X Wetland								
	X Flood Plain								

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Licensed To: City of Escanaba, County of Delta, Michigan

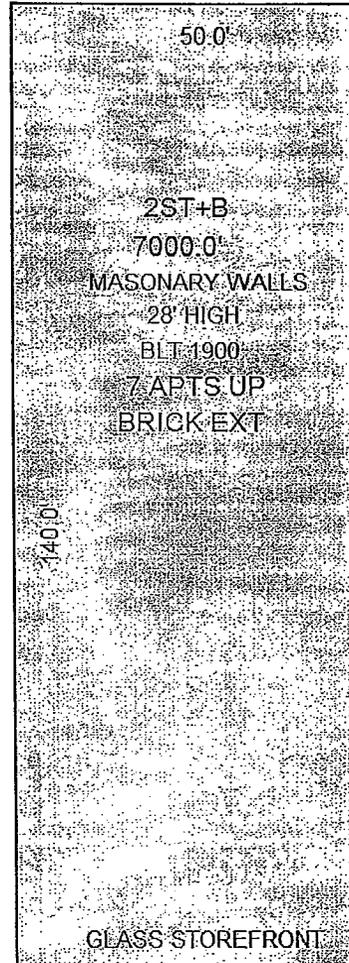
*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: Calculator Occupancy: Shopping Center, Mixed w/Residential		<<<<< Calculator Cost Computations >>>>> Class: C-Mill Quality: Average Percent Adj: +0							
Class: C-Mill Floor Area: 14,000 Gross Bldg Area: 14,000 Stories Above Grd: 2 Average Sty Hght : 10 Bsmnt Wall Hght	Construction Cost <table border="1"> <tr> <td>High</td> <td>Above Ave.</td> <td>X</td> <td>Ave.</td> <td>Low</td> </tr> </table>			High	Above Ave.	X	Ave.	Low	Base Rate for Upper Floors = 70.15
High	Above Ave.	X	Ave.	Low					
Depr. Table : 2.25% Effective Age : 55 Physical %Good: 37 Func. %Good Economic %Good: 100	** ** Calculator Cost Data ** ** Quality: Average Adj: %+0 \$/SqFt:0.00 Heat#1: Hot Water, Baseboard/Radiato 100 Heat#2: Hot Water, Baseboard/Radiato 0% Ave. SqFt/Story: 7000 Ave. Perimeter: 380 Has Elevators:			(10) Heating system: Hot Water, Baseboard/Radiators Cost/SqFt: 0.00 · 100% Adjusted Square Foot Cost for Upper Floors = 70.15 2 Stories Number of Stories Multiplier: 1.000 Average Height per Story: 10 Height per Story Multiplier: 0.960 Ave. Floor Area: 7,000 Perimeter: 380 Perim. Multiplier: 0.980 Refined Square Foot Cost for Upper Floors: 66.00					
Year Built Remodeled	*** Basement Info *** Area: Perimeter: Type: Finished/Office (No Rates) Heat: No Heating or Cooling			County Multiplier: 1.34, Final Square Foot Cost for Upper Floors = 88.436 Total Floor Area: 14,000 Base Cost New of Upper Floors = 1,238,106 Reproduction/Replacement Cost = 1,238,106 Eff.Age:55 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 37 /100/0 /100/0.0 Total Depreciated Cost = 0					
Overall Bldg Height	* Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates)								
Comments:	* Sprinkler Info * Area: Type: Average								

(1) Excavation/Site Prep:		(7) Interior:			(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:			Outlets:		Fixtures:	
X	Poured Conc	Brick/Stone	Block	Many Above Ave.	Average Typical	Few None	X	Few Average
(3) Frame:		Total Fixtures			Urinals	X	Many Average	Many Average
(4) Floor Structure:		3-Piece Baths			Wash Bowls	Unfinished	Unfinished	Unfinished
(5) Floor Cover:		2-Piece Baths			Water Heaters	Typical	Typical	Typical
(6) Ceiling:		Shower Stalls			Wash Fountains	Flex Conduit	Incandescent	(40) Exterior Wall:
		Toilets			Water Softeners	Rigid Conduit	Fluorescent	Thickness
		(9) Sprinklers:				Armored Cable	Mercury	Bsmnt Insul.
		(10) Heating and Cooling:				Non-Metallic	Sodium Vapor	
		X	Gas Oil	Coal Stoker	Hand Fired Boiler	Bus Duct	Transformer	
					(13) Roof Structure: Slope=0			
					(14) Roof Cover:			

*** Information herein deemed reliable but not guaranteed***

NORTH 8TH STREET



720 LUDINGTON STREET

Sketch by Apex Sketch

*** Information herein deemed reliable but not guaranteed***

Parcel Number: 051-490-2929-302-004

Jurisdiction: City of Escanaba

County: Delta

Printed on

05/28/2015

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
	KITCHEN	180,000	03/31/2005	WD	WD	799/574		0.0

Property Address	Class: Commercial OPRA,	Zoning:	Building Permit(s)	Date	Number	Status
720 LUDINGTON STREET	School: Escanaba Schools 21010					
Owner's Name/Address	P.R.E. 0%					
H2 DEVELOPMENT LLC 17674 OTSEGO PIKE BOWLING GREEN OH 43402	Map #:					
	2015 Est TCY 155,000 (Value Overridden)					

Improved	Vacant	Land Value Estimates for Land Table 246.OPRA					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Description	Frontage	Depth	Front Depth	Rate %Adj. Reason	Value
		0.00 Total Acres				Total Est. Land Value =	0

Taxpayer's Name/Address	Public Improvements	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
H2 DEVELOPMENT LLC 17674 OTSEGO PIKE BOWLING GREEN OH 43402	X Dirt Road X Gravel Road X Paved Road X Storm Sewer X Sidewalk X Water X Sewer X Electric X Gas X Curb X Street Lights Standard Utilities Underground Utils.	2015	77,500	0	77,500			77,500C
		2014	77,500	0	77,500			77,500S
		2013	77,500	0	77,500			77,500S
		2012	77,500	0	77,500			77,500S

Tax Description	Topography of Site
OBS PROP REHAB CERT 3-05-0027 BEG 12/31/05 END 12/30/17 AMT \$50000 - FROZEN TV FOR NON-SCHOOL OPRA DIST 1 Comments/Influences	X Level Rolling Low X High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain

Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
			2015	77,500	0	77,500			77,500C
			2014	77,500	0	77,500			77,500S
			2013	77,500	0	77,500			77,500S
			2012	77,500	0	77,500			77,500S

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Licensed To: City of Escanaba, County of Delta, Michigan

*** Information herein deemed reliable but not guaranteed***

Parcel Number: 051-492-2929-302-004

Jurisdiction: City of Escanaba

County: Delta

Printed on

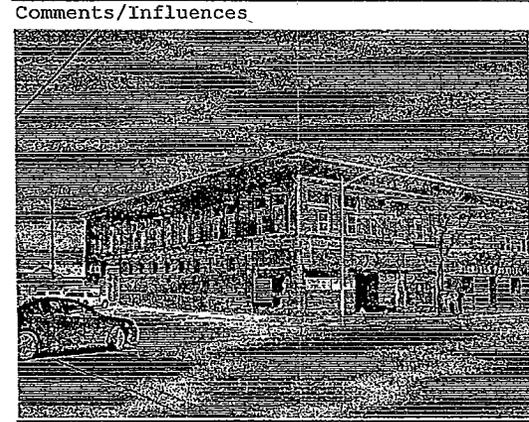
05/28/2015

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
	KITCHEN	180,000	03/31/2005	WD	WD	799/574		0.0

Property Address	Class: Commercial OPRA,	Zoning:	Building Permit(s)	Date	Number	Status
720 LUDINGTON STREET	School: Escanaba Schools 21010					
Owner's Name/Address	P.R.E. 0%					
H2 DEVELOPMENT LLC 17674 OTSEGO PIKE BOWLING GREEN OH 43402	Map #:	2015 Est TCV 195,107 TCV/TFA: 13.94				

Taxpayer's Name/Address	X Improved	Vacant	Land Value Estimates for Land Table 246.OPRA								
			Description	Frontage	Depth	Front	Depth	Rate %Adj.	Reason	Value	
H2 DEVELOPMENT LLC 17674 OTSEGO PIKE BOWLING GREEN OH 43402	X		Dirt Road	50.00	140.00	1.0000	1.0000	0	100	50 X 140	0
			Gravel Road	50 Actual Front Feet, 0.16 Total Acres							0
	X		Paved Road	Total Est. Land Value =							0
	X		Storm Sewer								
	X		Sidewalk								
	X		Water								
	X		Sewer								
	X		Electric								
	X		Gas								
	X		Curb								
	X		Street Lights								
			Standard Utilities								
			Underground Utils.								

Tax Description
 OBS PROP REHAB CERT 3-05-0027 BEG
 12/31/05 END 12/30/17 AMT \$50000 -
 NON-FROZEN TAXABLE VALUE FOR SCHOOL OP &
 SET - 1/2 SCH LEVY & SET FOR 6 YRS UNTIL
 12-30-11



Comments/Influences
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 Licensed To: City of Escanaba, County of
 Delta, Michigan

Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X	Level		2015	0	97,554	97,554			97,554S
	Rolling								
	Low								
X	High		2014	0	97,438	97,438			97,438S
	Landscaped								
	Swamp								
	Wooded		2013	0	109,923	109,923			109,923S
	Pond								
	Waterfront		2012	110,300	0	110,300			110,300S
	Ravine								
	Wetland								
	Flood Plain								

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: Calculator Occupancy: Shopping Center, Mixed w/Residential		<<<<< Calculator Cost Computations >>>>> Class: C-Mill Quality: Average Percent Adj: +0						
Class: C-Mill Floor Area: 14,000 Gross Bldg Area: 14,000 Stories Above Grd: 2 Average Sty Hght : 12 Bsmnt Wall Hght : 8		Construction Cost <table border="1"> <tr> <td>High</td> <td>Above Ave.</td> <td>X</td> <td>Ave.</td> <td>Low</td> </tr> </table> Base Rate for Upper Floors = 70.15 Storage (No Rates) Basement, Base Rate for Basement = 0.00		High	Above Ave.	X	Ave.	Low
High	Above Ave.	X	Ave.	Low				
Depr. Table : 2.25% Effective Age : 49 Physical %Good: 37 Func. %Good : 100 Economic %Good: 80		** ** Calculator Cost Data ** ** Quality: Average Adj: %+0 \$/SqFt:0.00 Heat#1: Zoned A.C. Warm & Cooled Air 100 Heat#2: No Heating or Cooling 0% Ave. SqFt/Story: 7000 Ave. Perimeter: 380 Has Elevators:						
1900 Year Built 2002 Remodeled		*** Basement Info *** Area: 7000 Perimeter: 380 Type: Storage (No Rates) Heat: No Heating or Cooling						
28 Overall Bldg Height		* Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates)						
Comments:		* Sprinkler Info * Area: Type: Average						
		(10) Heating system: Zoned A.C. Warm & Cooled Air Cost/SqFt: 2.65 100% Bsmnt Heating system: No Heating or Cooling Cost/SqFt: 0.00 Adjusted Square Foot Cost for Upper Floors = 72.80 Adjusted Square Foot Cost for Basement = 0.00 2 Stories Number of Stories Multiplier: 1.000 Average Height per Story: 12 Height per Story Multiplier: 1.000 Ave. Floor Area: 7,000 Perimeter: 380 Perim. Multiplier: 0.980 Basement Area: 7,000 Perimeter: 380 Basement Perim. Multiplier: 0.980 Basement Height: 8 Basement Height Multiplier: 0.920 Refined Square Foot Cost for Upper Floors: 71.34 Refined Square Foot Cost for Basement: 0.00 County Multiplier: 1.34, Final Square Foot Cost for Upper Floors = 95.601 for Basement = 0.000 Total Floor Area: 14,000 Base Cost New of Upper Floors = 1,338,413 Basement Area: 7,000 Base Cost New of Basement = 0 Reproduction/Replacement Cost = 1,338,413 Eff.Age:49 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 37 /100/100/80 /29.6 <<<<< Calculations too long. See Valuation printout for complete pricing. >>>>>						

(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:	
(2) Foundation:		(8) Plumbing:		Outlets:			
X	Poured Conc	Footings	Many Above Ave.	Average Typical	X	Few Average	
	Brick/Stone		Total Fixtures	Urinals	X	Many Average	
	Block		3-Piece Baths	Wash Bowls		Many Average	
(3) Frame:			2-Piece Baths	Water Heaters		Unfinished Typical	
(4) Floor Structure:			Shower Stalls	Wash Fountains		Unfinished Typical	
(5) Floor Cover:			Toilets	Water Softeners		Flex Conduit	
(6) Ceiling:						Rigid Conduit	
						Armored Cable	
						Non-Metallic	
						Bus Duct	
						Incandescent	
						Fluorescent	
						Mercury	
						Sodium Vapor	
						Transformer	
						(13) Roof Structure: Slope=0	
						(14) Roof Cover:	
						(40) Exterior Wall:	
						Thickness	Bsmnt Insul.

*** Information herein deemed reliable but not guaranteed***

NB-2(1-6) By Council Member Cheves, seconded by Council Member Nelson, that the consent agenda items be approved as proposed.

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

Ayes: Cheves, Nelson, Baribeau, Warstler, Evans
Nays: None

MOTION CARRIED.

OPRA Transfer


Resolution Approval – Transfer OPRA Certificate #03-05-0027 - District #1 – 720 Ludington Street.

The City of Escanaba granted an exemption for OPRA District #1 to Timothy Kitchen pursuant to a public hearing held on July 7, 2005, for a period of twelve (12) years ending December 30, 2017. On February 26, 2009, Mr. Kitchen transferred the property to Mr. Neal Hendrickson of H2 Development LLC, by a warranty deed. The prior owner and the current owner desired to continue the OPRA District #1 exemption and requested a resolution to approve the transfer of OPRA Certificate #03-05-0027 for the remaining term of the exemption, ending December 30, 2017.

NB-3 “By Council Member Cheves, seconded by Council Member Warstler;

**RESOLUTION TO APPROVE THE TRANSFER OF
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
NO. 03-05-0027 IN DISTRICT NO. 1**

Whereas, The City of Escanaba granted an exemption for OPRA District 1 to Timothy Kitchen pursuant to a public hearing held on July 7, 2005, for a period of twelve (12) years ending December 30, 2017; and

Whereas, Timothy Kitchen has transferred the property to Neal Hendrickson of H2 Development LLC, on February 26, 2009, by warranty deed; and

Whereas, The prior owner and the current owner desire to continue the OPRA District 1 exemption in the name of H2 Development LLC; and

Whereas, The exemption, if transferred, will end December 30, 2017;

Now, Therefore, Be It Resolved by the City Council of the City of Escanaba that Neal Hendrickson of H2 Development LLC

Be and hereby is granted the transfer of OPRA Cert. No. 03-05-0027 for the real property located in Obsolete Property Rehabilitation District No. 1 at 720 Ludington Street, for the remaining term of the exemption, ending December 30, 2017, pursuant to the provisions of PA 146 of 2000, as amended.

NB#3
06-5-15.

**A Resolution
In Opposition to
Senate Bill 282 and House Bill 4575**

WHEREAS, Michigan lawmakers are proposing to form a review board for the purpose of evaluating the benefits of building electrical transmission facilities seeking to increase the transmission capacity between the Lower Peninsula and the Upper Peninsula of Michigan; and

WHEREAS, Legislation proposes that Michigan consumers pay for the cost of transmission facilities that are intended to reduce the congestion of moving power between the Lower Peninsula and the Upper Peninsula of Michigan, without regard for cost causation and allocation principals ; and

WHEREAS, The U.P. Energy Shortfall is a result of generation retirements in the U.P. The current legislation assumes that interconnection of the peninsulas is the best solution without any consideration of available generation from the lower peninsula; and

WHEREAS, Current legislation disregards that many load centers in Wisconsin, Ohio, and Indiana are currently supplied with reliable, low cost power from another state, and transmission improvements have been made across state lines. Such legislation must acknowledge the potential for increased electrical rates by consumers not benefiting from the transmission additions.

WHEREAS, SB 282 and HB 4575 does not take into account the many economic and technical barriers that stand in the way of making a case that more transmission would reduce electric rates for Michigan customers. Any proposed project would have to meet the threshold of having lower revenue requirements for the new transmission compared to the projected congestion and loss savings of an entity having the opportunity to contract for lower cost power in the lower peninsula.; and

WHEREAS, MISO currently includes economic considerations in transmission planning studies and all stakeholders have the opportunity to provide input into the transmission planning process.

WHEREAS, Current legislation prescribes the makeup of the Board, which limits the expertise needed for a board tasked with making decisions regarding complex matters; and

WHEREAS, The tasks assigned to the board are very complex, which will require technological expertise. The board will not likely have the expertise to conduct these studies on their own, thus consultants or staff will be required, with no mechanism described for who pays for these costs; and

BE IT RESOLVED: That the City of Escanaba, City Council, stands in opposition to Senate Bill 282 and House Bill 4575, bills attempting to regulate the siting and construction of certain electric transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide certain fees for Michigan's long term electrical energy needs; and

THEREFORE BE IT RESOLVED, that a copy of this resolution be sent to all elected State Officials from the Upper Peninsula, to all members of the Senate and House Subcommittee's on Energy, all Upper Peninsula media outlets, and Governor Rick Snyder.

Ayes:

Nays:

DRAFT

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Work Session Meeting
Monday, May 11, 2015**

Pursuit to a special meeting notice posted April 28, 2015, the meeting was called to order by the Honorable Mayor Marc D. Tall at 12:13 p.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.

ADJUSTMENTS TO THE AGENDA

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

CONFLICT OF INTEREST DECLARATION – None

NEW BUSINESS

Discussion – Senate Bill 282 – Siting and Construction of Electric Transmission Lines – Senator Tom Casperson.

Senator Tom Casperson was present to discuss the intent and concept of Senate Bill 282, which was a bill to regulate the siting and construction of certain electric transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide certain fees for Michigan's long term electrical energy needs. During discussion, the following discussed topics included:

- Issue came to light during Upper Peninsula electrical rate discussions between Cliffs Natural Resources and Wisconsin-based energy company WE Energies, owner of the Presque Isle Power Plant;
- The Upper Peninsula rate issue was resolved when Cliffs Natural Resources agreed to purchase most of their power from Presque Isle Power Plant through 2020;
- The Upper Peninsula relies on Wisconsin Power, who govern the rates, which may not be a good idea. The bill addresses the Upper Peninsula's reliance of Wisconsin Power for transmission. Mr. Casperson suggested Michigan was better off with a Michigan solution;
- Senator Casperson advised talks with Michigan Lower Peninsula power providers have been positive, and stated costs would be spread out throughout

the State;

- It was suggested there were many unknowns about SB 282, especially the financial impacts to the residents of Escanaba;
- City Administration questioned the benefit of eliminating ATC and WE Energies, and joining another zone short on capacity. City Administration suggested Wisconsin would be looking out for their best interest, not the Upper Peninsula;
- Costs would be a long term solution and needed to be discussed with a panel if SB 282 was approved;
- Discussed the MISO modeling that determined costs and who could bid on the project;
- Discussed EPA's decision to shut down coal fired power plants, lower and upper Michigan plants;
- Discussed technical difficulties and proposed new sites;
- Discussed the realistic talk of providing power to the Upper Peninsula from lower power companies;
- City still needed further discussions on purchase of power for the future, and asked if the City would be able to opt out of SB 282.

GENERAL PUBLIC COMMENT

City resident Glendon Brown, and City Electrical Advisory Committee member, stated the City's current electrical energy provider was Nextra. He wanted Senator Casperson to remember that the large megawatt electrical plant in Gaylord was a peaking unit plant, and Appleton Wisconsin anticipated to be adding a large full cycling power plant. Mr. Brown concluded by saying the City of Escanaba was well served by American Transmission Company (ATC), and ATC was currently constructing the last component of electrical transmission into central Upper Peninsula.

ANNOUNCEMENTS

Mayor Tall proclaimed May 15-16, 2015, American Association of University Women (AAUW) Above the Bridge Days, and further acknowledged the Escanaba, Iron Mountain-Kingsford and Marquette AAUW members for all the work they are doing in the Upper Peninsula of Michigan for improving the lives of women and girls.

Hearing no further public comment, the Council adjourned at 12:58 p.m.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____

Marc D. Tall, Mayor

DRAFT 1
SUBSTITUTE FOR
SENATE BILL NO. 282

A bill to regulate the siting and construction of certain electric transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide for certain fees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan electric infrastructure act".

3 Sec. 2. As used in this act:

4 (a) "Board" means the Michigan electric infrastructure board
5 created in section 3.

6 (b) "Commission" means the Michigan public service commission



1 created in section 1 of 1939 PA 3, MCL 460.1.

2 (c) "Construction" means any substantial action constituting
3 placement or erection of the foundations, trenches, facilities,
4 equipment, or structures supporting a transmission line including,
5 but not limited to, the conductors, wires, or other equipment
6 attached to the structures. Construction does not include
7 preconstruction activity or the addition of circuits to an existing
8 transmission line.

9 (d) "Electric utility" means a person, partnership,
10 corporation, association, or other legal entity whose transmission
11 or distribution of electricity the commission regulates under 1909
12 PA 106, MCL 460.551 to 460.559, or 1939 PA 3, MCL 460.1 to 460.11.
13 Electric utility does not include an independent transmission
14 company.

15 (e) "Good cause" means an event or circumstance, whether or
16 not foreseeable, not caused by a qualified developer that prevents
17 the qualified developer from complying with an obligation under
18 this act. Good cause does not include a strike or other labor
19 unrest that affects only the qualified developer, an increase in
20 prices or other change in general economic conditions, or a change
21 in law or regulations.

22 (f) "Independent transmission company" means that term as
23 defined in section 2 of the electric transmission line
24 certification act, 1995 PA 30, MCL 460.562.

25 (g) "Municipality" means a city, township, or village.

26 (h) "Notice to construct" means a notice issued by the board
27 granting an entity the sole right to construct a transmission line



1 until the notice to construct expires.

2 (i) "Preconstruction activity" means that term as defined in
3 section 2 of the electric transmission line certification act, 1995
4 PA 30, MCL 460.562.

5 (j) "Qualified developer" means an entity that demonstrates
6 all of the following:

7 (i) A commitment to support and advocate for the
8 implementation of 1 resource adequacy zone that includes both the
9 Upper and Lower Peninsulas of this state.

10 (ii) That the entity has owned and operated a transmission
11 line in this state within the Midcontinent Independent System
12 Operator footprint for at least 5 years.

13 (iii) That the entity has been registered with the North
14 American Electric Reliability Corporation as a transmission owner,
15 transmission operator, and transmission planner for the 5 years
16 before a proposal is submitted under section 5.

17 (iv) That the entity has complied with the North American
18 Electric Reliability Corporation registration requirements and
19 regional entity reliability standards for the 5 years before a
20 proposal is submitted under section 5.

21 (k) "Resource adequacy zone" means a geographic area, defined
22 by a regional transmission organization, for which there must be
23 access to sufficient total generation capacity, both internal and
24 importable into the zone, to serve load in accordance with the
25 regional transmission organization's requirements.

26 (l) "Route" means real property or other infrastructure on or
27 across which a transmission line is constructed or proposed to be



1 constructed.

2 (m) "Transmission line" means all structures, equipment, and
3 real property necessary to transfer electricity at system bulk
4 supply voltage of 100 kilovolts or more.

5 (n) "Utility corridor" means the geographic area necessary to
6 accommodate the construction and operation of 1 or more electric
7 transmission or distribution lines.

8 Sec. 3. (1) The Michigan electric infrastructure board is
9 created within the department of licensing and regulatory affairs.
10 The board shall consist of 7 members, appointed by the governor as
11 follows:

12 (a) One individual to serve as chairperson of the board.

13 (b) One individual representing the department of
14 environmental quality.

15 (c) One individual representing the department of natural
16 resources.

17 (d) One individual representing the Michigan economic
18 development corporation.

19 (e) One individual representing the technical staff of the
20 commission.

21 (f) One resident of the Upper Peninsula.

22 (g) One resident of the Lower Peninsula.

23 (2) The members initially appointed under subsection (1) shall
24 be appointed within 30 days after the effective date of this act.

25 (3) The board shall exercise its powers, duties, and decision-
26 making authority independently of the commission or any agency.

27 (4) The board shall consider the following goals in exercising



1 its powers, duties, and decision-making authority under this act:

2 (a) Providing adequate resources to electric consumers in this
3 state through the construction of transmission infrastructure that
4 will reduce congestion and energy prices in this state.

5 (b) Providing for additional transmission capacity in this
6 state.

7 (c) Providing reliable and efficient operation of the
8 integrated electrical transmission system in this state.

9 (d) Supporting this state's energy policy goals.

10 Sec. 5. (1) Within 30 days of the initial appointment of the
11 board under section 3, the board shall publish a list of counties
12 within this state that include transmission facilities with
13 transmission constraints that limit the transfer of electricity
14 within this state that would prevent the state from becoming a
15 single electricity resource adequacy zone within the Midcontinent
16 Independent System Operator footprint in this state.

17 (2) Within 150 days after the board publishes the list under
18 subsection (1), the board shall submit a report to the legislature
19 and the governor regarding the overall expected cost-benefit of
20 construction of a transmission line, including actions that could
21 be taken to increase the benefits or decrease the cost of that
22 transmission line. The board shall consider nonquantifiable
23 benefits to this state in its report. The report shall include a
24 recommendation of whether to proceed with the process described in
25 subsection (3).

26 (3) Within 60 days after the board submits a report under
27 subsection (2), the board shall decide whether to proceed in a



1 request for proposals process for the new transmission line. If the
2 board determines to proceed with a request for proposals process,
3 the board shall request interested entities to submit proposals
4 identifying any proposed transmission line necessary to do any of
5 the following:

6 (a) Provide additional transmission capacity to the geographic
7 areas of this state that include the counties identified in
8 subsection (1), reduce congestion, constraints, and losses on the
9 electrical system in this state, and reduce the overall cost of
10 delivered energy in this state.

11 (b) Ensure the deliverability of generation resources both
12 internal and external to this state to loads throughout this state
13 for purposes of resource adequacy.

14 (c) Facilitate generation resource diversification.

15 (d) Increase the electrical connectivity between the Upper and
16 Lower Peninsulas of this state beyond the capability provided by
17 the 2 circuits connecting the Upper and Lower Peninsulas of this
18 state existing on the effective date of this act by adding
19 additional circuitry beyond the normal power carrying capacity of
20 these circuits to enable the formation of 1 resource adequacy zone
21 within the Midcontinent Independent System Operator footprint in
22 this state.

23 (4) Any proposals submitted under subsection (2) must include
24 all of the following:

25 (a) A preliminary cost estimate for the identified
26 transmission line.

27 (b) An analysis of the estimated cost impact to retail



1 ratepayers if the cost of the transmission line were allocated to
2 all retail electric customers located in the Midcontinent
3 Independent System Operator footprint in this state.

4 (c) Any benefits associated with the transmission line.

5 (d) A statement from the entity submitting the proposal that
6 indicates why that entity is a qualified developer.

7 (5) After receiving a proposal under subsection (2), the board
8 shall determine whether an interested entity is a qualified
9 developer. In determining whether to recommend construction of the
10 proposed transmission line, the board shall consider whether the
11 entity has demonstrated all of the following:

12 (a) A commitment to support and advocate for the
13 implementation of a resource adequacy zone that includes both the
14 Upper and Lower Peninsulas of this state.

15 (b) Managerial expertise and capability.

16 (c) Technical and engineering qualifications and experience in
17 the design, construction, operation, and maintenance of
18 transmission lines.

19 (d) Financial strength and capability, as demonstrated by all
20 of the following:

21 (i) That the entity has an investment grade credit rating from
22 a nationally recognized statistical rating organization.

23 (ii) That the entity has access to capital markets.

24 (iii) That the entity has the ability to cover losses
25 resulting from damage to or failure of any part of the facilities
26 of the transmission line in the normal course of business or
27 financial strategy and experience to facilitate timely replacements



1 or rebuilds as a result of catastrophic destruction or natural
2 aging.

3 (e) Transmission planning expertise and capability, as
4 demonstrated by all of the following:

5 (i) That the entity has qualified engineers responsible for
6 planning functions.

7 (ii) The entity's prior experience in multiple regional
8 transmission organization planning processes.

9 (iii) The entity's experience in planning transmission lines
10 with a voltage level of at least 138 kilovolts.

11 (iv) The entity's experience in complying with transmission
12 planning criteria and guidelines, including those relevant to
13 interconnection with existing facilities.

14 (v) The entity's experience in addressing public concerns
15 regarding transmission lines.

16 (f) Construction expertise and capability, as demonstrated by
17 all of the following:

18 (i) The entity's history of successful construction of
19 transmission lines at voltage levels of at least 138 kilovolts.

20 (ii) The entity's ability to meet a schedule for the
21 development and completion of the transmission line consistent with
22 the identified date by which the project is recommended.

23 (iii) The entity's demonstrated ability to construct projects
24 in accordance with project budgets.

25 (iv) The entity's experience in acquiring rights-of-way to
26 facilitate approval and construction of transmission lines.

27 (v) The entity's land acquisition experience.



1 (vi) The entity's permitting and siting experience.

2 (vii) Whether the entity has a sufficiently sized skilled
3 workforce.

4 (viii) The entity's established supply chain and vendor
5 relationships.

6 (g) Operations and maintenance capability, as demonstrated by
7 all of the following:

8 (i) The entity's performance on benchmarking studies in the
9 areas of reliability, storm response, and safety.

10 (ii) Whether the entity has been registered with the North
11 American Electric Reliability Corporation as a transmission owner,
12 transmission operator, and transmission planner for the 5 years
13 before a proposal is submitted under subsection (2).

14 (iii) The entity's compliance with the North American Electric
15 Reliability Corporation registration requirements and regional
16 entity reliability standards for the 5 years before a proposal is
17 submitted under subsection (2).

18 (iv) Ownership training, certification, and operations center
19 experience.

20 (v) Operation of diverse equipment types, including poles,
21 conduits, insulators, and transformers.

22 (vi) Sufficiently sized skilled workforce.

23 (vii) Sufficient capabilities and competencies to perform
24 operations, maintenance, testing, inspection, repair, and
25 replacement tasks including outage response, switching, emergency
26 repairs, preventative or predictive maintenance, management of
27 spare equipment, real-time operations monitoring and control



1 capabilities, and major facility replacements or rebuilds.

2 (viii) Capability to maintain real-time reliability of the
3 electric transmission system, ensuring comparable and
4 nondiscriminatory transmission access and necessary services,
5 minimizing system congestion, and further addressing real or
6 potential transmission constraints.

7 (ix) Intention to construct, own, operate, and maintain an
8 electric transmission facility that is under consideration by an
9 applicable regional transmission organization.

10 (x) Established supply chain and vendor relationships.

11 (h) Exemplary corporate citizenship, as demonstrated by all of
12 the following:

13 (i) Community outreach.

14 (ii) Communication and information-sharing during all phases
15 of transmission line development, construction, and operation.

16 (iii) Civic contributions to regional, state, and local
17 communities.

18 (iv) Whether the transmission entity operates under policies
19 that promote positive performance designed to satisfy the
20 electricity requirements of customers.

21 (v) A dedicated customer service department.

22 (6) Within 120 days after receiving a proposal from a
23 qualified developer under subsection (2), the board shall issue a
24 letter to the qualified developer either rejecting the
25 qualifications or recommendations of the qualified developer in
26 full, requesting that the qualified developer provide more
27 information, or recommending the construction of the proposed



1 transmission line. The board shall not recommend construction of
2 the proposed transmission line if the proposal materially and
3 negatively alters the cost-benefit assumptions in the board's
4 report issued under subsection (2). If the board requests more
5 information under this subsection, the board shall, within 45 days
6 of receiving that information from a qualified developer, either
7 reject the recommendations or recommend construction of the
8 proposed transmission line. If the board issues a letter
9 recommending construction of a proposed transmission line, the
10 qualified developer receiving the letter shall, within 30 days
11 after the board issues the letter, submit an expression of interest
12 in constructing the transmission line identified by the board. If
13 the qualified developer does not submit an expression of interest
14 within 30 days after the board issues a letter under this
15 subsection, the board may issue a new request for submission of
16 proposals under subsection (2). Within 7 days after a qualified
17 developer has submitted an expression of interest, the board shall
18 issue the qualified developer that submitted the expression of
19 interest a notice to construct.

20 (7) The board may take any actions necessary and appropriate
21 to support a transmission line for which a notice to construct has
22 been issued, including coordination with the Midcontinent
23 Independent System Operator, supporting any out-of-cycle review
24 request, execution of any contracts or agreements, and preparation,
25 submission, and support for filings related to that project before
26 the Federal Energy Regulatory Commission or any other regulatory
27 body.



1 (8) The board shall initially give priority to proposals for a
2 transmission line that accomplishes the purpose stated in
3 subsection (2) (d).

4 (9) A document submitted to the board under this section is
5 not subject to disclosure under the freedom of information act,
6 1976 PA 442, MCL 15.231 to 15.246. The business that the board may
7 perform shall be conducted at a public meeting of the board held in
8 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to
9 15.275.

10 Sec. 6. (1) Within 60 days after receiving a notice to
11 construct under section 5, a qualified developer shall submit any
12 necessary documents to the Midcontinent Independent System Operator
13 or other applicable regional transmission organization for any
14 required review and approval.

15 (2) Within 120 days after obtaining any required reviews and
16 approvals from the Midcontinent Independent System Operator or
17 other applicable regional transmission organization, the qualified
18 developer shall apply to the commission for an expedited siting
19 certificate under this act. If a qualified developer does not apply
20 to the commission within 120 days after obtaining any required
21 reviews and approvals from the applicable regional transmission
22 organization, the commission shall revoke the notice to construct
23 and the board may solicit expressions of interest for the
24 transmission line project under section 5. The commission may waive
25 the 120-day time limit if it determines the qualified developer had
26 good cause for failing to apply to the commission for an expedited
27 siting certificate within 120 days.



1 (3) A qualified developer shall include all of the following
2 in an application for an expedited siting certificate:

3 (a) Evidence that the applicant obtained a notice to construct
4 for the transmission line under section 5.

5 (b) The planned date to begin construction of the proposed
6 transmission line.

7 (c) A detailed description, route, and expected configuration
8 and use of the proposed transmission line.

9 (d) Information indicating that the proposed transmission line
10 will comply with all applicable state and federal environmental
11 standards, laws, and rules.

12 (e) A description and evaluation of 1 or more alternate
13 transmission line routes for the proposed transmission line, and a
14 statement of why the proposed route was selected.

15 (f) If a zoning ordinance prohibits or regulates the location
16 or development of any portion of the proposed route, a description
17 of the location and manner in which the zoning ordinance prohibits
18 or regulates the location or construction of the proposed route.

19 (g) Other information reasonably required by commission rules.

20 (4) After applying for an expedited siting certificate, an
21 applicant shall give public notice in the manner and form the
22 commission prescribes of an opportunity to participate in a
23 contested case under subsection (5) regarding the application.
24 Notice shall be published in a newspaper of general circulation in
25 the municipalities through which the proposed transmission line
26 project would run within 14 days after an application is submitted
27 to the commission under subsection (2). The notice shall be sent to



1 each affected municipality and each affected landowner on whose
2 property a portion of the proposed transmission line will be
3 constructed. The notice shall be written in plain, nontechnical,
4 and easily understood terms and contain a title that includes the
5 name of the applicant and the words "Notice of Intent to Construct
6 a Transmission Line".

7 (5) The commission shall conduct a proceeding on an
8 application for an expedited siting certificate as a contested case
9 under the administrative procedures act of 1969, 1969 PA 306, MCL
10 24.201 to 24.328. Upon receiving an application for a certificate,
11 the commission shall grant each affected municipality and each
12 affected landowner full intervener status as of right in commission
13 proceedings concerning the proposed transmission line.

14 (6) The commission shall grant an expedited siting certificate
15 under this act if the commission determines that all of the
16 following requirements are met:

17 (a) The applicant has received a notice to construct for the
18 proposed transmission line under section 5.

19 (b) The proposed transmission line does not represent an
20 unreasonable threat to the public convenience, health, and safety.

21 (c) The proposed or alternate route to be authorized by the
22 expedited siting certificate is feasible and reasonable.

23 (7) If the commission grants an expedited siting certificate
24 for a transmission line under this act, the certificate takes
25 precedence over a conflicting local ordinance, law, rule,
26 regulation, policy, or practice that prohibits or regulates the
27 location or construction of the transmission line. A zoning



1 ordinance or limitation imposed after a qualified developer applied
2 for an expedited siting certificate does not limit or impair the
3 transmission line's construction, operation, or maintenance.

4 (8) In an eminent domain or other related proceeding arising
5 out of or related to a transmission line for which an expedited
6 siting certificate is issued under this act, an expedited siting
7 certificate issued under this act is conclusive and binding as to
8 the public convenience and necessity for that transmission line and
9 the transmission line's compatibility with the public health and
10 safety or any zoning or land use requirements in effect when the
11 application was filed.

12 (9) The commission shall grant or deny an expedited siting
13 certificate within 180 days after receiving an application under
14 this section.

15 Sec. 8. If a transmission line constructed under this act is
16 located within an existing utility corridor owned by an electric
17 utility or independent transmission company other than the
18 qualified developer constructing the transmission line, in addition
19 to any fees or payments related to acquiring the rights to use the
20 utility corridor, the qualified developer constructing the
21 transmission line under this act shall make a 1-time payment to the
22 electric utility or independent transmission company owning that
23 corridor. The payment shall be equal to 50% of the tax assessed to
24 the electric utility or independent transmission company in the
25 prior tax year under the general property tax act, 1893 PA 206, MCL
26 211.1 to 211.155, for the utility corridor in which the
27 transmission line constructed under this act is located.



1 Sec. 9. (1) The costs of a transmission line for which a
2 notice to construct is issued under this act shall be allocated to
3 all retail electric customers located in the Midcontinent
4 Independent System Operator footprint within this state.

5 (2) The revenue requirement for a transmission line for which
6 a notice to construct is issued shall be calculated pursuant to the
7 open access transmission, energy and operating reserve markets
8 tariff administered by the Midcontinent Independent System
9 Operator.

10 (3) The board shall cooperate with the recipient of the notice
11 to construct, the commission, and the Midcontinent Independent
12 System Operator in making any filings necessary to implement the
13 cost allocation established in this section.

14 Sec. 10. The commission shall issue a report to the governor
15 and the legislature on or before the first Monday of March of each
16 year. The report shall include all of the following:

17 (a) A summary of the impact of this act.

18 (b) A list of any transmission lines constructed or approved
19 under this act during the previous year.

20 Sec. 11. Except for a transmission line for which another
21 entity holds a valid notice to construct that has not expired under
22 this act, this act does not prohibit an entity from constructing a
23 transmission line without obtaining an expedited siting
24 certificate.

25 Sec. 12. (1) A commission order relating to any matter
26 provided for under this act is subject to review as provided in
27 section 26 of 1909 PA 300, MCL 462.26.



1 (2) In administering this act, the commission has only those
2 powers and duties granted to it under this act.

3 Sec. 13. This act does not confer the power of eminent domain.

4 Enacting section 1. This act takes effect 90 days after the
5 date it is enacted into law.



HOUSE BILL No. 4575

May 12, 2015, Introduced by Reps. Cole, Chatfield, Lucido, Glenn, Kivela, LaFontaine, Webber, Barrett, Inman, Potvin, McBroom, Rendon, Johnson, Pettalia, Crawford, Hovey-Wright, Brunner, LaVoy, Plawecki, Byrd, Moss, Santana, Victory, Lane, Derek Miller, Garrett, Nesbitt, Franz, Bumstead, Jacobsen, Brett Roberts, Outman, Sheppard, Hughes, Maturen and Kosowski and referred to the Committee on Energy Policy.

A bill to regulate the siting and construction of certain electric transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide for certain fees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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3 Sec. 2. As used in this act:

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2 placement or erection of the foundations, trenches, facilities,
3 equipment, or structures supporting a transmission line including,
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5 attached to the structures. Construction does not include
6 preconstruction activity or the addition of circuits to an existing
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9 corporation, association, or other legal entity whose transmission
10 or distribution of electricity the commission regulates under 1909
11 PA 106, MCL 460.551 to 460.559, or 1939 PA 3, MCL 460.1 to 460.11.
12 Electric utility does not include an independent transmission
13 company.

14 (e) "Good cause" means an event or circumstance, whether or
15 not foreseeable, not caused by a qualified developer that prevents
16 the qualified developer from complying with an obligation under
17 this act. Good cause does not include a strike or other labor
18 unrest that affects only the qualified developer, an increase in
19 prices or other change in general economic conditions, or a change
20 in law or regulations.

21 (f) "Independent transmission company" means that term as
22 defined in section 2 of the electric transmission line
23 certification act, 1995 PA 30, MCL 460.562.

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25 (h) "Notice to construct" means a notice issued by the board
26 granting an entity the sole right to construct a transmission line
27 until the notice to construct expires.

1 (i) "Preconstruction activity" means that term as defined in
2 section 2 of the electric transmission line certification act, 1995
3 PA 30, MCL 460.562.

4 (j) "Qualified developer" means either of the following:

5 (i) An independent transmission company that commits to
6 support and advocate for the implementation of 1 resource adequacy
7 zone that includes both the Upper and Lower Peninsulas of this
8 state.

9 (ii) An entity that the board determines meets all of the
10 criteria stated in section 5(4).

11 (k) "Resource adequacy zone" means a geographic area, defined
12 by a regional transmission organization, for which there must be
13 access to sufficient total generation capacity, both internal and
14 importable into the zone, to serve load in accordance with the
15 regional transmission organization's requirements.

16 (l) "Route" means real property or other infrastructure on or
17 across which a transmission line is constructed or proposed to be
18 constructed.

19 (m) "Transmission line" means all structures, equipment, and
20 real property necessary to transfer electricity at system bulk
21 supply voltage of 100 kilovolts or more.

22 (n) "Utility corridor" means the geographic area necessary to
23 accommodate the construction and operation of 1 or more electric
24 transmission or distribution lines.

25 Sec. 3. (1) The Michigan electric infrastructure board is
26 created within the department of licensing and regulatory affairs.
27 The board shall consist of 7 members, appointed by the governor as

1 follows:

2 (a) One individual representing the department of
3 environmental quality.

4 (b) One individual representing the department of natural
5 resources.

6 (c) One individual representing the state energy office.

7 (d) One individual representing the Michigan economic
8 development corporation.

9 (e) One individual representing the technical staff of the
10 commission.

11 (f) One resident of the Upper Peninsula.

12 (g) One resident of the Lower Peninsula.

13 (2) The members initially appointed under subsection (1) shall
14 be appointed within 30 days after the effective date of this act.

15 (3) The board shall exercise its powers, duties, and decision-
16 making authority independently of the commission.

17 (4) The board shall ensure that adequate resources will be
18 able to reach electric consumers in this state through the
19 construction of transmission infrastructure that will reduce
20 congestion and energy prices in this state, provide for additional
21 transmission capacity in this state, ensure reliable and efficient
22 operation of the integrated electrical transmission system in this
23 state, and support this state's energy policy goals.

24 Sec. 5. (1) Within 30 days of the initial appointment of the
25 board under section 3, the board shall publish a list of counties
26 within this state that contain transmission facilities on which
27 constraints have caused congestion in the 5 years preceding the

1 publication of that list, leading to increased electricity prices.

2 (2) Within 60 days after the board publishes the list under
3 subsection (1), the board shall request interested entities to
4 submit proposals identifying any proposed transmission line
5 necessary to do any of the following:

6 (a) Provide additional transmission capacity to the geographic
7 areas of this state that include the counties identified in
8 subsection (1), reduce congestion, constraints, and losses on the
9 electrical system in this state, and reduce the overall cost of
10 delivered energy in this state.

11 (b) Ensure the deliverability of generation resources both
12 internal and external to this state to loads throughout this state
13 for purposes of resource adequacy.

14 (c) Facilitate generation resource diversification.

15 (d) Increase the electrical connectivity between the Upper and
16 Lower Peninsulas of this state beyond the capability provided by
17 the 2 circuits connecting the Upper and Lower Peninsulas of this
18 state existing on the effective date of this act by adding
19 additional circuitry beyond the normal power carrying capacity of
20 these circuits to enable the formation of 1 resource adequacy zone
21 within the Midcontinent Independent System Operator footprint in
22 this state.

23 (3) Any proposals submitted under subsection (2) must include
24 all of the following:

25 (a) A preliminary cost estimate for the identified
26 transmission line.

27 (b) An analysis of the estimated cost impact to retail

1 ratepayers if the cost of the transmission line were allocated to
2 all retail electric customers located in the Midcontinent
3 Independent System Operator footprint in this state.

4 (c) Any benefits associated with the transmission line.

5 (d) A statement from the entity submitting the proposal that
6 indicates why that entity is a qualified developer.

7 (4) After receiving a proposal under subsection (2), the board
8 shall determine whether an interested entity is a qualified
9 developer. To be considered a qualified developer, an entity must
10 be an independent transmission company or must demonstrate all of
11 the following:

12 (a) A commitment to support and advocate for the
13 implementation of a resource adequacy zone that includes both the
14 Upper and Lower Peninsulas of this state.

15 (b) Managerial expertise and capability, as demonstrated by
16 all of the following:

17 (i) A history of singular corporate focus on transmission.

18 (ii) The continuous operation of a networked transmission
19 system in this state during the 5 years before a proposal is
20 submitted under subsection (2).

21 (iii) A governance structure or control of the entity that is
22 independent of the users of the transmission facilities, and that
23 no member of the entity's board of directors has an affiliation
24 with a user of the transmission facilities or with an affiliate of
25 a user during the member's tenure on the board, that would unduly
26 affect the entity's performance. As used in this subparagraph,
27 "user" means any entity or affiliate of that entity that buys or

1 sells electricity in the entity's region or in a neighboring
2 region.

3 (iv) Technical and engineering qualifications and experience
4 in the design, construction, operation, and maintenance of
5 transmission lines.

6 (c) Financial strength and capability, as demonstrated by all
7 of the following:

8 (i) That securities of that entity have been issued through an
9 initial public offering.

10 (ii) That the entity has securities traded on at least 1 stock
11 exchange or in the over-the-counter market.

12 (iii) That the entity has a registration statement on file
13 with the federal Securities and Exchange Commission.

14 (iv) That the entity has an investment grade credit rating
15 from a nationally recognized statistical rating organization.

16 (v) That the entity has access to capital markets.

17 (vi) That the entity has the ability to cover losses resulting
18 from damage to or failure of any part of the facilities of the
19 transmission line in the normal course of business or financial
20 strategy and experience to facilitate timely replacements or
21 rebuilds as a result of catastrophic destruction or natural aging.

22 (d) Transmission planning expertise and capability, as
23 demonstrated by all of the following:

24 (i) That the entity has qualified engineers responsible for
25 planning functions.

26 (ii) The entity's prior experience in multiple regional
27 transmission organization planning processes.

1 (iii) The entity's experience in planning transmission lines
2 with a voltage level of at least 300 kilovolts.

3 (iv) The entity's experience in complying with transmission
4 planning criteria and guidelines, including those relevant to
5 interconnection with existing facilities.

6 (v) The entity's experience in addressing public concerns
7 regarding transmission lines.

8 (e) Construction expertise and capability, as demonstrated by
9 all of the following:

10 (i) The entity's history of successful construction of
11 transmission lines at voltage levels of at least 300 kilovolts.

12 (ii) The entity's ability to meet a schedule for the
13 development and completion of the transmission line consistent with
14 the identified date by which the project is needed.

15 (iii) The entity's demonstrated ability to construct projects
16 in accordance with project budgets.

17 (iv) The entity's experience in acquiring rights-of-way to
18 facilitate approval and construction of transmission lines.

19 (v) The entity's land acquisition experience.

20 (vi) The entity's permitting and siting experience.

21 (vii) Whether the entity has a sufficiently sized skilled
22 workforce.

23 (viii) The entity's established supply chain and vendor
24 relationships.

25 (f) Operations and maintenance capability, as demonstrated by
26 all of the following:

27 (i) The entity's performance on benchmarking studies in the

1 areas of reliability, storm response, and safety.

2 (ii) Whether the entity has been registered with the North
3 American Electric Reliability Corporation as a transmission owner,
4 transmission operator, and transmission planner for the 5 years
5 before a proposal is submitted under subsection (2).

6 (iii) The entity's compliance with the North American Electric
7 Reliability Corporation registration requirements and regional
8 entity reliability standards for the 5 years before a proposal is
9 submitted under subsection (2).

10 (iv) Ownership training, certification, and operations center
11 experience.

12 (v) Operation of diverse equipment types, including poles,
13 conduits, insulators, and transformers.

14 (vi) Sufficiently sized skilled workforce.

15 (vii) Sufficient capabilities and competencies to perform
16 operations, maintenance, testing, inspection, repair, and
17 replacement tasks including outage response, switching, emergency
18 repairs, preventative or predictive maintenance, management of
19 spare equipment, real-time operations monitoring and control
20 capabilities, and major facility replacements or rebuilds.

21 (viii) Capability to maintain real-time reliability of the
22 electric transmission system, ensuring comparable and
23 nondiscriminatory transmission access and necessary services,
24 minimizing system congestion, and further addressing real or
25 potential transmission constraints.

26 (ix) Intention to construct, own, operate, and maintain an
27 electric transmission facility that is under consideration by an

1 applicable regional transmission organization.

2 (x) Established supply chain and vendor relationships.

3 (g) Exemplary corporate citizenship, as demonstrated by all of
4 the following:

5 (i) Community outreach.

6 (ii) Communication and information-sharing during all phases
7 of transmission line development, construction, and operation.

8 (iii) Civic contributions to regional, state, and local
9 communities.

10 (iv) Whether the transmission entity operates under policies
11 that promote positive performance designed to satisfy the
12 electricity requirements of customers.

13 (v) A dedicated customer service department.

14 (5) Within 120 days after receiving a proposal from a
15 qualified developer under subsection (2), the board shall issue a
16 letter to the qualified developer either rejecting the
17 qualifications or recommendations of the qualified developer in
18 full, requesting that the qualified developer provide more
19 information, or recommending the construction of the proposed
20 transmission line. If the board requests more information under
21 this subsection, the board shall, within 45 days of receiving that
22 information from a qualified developer, either reject the
23 recommendations or recommend construction of the proposed
24 transmission line. If the board issues a letter recommending
25 construction of a proposed transmission line, the qualified
26 developer receiving the letter shall, within 30 days after the
27 board issues the letter, submit an expression of interest in

1 constructing the transmission line identified by the board. If the
2 qualified developer does not submit an expression of interest
3 within 30 days after the board issues a letter under this
4 subsection, the board may issue a new request for submission of
5 proposals under subsection (2). Within 7 days after a qualified
6 developer has submitted an expression of interest, the board shall
7 issue the qualified developer that submitted the expression of
8 interest a notice to construct.

9 (6) The board may take any actions necessary and appropriate
10 to support a transmission line for which a notice to construct has
11 been issued, including coordination with the Midcontinent
12 Independent System Operator, supporting any out-of-cycle review
13 request, execution of any contracts or agreements, and preparation,
14 submission, and support for filings related to that project before
15 the Federal Energy Regulatory Commission or any other regulatory
16 body.

17 (7) The board shall initially give priority to proposals for a
18 transmission line that accomplishes the purpose stated in
19 subsection (2) (d).

20 (8) A document submitted to the board under this section is
21 not subject to disclosure under the freedom of information act,
22 1976 PA 442, MCL 15.231 to 15.246. The business that the board may
23 perform shall be conducted at a public meeting of the board held in
24 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to
25 15.275.

26 Sec. 6. (1) Within 60 days after receiving a notice to
27 construct under section 5, a qualified developer shall submit any

1 necessary documents to the Midcontinent Independent System Operator
2 or other applicable regional transmission organization for any
3 required review and approval.

4 (2) Within 120 days after obtaining any required reviews and
5 approvals from the Midcontinent Independent System Operator or
6 other applicable regional transmission organization, the qualified
7 developer shall apply to the commission for an expedited siting
8 certificate under this act. If a qualified developer does not apply
9 to the commission within 120 days after obtaining any required
10 reviews and approvals from the applicable regional transmission
11 organization, the commission shall revoke the notice to construct
12 and the board may solicit expressions of interest for the
13 transmission line project under section 5. The commission may waive
14 the 120-day time limit if it determines the qualified developer had
15 good cause for failing to apply to the commission for an expedited
16 siting certificate within 120 days.

17 (3) A qualified developer shall include all of the following
18 in an application for an expedited siting certificate:

19 (a) Evidence that the applicant obtained a notice to construct
20 for the transmission line under section 5.

21 (b) The planned date to begin construction of the proposed
22 transmission line.

23 (c) A detailed description, route, and expected configuration
24 and use of the proposed transmission line.

25 (d) Information indicating that the proposed transmission line
26 will comply with all applicable state and federal environmental
27 standards, laws, and rules.

1 (e) A description and evaluation of 1 or more alternate
2 transmission line routes for the proposed transmission line, and a
3 statement of why the proposed route was selected.

4 (f) If a zoning ordinance prohibits or regulates the location
5 or development of any portion of the proposed route, a description
6 of the location and manner in which the zoning ordinance prohibits
7 or regulates the location or construction of the proposed route.

8 (g) Other information reasonably required by commission rules.

9 (4) After applying for an expedited siting certificate, an
10 applicant shall give public notice in the manner and form the
11 commission prescribes of an opportunity to participate in a
12 contested case under subsection (5) regarding the application.
13 Notice shall be published in a newspaper of general circulation in
14 the municipalities through which the proposed transmission line
15 project would run within 14 days after an application is submitted
16 to the commission under subsection (2). The notice shall be sent to
17 each affected municipality and each affected landowner on whose
18 property a portion of the proposed transmission line will be
19 constructed. The notice shall be written in plain, nontechnical,
20 and easily understood terms and contain a title that includes the
21 name of the applicant and the words "Notice of Intent to Construct
22 a Transmission Line".

23 (5) The commission shall conduct a proceeding on an
24 application for an expedited siting certificate as a contested case
25 under the administrative procedures act of 1969, 1969 PA 306, MCL
26 24.201 to 24.328. Upon receiving an application for a certificate,
27 the commission shall grant each affected municipality and each

1 affected landowner full intervener status as of right in commission
2 proceedings concerning the proposed transmission line.

3 (6) The commission shall grant an expedited siting certificate
4 under this act if the commission determines that all of the
5 following requirements are met:

6 (a) The applicant has received a notice to construct for the
7 proposed transmission line under section 5.

8 (b) The proposed transmission line does not represent an
9 unreasonable threat to the public convenience, health, and safety.

10 (c) The proposed or alternate route to be authorized by the
11 expedited siting certificate is feasible and reasonable.

12 (7) If the commission grants an expedited siting certificate
13 for a transmission line under this act, the certificate takes
14 precedence over a conflicting local ordinance, law, rule,
15 regulation, policy, or practice that prohibits or regulates the
16 location or construction of the transmission line. A zoning
17 ordinance or limitation imposed after a qualified developer applied
18 for an expedited siting certificate does not limit or impair the
19 transmission line's construction, operation, or maintenance.

20 (8) In an eminent domain or other related proceeding arising
21 out of or related to a transmission line for which an expedited
22 siting certificate is issued under this act, an expedited siting
23 certificate issued under this act is conclusive and binding as to
24 the public convenience and necessity for that transmission line and
25 the transmission line's compatibility with the public health and
26 safety or any zoning or land use requirements in effect when the
27 application was filed.

1 (9) The commission shall grant or deny an expedited siting
2 certificate within 180 days after receiving an application under
3 this section.

4 Sec. 8. If a transmission line constructed under this act is
5 located within an existing utility corridor owned by an electric
6 utility or independent transmission company other than the
7 qualified developer constructing the transmission line, in addition
8 to any fees or payments related to acquiring the rights to use the
9 utility corridor, the qualified developer constructing the
10 transmission line under this act shall make a 1-time payment to the
11 electric utility or independent transmission company owning that
12 corridor. The payment shall be equal to 50% of the tax assessed to
13 the electric utility or independent transmission company in the
14 prior tax year under the general property tax act, 1893 PA 206, MCL
15 211.1 to 211.155, for the utility corridor in which the
16 transmission line constructed under this act is located.

17 Sec. 9. (1) The costs of a transmission line for which a
18 notice to construct is issued under this act shall be allocated to
19 all retail electric customers located in the Midcontinent
20 Independent System Operator footprint within this state.

21 (2) The revenue requirement for a transmission line for which
22 a notice to construct is issued shall be calculated pursuant to the
23 open access transmission, energy and operating reserve markets
24 tariff administered by the Midcontinent Independent System
25 Operator.

26 (3) The board shall cooperate with the recipient of the notice
27 to construct, the commission, and the Midcontinent Independent

1 System Operator in making any filings necessary to implement the
2 cost allocation established in this section.

3 Sec. 10. The commission shall issue a report to the governor
4 and the legislature on or before the first Monday of March of each
5 year. The report shall include all of the following:

6 (a) A summary of the impact of this act.

7 (b) A list of any transmission lines constructed or approved
8 under this act during the previous year.

9 Sec. 11. Except for a transmission line for which another
10 entity holds a valid notice to construct that has not expired under
11 this act, this act does not prohibit an entity from constructing a
12 transmission line without obtaining an expedited siting
13 certificate.

14 Sec. 12. (1) A commission order relating to any matter
15 provided for under this act is subject to review as provided in
16 section 26 of 1909 PA 300, MCL 462.26.

17 (2) In administering this act, the commission has only those
18 powers and duties granted to it under this act.

19 Sec. 13. This act does not confer the power of eminent domain.

20 Enacting section 1. This act takes effect 90 days after the
21 date it is enacted into law.

HOUSE BILL No. 4575

May 12, 2015, Introduced by Reps. Cole, Chatfield, Lucido, Glenn, Kivela, LaFontaine, Webber, Barrett, Inman, Potvin, McBroom, Rendon, Johnson, Pettalia, Crawford, Hovey-Wright, Brunner, LaVoy, Plawecki, Byrd, Moss, Santana, Victory, Lane, Derek Miller, Garrett, Nesbitt, Franz, Bumstead, Jacobsen, Brett Roberts, Outman, Sheppard, Hughes, Maturen and Kosowski and referred to the Committee on Energy Policy.

A bill to regulate the siting and construction of certain electric transmission lines; to prescribe powers and duties of certain state and local entities and officials; to create a board; to prescribe the board's powers and duties; and to provide for certain fees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "Michigan electric infrastructure act".

3 Sec. 2. As used in this act:

4 (a) "Board" means the Michigan electric infrastructure board
5 created in section 3.

6 (b) "Commission" means the Michigan public service commission
7 created in section 1 of 1939 PA 3, MCL 460.1.

1 (c) "Construction" means any substantial action constituting
2 placement or erection of the foundations, trenches, facilities,
3 equipment, or structures supporting a transmission line including,
4 but not limited to, the conductors, wires, or other equipment
5 attached to the structures. Construction does not include
6 preconstruction activity or the addition of circuits to an existing
7 transmission line.

8 (d) "Electric utility" means a person, partnership,
9 corporation, association, or other legal entity whose transmission
10 or distribution of electricity the commission regulates under 1909
11 PA 106, MCL 460.551 to 460.559, or 1939 PA 3, MCL 460.1 to 460.11.
12 Electric utility does not include an independent transmission
13 company.

14 (e) "Good cause" means an event or circumstance, whether or
15 not foreseeable, not caused by a qualified developer that prevents
16 the qualified developer from complying with an obligation under
17 this act. Good cause does not include a strike or other labor
18 unrest that affects only the qualified developer, an increase in
19 prices or other change in general economic conditions, or a change
20 in law or regulations.

21 (f) "Independent transmission company" means that term as
22 defined in section 2 of the electric transmission line
23 certification act, 1995 PA 30, MCL 460.562.

24 (g) "Municipality" means a city, township, or village.

25 (h) "Notice to construct" means a notice issued by the board
26 granting an entity the sole right to construct a transmission line
27 until the notice to construct expires.

1 (i) "Preconstruction activity" means that term as defined in
2 section 2 of the electric transmission line certification act, 1995
3 PA 30, MCL 460.562.

4 (j) "Qualified developer" means either of the following:

5 (i) An independent transmission company that commits to
6 support and advocate for the implementation of 1 resource adequacy
7 zone that includes both the Upper and Lower Peninsulas of this
8 state.

9 (ii) An entity that the board determines meets all of the
10 criteria stated in section 5(4).

11 (k) "Resource adequacy zone" means a geographic area, defined
12 by a regional transmission organization, for which there must be
13 access to sufficient total generation capacity, both internal and
14 importable into the zone, to serve load in accordance with the
15 regional transmission organization's requirements.

16 (l) "Route" means real property or other infrastructure on or
17 across which a transmission line is constructed or proposed to be
18 constructed.

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20 real property necessary to transfer electricity at system bulk
21 supply voltage of 100 kilovolts or more.

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8 development corporation.

9 (e) One individual representing the technical staff of the
10 commission.

11 (f) One resident of the Upper Peninsula.

12 (g) One resident of the Lower Peninsula.

13 (2) The members initially appointed under subsection (1) shall
14 be appointed within 30 days after the effective date of this act.

15 (3) The board shall exercise its powers, duties, and decision-
16 making authority independently of the commission.

17 (4) The board shall ensure that adequate resources will be
18 able to reach electric consumers in this state through the
19 construction of transmission infrastructure that will reduce
20 congestion and energy prices in this state, provide for additional
21 transmission capacity in this state, ensure reliable and efficient
22 operation of the integrated electrical transmission system in this
23 state, and support this state's energy policy goals.

24 Sec. 5. (1) Within 30 days of the initial appointment of the
25 board under section 3, the board shall publish a list of counties
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27 constraints have caused congestion in the 5 years preceding the

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3 subsection (1), the board shall request interested entities to
4 submit proposals identifying any proposed transmission line
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7 areas of this state that include the counties identified in
8 subsection (1), reduce congestion, constraints, and losses on the
9 electrical system in this state, and reduce the overall cost of
10 delivered energy in this state.

11 (b) Ensure the deliverability of generation resources both
12 internal and external to this state to loads throughout this state
13 for purposes of resource adequacy.

14 (c) Facilitate generation resource diversification.

15 (d) Increase the electrical connectivity between the Upper and
16 Lower Peninsulas of this state beyond the capability provided by
17 the 2 circuits connecting the Upper and Lower Peninsulas of this
18 state existing on the effective date of this act by adding
19 additional circuitry beyond the normal power carrying capacity of
20 these circuits to enable the formation of 1 resource adequacy zone
21 within the Midcontinent Independent System Operator footprint in
22 this state.

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24 all of the following:

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26 transmission line.

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13 implementation of a resource adequacy zone that includes both the
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16 all of the following:

17 (i) A history of singular corporate focus on transmission.

18 (ii) The continuous operation of a networked transmission
19 system in this state during the 5 years before a proposal is
20 submitted under subsection (2).

21 (iii) A governance structure or control of the entity that is
22 independent of the users of the transmission facilities, and that
23 no member of the entity's board of directors has an affiliation
24 with a user of the transmission facilities or with an affiliate of
25 a user during the member's tenure on the board, that would unduly
26 affect the entity's performance. As used in this subparagraph,
27 "user" means any entity or affiliate of that entity that buys or

1 sells electricity in the entity's region or in a neighboring
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3 (iv) Technical and engineering qualifications and experience
4 in the design, construction, operation, and maintenance of
5 transmission lines.

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7 of the following:

8 (i) That securities of that entity have been issued through an
9 initial public offering.

10 (ii) That the entity has securities traded on at least 1 stock
11 exchange or in the over-the-counter market.

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13 with the federal Securities and Exchange Commission.

14 (iv) That the entity has an investment grade credit rating
15 from a nationally recognized statistical rating organization.

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17 (vi) That the entity has the ability to cover losses resulting
18 from damage to or failure of any part of the facilities of the
19 transmission line in the normal course of business or financial
20 strategy and experience to facilitate timely replacements or
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24 relationships.

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26 all of the following:

27 (i) The entity's performance on benchmarking studies in the

1 areas of reliability, storm response, and safety.

2 (ii) Whether the entity has been registered with the North
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19 spare equipment, real-time operations monitoring and control
20 capabilities, and major facility replacements or rebuilds.

21 (viii) Capability to maintain real-time reliability of the
22 electric transmission system, ensuring comparable and
23 nondiscriminatory transmission access and necessary services,
24 minimizing system congestion, and further addressing real or
25 potential transmission constraints.

26 (ix) Intention to construct, own, operate, and maintain an
27 electric transmission facility that is under consideration by an

1 applicable regional transmission organization.

2 (x) Established supply chain and vendor relationships.

3 (g) Exemplary corporate citizenship, as demonstrated by all of
4 the following:

5 (i) Community outreach.

6 (ii) Communication and information-sharing during all phases
7 of transmission line development, construction, and operation.

8 (iii) Civic contributions to regional, state, and local
9 communities.

10 (iv) Whether the transmission entity operates under policies
11 that promote positive performance designed to satisfy the
12 electricity requirements of customers.

13 (v) A dedicated customer service department.

14 (5) Within 120 days after receiving a proposal from a
15 qualified developer under subsection (2), the board shall issue a
16 letter to the qualified developer either rejecting the
17 qualifications or recommendations of the qualified developer in
18 full, requesting that the qualified developer provide more
19 information, or recommending the construction of the proposed
20 transmission line. If the board requests more information under
21 this subsection, the board shall, within 45 days of receiving that
22 information from a qualified developer, either reject the
23 recommendations or recommend construction of the proposed
24 transmission line. If the board issues a letter recommending
25 construction of a proposed transmission line, the qualified
26 developer receiving the letter shall, within 30 days after the
27 board issues the letter, submit an expression of interest in

1 constructing the transmission line identified by the board. If the
2 qualified developer does not submit an expression of interest
3 within 30 days after the board issues a letter under this
4 subsection, the board may issue a new request for submission of
5 proposals under subsection (2). Within 7 days after a qualified
6 developer has submitted an expression of interest, the board shall
7 issue the qualified developer that submitted the expression of
8 interest a notice to construct.

9 (6) The board may take any actions necessary and appropriate
10 to support a transmission line for which a notice to construct has
11 been issued, including coordination with the Midcontinent
12 Independent System Operator, supporting any out-of-cycle review
13 request, execution of any contracts or agreements, and preparation,
14 submission, and support for filings related to that project before
15 the Federal Energy Regulatory Commission or any other regulatory
16 body.

17 (7) The board shall initially give priority to proposals for a
18 transmission line that accomplishes the purpose stated in
19 subsection (2) (d).

20 (8) A document submitted to the board under this section is
21 not subject to disclosure under the freedom of information act,
22 1976 PA 442, MCL 15.231 to 15.246. The business that the board may
23 perform shall be conducted at a public meeting of the board held in
24 compliance with the open meetings act, 1976 PA 267, MCL 15.261 to
25 15.275.

26 Sec. 6. (1) Within 60 days after receiving a notice to
27 construct under section 5, a qualified developer shall submit any

1 necessary documents to the Midcontinent Independent System Operator
2 or other applicable regional transmission organization for any
3 required review and approval.

4 (2) Within 120 days after obtaining any required reviews and
5 approvals from the Midcontinent Independent System Operator or
6 other applicable regional transmission organization, the qualified
7 developer shall apply to the commission for an expedited siting
8 certificate under this act. If a qualified developer does not apply
9 to the commission within 120 days after obtaining any required
10 reviews and approvals from the applicable regional transmission
11 organization, the commission shall revoke the notice to construct
12 and the board may solicit expressions of interest for the
13 transmission line project under section 5. The commission may waive
14 the 120-day time limit if it determines the qualified developer had
15 good cause for failing to apply to the commission for an expedited
16 siting certificate within 120 days.

17 (3) A qualified developer shall include all of the following
18 in an application for an expedited siting certificate:

19 (a) Evidence that the applicant obtained a notice to construct
20 for the transmission line under section 5.

21 (b) The planned date to begin construction of the proposed
22 transmission line.

23 (c) A detailed description, route, and expected configuration
24 and use of the proposed transmission line.

25 (d) Information indicating that the proposed transmission line
26 will comply with all applicable state and federal environmental
27 standards, laws, and rules.

1 (e) A description and evaluation of 1 or more alternate
2 transmission line routes for the proposed transmission line, and a
3 statement of why the proposed route was selected.

4 (f) If a zoning ordinance prohibits or regulates the location
5 or development of any portion of the proposed route, a description
6 of the location and manner in which the zoning ordinance prohibits
7 or regulates the location or construction of the proposed route.

8 (g) Other information reasonably required by commission rules.

9 (4) After applying for an expedited siting certificate, an
10 applicant shall give public notice in the manner and form the
11 commission prescribes of an opportunity to participate in a
12 contested case under subsection (5) regarding the application.
13 Notice shall be published in a newspaper of general circulation in
14 the municipalities through which the proposed transmission line
15 project would run within 14 days after an application is submitted
16 to the commission under subsection (2). The notice shall be sent to
17 each affected municipality and each affected landowner on whose
18 property a portion of the proposed transmission line will be
19 constructed. The notice shall be written in plain, nontechnical,
20 and easily understood terms and contain a title that includes the
21 name of the applicant and the words "Notice of Intent to Construct
22 a Transmission Line".

23 (5) The commission shall conduct a proceeding on an
24 application for an expedited siting certificate as a contested case
25 under the administrative procedures act of 1969, 1969 PA 306, MCL
26 24.201 to 24.328. Upon receiving an application for a certificate,
27 the commission shall grant each affected municipality and each

1 affected landowner full intervener status as of right in commission
2 proceedings concerning the proposed transmission line.

3 (6) The commission shall grant an expedited siting certificate
4 under this act if the commission determines that all of the
5 following requirements are met:

6 (a) The applicant has received a notice to construct for the
7 proposed transmission line under section 5.

8 (b) The proposed transmission line does not represent an
9 unreasonable threat to the public convenience, health, and safety.

10 (c) The proposed or alternate route to be authorized by the
11 expedited siting certificate is feasible and reasonable.

12 (7) If the commission grants an expedited siting certificate
13 for a transmission line under this act, the certificate takes
14 precedence over a conflicting local ordinance, law, rule,
15 regulation, policy, or practice that prohibits or regulates the
16 location or construction of the transmission line. A zoning
17 ordinance or limitation imposed after a qualified developer applied
18 for an expedited citing certificate does not limit or impair the
19 transmission line's construction, operation, or maintenance.

20 (8) In an eminent domain or other related proceeding arising
21 out of or related to a transmission line for which an expedited
22 siting certificate is issued under this act, an expedited siting
23 certificate issued under this act is conclusive and binding as to
24 the public convenience and necessity for that transmission line and
25 the transmission line's compatibility with the public health and
26 safety or any zoning or land use requirements in effect when the
27 application was filed.

1 (9) The commission shall grant or deny an expedited siting
2 certificate within 180 days after receiving an application under
3 this section.

4 Sec. 8. If a transmission line constructed under this act is
5 located within an existing utility corridor owned by an electric
6 utility or independent transmission company other than the
7 qualified developer constructing the transmission line, in addition
8 to any fees or payments related to acquiring the rights to use the
9 utility corridor, the qualified developer constructing the
10 transmission line under this act shall make a 1-time payment to the
11 electric utility or independent transmission company owning that
12 corridor. The payment shall be equal to 50% of the tax assessed to
13 the electric utility or independent transmission company in the
14 prior tax year under the general property tax act, 1893 PA 206, MCL
15 211.1 to 211.155, for the utility corridor in which the
16 transmission line constructed under this act is located.

17 Sec. 9. (1) The costs of a transmission line for which a
18 notice to construct is issued under this act shall be allocated to
19 all retail electric customers located in the Midcontinent
20 Independent System Operator footprint within this state.

21 (2) The revenue requirement for a transmission line for which
22 a notice to construct is issued shall be calculated pursuant to the
23 open access transmission, energy and operating reserve markets
24 tariff administered by the Midcontinent Independent System
25 Operator.

26 (3) The board shall cooperate with the recipient of the notice
27 to construct, the commission, and the Midcontinent Independent

1 System Operator in making any filings necessary to implement the
2 cost allocation established in this section.

3 Sec. 10. The commission shall issue a report to the governor
4 and the legislature on or before the first Monday of March of each
5 year. The report shall include all of the following:

6 (a) A summary of the impact of this act.

7 (b) A list of any transmission lines constructed or approved
8 under this act during the previous year.

9 Sec. 11. Except for a transmission line for which another
10 entity holds a valid notice to construct that has not expired under
11 this act, this act does not prohibit an entity from constructing a
12 transmission line without obtaining an expedited siting
13 certificate.

14 Sec. 12. (1) A commission order relating to any matter
15 provided for under this act is subject to review as provided in
16 section 26 of 1909 PA 300, MCL 462.26.

17 (2) In administering this act, the commission has only those
18 powers and duties granted to it under this act.

19 Sec. 13. This act does not confer the power of eminent domain.

20 Enacting section 1. This act takes effect 90 days after the
21 date it is enacted into law.

CERTIFICATE OF MERITORIOUS SERVICE



PRESENTED TO

Thomas J. Penegor

AS AN EXPRESSION OF APPRECIATION FOR YOUR OUTSTANDING CONTRIBUTIONS, EFFORTS AND INVOLVEMENT FOR OVER 17 YEARS TO THE CITY OF ESCANABA, THIS CERTIFICATE OF COMMENDATION IS BEING AWARDED. YOUR DEDICATION AND PROFESSIONALISM IN HOW YOU PERFORMED YOUR DUTIES AND SERVED THE PEOPLE OF THIS COMMUNITY WAS NOTHING LESS THAN STELLAR. BEST WISHES TO YOU FOR CONTINUED HAPPINESS AND SUCCESS ON THE OCCASION OF YOUR RETIREMENT.

Conferred this day, June 4, 2015, on behalf of the City of Escanaba, Escanaba, Michigan.

BY: _____

James V. O'Toole
City Manager
City of Escanaba

BY: _____

Marc D. Tall
Mayor
City of Escanaba

PROCLAMATION

In Honor of Thomas J. Penegor Upon the Occasion of His Retirement

WHEREAS, Thomas J. Penegor has been an invaluable member of the City team since March 18, 1998, when he accepted a position as Purchasing Agent for the Purchasing Department; and

WHEREAS, Thomas J. Penegor took a position as Recreation Director for the Recreation Department on July 1, 2005; and

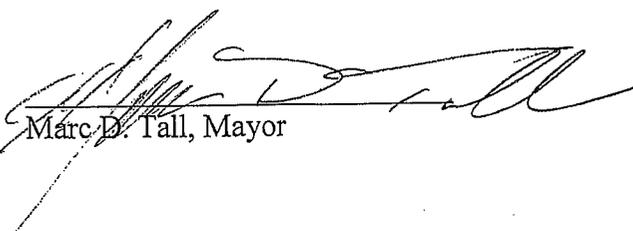
WHEREAS, Thomas J. Penegor retired on June 12, 2015; and

WHEREAS, The people of Escanaba wish to thank Thomas J. Penegor for his years of service to the people of Escanaba and congratulate him upon the momentous occasion of his retirement and wish him continued success in his future endeavors.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Marc D. Tall, Mayor for the City of Escanaba, on behalf of the City Council and all Escanaba Employees and Citizens, do designate June 12, 2015, as,

“Thomas J. Penegor Day”

In the City of Escanaba, and wish him the best in his retirement.


Marc D. Tall, Mayor