

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, October 4, 2012**

The meeting was called to order by the Honorable Mayor Leo J. Evans at 7:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Leo J. Evans, Council Members, Walter A. "Pete" Baker, Patricia A. Baribeau, Ronald J. Beauchamp, and Brady L. Nelson.

Absent: None

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

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

Nelson moved, Baker seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting Minutes from August 23, 2012, and September 12, 2012, and Regular Meeting Minutes from September 20, 2012, as submitted.

ADJUSTMENTS TO THE AGENDA

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

CONFLICT OF INTEREST DECLARATION – None

CERTIFICATE OF ACHIEVEMENT

Mayor Evans presented a certificate of appreciation to the Delta County Master Gardeners Association for their efforts in supporting, educating, and coordinating many community gardens in the City of Escanaba that included the Round-About and Petunia Tree Projects, as well as the many garden plots throughout the community and Ludington Park. The Delta County Master Gardeners Association was instrumental in educating new gardener's and brought people together for a stronger community.

BRIEF PUBLIC COMMENT - None

UNFINISHED BUSINESS - None

PUBLIC HEARINGS - None

NEW BUSINESS

Approval – Annual Service Agreement - William Bonifas Fine Arts Center.

The William Bonifas Fine Arts Center requested approval of their 2012-13 service agreement in the amount of \$5,000. As part of the service agreement, the Bonifas Corporation would provide a minimum of 8 exhibitions in the Alice Powers Exhibition Hall, 5 plays, conduct 25 classes in the creative and visual arts, and 5 workshops would be opened to the citizens of Escanaba. Administration recommended approval of the request.

NB-1 Nelson moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve the 2012-13 service agreement with the William Bonifas Fine Arts Center in the amount of \$5,000.

Approval – Annual Service Agreement – Delta County Historical Society.

The Delta County Historical Society requested approval of their 2012-13 service agreement in the amount of \$2,000. As part of the service agreement, the Delta County Historical Society would be able to provide tours and new activities at the Museum and Lighthouse facilities which are available to the citizens of the City of Escanaba. Administration recommended approval of the request.

NB-2 Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve the 2012-13 service agreement with the Delta County Historical Society in the amount of \$2,000.

Discussion – State of Michigan Medical Marijuana Act.

The Council discussed the State of Michigan Medical Marijuana Act and what could be done to improve the law. The following was discussed:

- Council Member Nelson commented on how the Medical Marijuana Act affected the community and Public Safety Officer's who are charged with protection of the community;
- State Law should be fixed and encouraged community members to contact their Legislatures;
- Community members were encouraged to view the UPSET presentation which was recorded and rebroadcast on CH-21;
- Discussed unintended consequences and Administrative problems enforcing the law;
- Discussed what Council could do besides calling State Legislatures;
- Suggested adopting a Resolution to ask Lansing to clean up the law as written, but should wait until the Supreme Court appeals was decided upon;
- Directed Administration to bring back further information to Council in two weeks, and in the meantime to contact State Legislatures.

Update – Power Generation/Plant Operation Options – City Administration.

Administration updated the City Council and public on the sale of the Power Plant and related items.

Manager O'Toole stated the Escrow date deadline was October 9, 2012. Escanaba Green Energy obtained the FERC 203 and 205 approvals. Escanaba Green Energy was also moving forward with the "Y1" agreement that was submitted to the Federal Regulatory Commission. A Council/Electrical Advisory Committee meeting was scheduled for October 10, 2012;

Land Purchase Request – Lot 9 in the Whitetail Industrial Park.

Pamela Carey submitted an offer to purchase Lot 9 in the Whitetail Industrial Park for the construction of a recycling collection facility in the amount of \$22,120. Administration recommended approval with the condition of the 18 month construction policy was followed.

NB-5 Nelson moved, Baker seconded, to approve Pamela Carey's offer to purchase Lot 9 in the Whitetail Industrial Park for the construction of a recycling collection facility in the amount of \$22,120, with the condition of the 18 month construction policy was followed.

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

Ayes: Nelson Baker, Baribeau, Beauchamp, Evans
Nays: None

MOTION CARRIED.

APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES – None

BOARD, COMMISSION, AND COMMITTEE REPORTS

Council Members reviewed City Board and Commission meetings each attended since the last City Council Meeting.

GENERAL PUBLIC COMMENT

Tom Sabor, appointed Delta County Treasurer, and candidate for Delta County Treasurer, introduced himself to the members of the public and encouraged their support on November 6, 2012.

Todd Flath commented on the recent enforcement of the City Trailer Ordinance. Mr. Flath stated it was outdated and needed to be fixed. Would like to have a subcommittee appointed by Council to discuss and resolve the issue.

James Hellerman commented on the Medical Marijuana law and the degradation of the morals in society. Mr. Hellerman stated it was hard to build a community during economic hard times and lack of education;

ANNOUNCEMENTS

- Escanaba Homecoming parade next Friday October 13, 2012

Mayor Evans, with Council consensus, appointed City Manager O'Toole, Public Safety Director Vanderlinden, Council Members Baker and Beauchamp, along with three representatives of the public, to a Trailer Subcommittee.

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

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved:

Leo J. Evans, Mayor