

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, November 1, 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.

Reverend Robert Derheim of the New Life Assembly of God Church gave the invocation and led Council in the Pledge of Allegiance.

Beauchamp moved, Baker seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting Minutes from October 10, 2012, and Regular Meeting Minutes from October 18, 2012, as submitted.

ADJUSTMENTS TO THE AGENDA

Nelson moved, Baribeau 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

Presentation – Historic District Study Committee – 600 Block Ludington Street.

In 2011, the Escanaba City Council appointed a Historic District Study Committee to evaluate the possibility of creating a historic district for the 600 Block of Ludington Street. A presentation of the Study Committee's report was presented by Peter Strom, Chair Person of the Committee, who reviewed differences between Historic Study Committee and the Historic Study Commission. Mr. Strom stated the 600 Block Study Committee had completed their scope of work, have held public hearings, and have prepared a final report and recommendations for the Council.

Karen Lindquist and Donald Curran, Study Committee members, presented a pictorial history of the 600 Block of Ludington Street, which included the following building:

- Daily Building
- Masonic Building
- C.R Williams Mercantile Building
- Delta Hotel/now Herford and Hops Building
- GUST ASP Building
- Michigan Building
- Current Eagles Hall Building
- WDBC Building
- Daily Press Building

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

Gerald Crusic asked and received basic information regarding the initial structure of the buildings.

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

Mr. Strom reviewed the Committee recommendations and believed designating the entire downtown be listed on the National register of Historic Places should expedite State approval grants and tax incentives.

Council and Committee reviewed the initial Shippo Study and the change of the recommendation not to include First Avenues North and South, but only property on Ludington Street due to fund restraints. It was advised the Historic District could be expanded in the future to include First Avenues North and South.

PH-1 By Council Member Nelson, supported by Council Member Baribeau;

RESOLUTION

On January 20, 2011, the Escanaba City Council, in accordance with Ordinance No. 1100, Historic District Ordinance for the City of Escanaba, appointed a Historic District Study Committee to determine the historical or architectural value and significance of all buildings located on the 600 Block of Ludington Street.

WHEREAS, The Committee has issued a preliminary report;

WHEREAS, The Preliminary Report has been transmitted to the Escanaba Planning Commission and State offices as required by law;

WHEREAS, Public Hearings on the Committee's recommendations have been held after written notice was mailed to the owners of the properties;

WHEREAS, The Committee has made the Preliminary Report a Final Report and has submitted to City Council; and

WHEREAS, The Final Report makes the following Recommendations:

RECOMMENDATION 1: That the City Council designate the 600 Block of Ludington Street as an area to include in an application for listing on the National Register of Historic Places;

RECOMMENDATION 2: That the City Council request that the consultant retained by the State Historic Preservation Office use this report as an aid in applying to nominate downtown Escanaba on the National Register of Historic Places;

RECOMMENDATION 3: That the City Council request that the Escanaba Downtown Development Authority investigate the feasibility of applying for Certified Local Governmental Status as an additional tool for advancing historic preservation in the downtown district;

RECOMMENDATION 4: That the City Council encourage property owners within the 600 Block of Ludington Street to take advantage of the tax credits and other economic incentives available through the process of historic preservation, to preserve and improve their buildings on the 600 Block of Ludington Street;

RECOMMENDATION 5: That the downtown as a whole, (rather than just the 600 block) be included in the application for listing on the National register of Historic Places.

NOW, THEREFORE, IT BE RESOLVED, That the City of Escanaba adopts the Final Report and Recommendations of the Historic District Study Committee.

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

Ayes: Nelson, Baribeau, Baker, Beauchamp, Evans

Nays: None

RESOLUTION DECALRED ADOPTED.

Resolved by Council Member Baribeau moved, seconded by Council Member Nelson, that since the Historic District Study Committee had successfully completed the duties assigned to it regarding the 600 block of Ludington Street, the Committee was hereby discharged, this date, November 1, 2012, and;

FURTHERMORE, BE IT RESOLVED, the Escanaba City Council graciously thanked the committee for all their hard work.

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

RESOLUTION DECALRED ADOPTED.

NEW BUSINESS

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

Big Brothers Big Sisters of the Bay Area submitted a request to use the Escanaba Municipal Harbor for their annual Jig It Ice Fishing Fundraising Event on Saturday, January 26, 2013. Additionally, the group asked that the City provide refuse containers, road barricades, and road cones. On October 9, 2012, the Recreation Advisory Board recommended that Council approve the event. Administration recommended approval of the request provided: 1) proper liability insurance was filed with the City and 2) event staff clean up after the event.

NB-1 Nelson moved, Baker seconded, **CARRIED UNANIMOUSLY**, to approve a request from Big Brothers Big Sisters of the Bay Area to use the Escanaba Municipal Harbor for their annual Jig It Ice Fishing Fundraising Event on Saturday, January 26, 2013, in addition that the City provide refuse containers, road barricades, and road cones, provided; 1) proper liability insurance was filed with the City, and 2) event staff clean up after the event.

Approval – Brownfield Redevelopment Authority Plan Amendment – 1700 20th Avenue North – Fleet Maintenance.

Administration sought Council approval to amend the City Brownfield Redevelopment Plan so that property located at 1700 20th Avenue North can be added to the plan. On October 24, 2012, the Escanaba Brownfield Redevelopment Authority conducted a public hearing on the amendment and voted to approve the amendment. The Brownfield Redevelopment Authority has also recommended the Council make the final approval.

City Assessor Daina Norden stated the 1700 20th Avenue North was owned by Tony Harris who operated Fleet Maintenance. Fleet Maintenance was currently operating in Escanaba and had outgrown its current facility. The proposed new building and construction was estimated at \$1,000,000, and would accommodate their current operations as well as expand their business operations. Phase I and Phase II Environmental assessments were completed. The property addition to the City Brownfield Plan would assist in making this site usable. On October 24, 2012, the City Brownfield Authority held the required public hearing, and approved its addition to the City Brownfield Plan, and further recommended Council amend the City's current Brownfield Plan to include this worthy project.

Mr. Tony Harris introduced himself, and briefly reviewed the scope of their business and the new building and expansion project.

NB-2 By Council Member Nelson, seconded by Council Member Baker;

Resolved, that the Escanaba City Council formally approve, to amend the City Brownfield Redevelopment Plan, to include property located at 1700 20th Avenue.

Upon a Call of the Roll, the vote was as follows:

Ayes: Nelson, Baker, Baribeau, Beauchamp, Evans

Nays: None

RESOLUTION DECLARED ADOPTED.

Discussion – The Michigan Open Meetings Act.

The Michigan Open Meetings Act, Act 267 of 1976 (MCL 15.261), as amended was discussed by Council. City Administration and City Attorney Peterson reviewed information presented regarding the act, and what was required to move into Closed Session. City Attorney Peterson stated a labor contract between the City and the Union was not an accomplished contract and negotiations were still ongoing. Mr. Peterson advised that a majority vote was permissible for a closed session per Open Meetings Act.

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

City Manager O'Toole updated the City Council and public on the sale of the Power Plant and related items. Mr. O'Toole advised the City executed the approved extension to the November 8th deadline. Discussions were continuing regarding the final paperwork leading to the final sale of the Power Plant.

Discussion/Action- Collective Bargaining Agreement – Local 979, Electrical Brotherhood of Electrical Workers.

Administration asked to go into closed session with the City Council to discuss a collective bargaining agreement between the City of Escanaba and Local 979, Electrical Brotherhood of Electrical Workers.

Council Member Baribeau moved, seconded by Council Member Baker, to go into closed session to discuss a collective bargaining agreement between the City of Escanaba and Local 979, Electrical Brotherhood of Electrical Workers.

Upon a Call of the Roll, the vote was as follows:

Ayes: Baribeau, Baker, Nelson, Evans

Nays: Beauchamp

MOTION CARRIED.

The time was 8:25 p.m.

The Council came back into open session at 8:47 pm

NB-5 Nelson moved, Baker seconded, to approve a collective bargaining agreement between the City of Escanaba and Local 979, Electrical Brotherhood of Electrical Workers, which included the following changes:

1. A non-economic change whereby parties agreed to change the pension COLA date (Article 16a) from August 1st to July 1st to conform to MERS regulations.
2. A contract term of 7/1/2011 – 6/30/2014.
3. A one percent across the board raise for all members effective 10/15/2012
4. A wage reopener on or after 4/1/2013 for the exclusive purpose of negotiating wages for the final year of the agreement.
5. A 20% health insurance premium cost share as is currently in place.
6. A new contract provision to allow the City to utilize IBEW personnel to assist with snow emergencies.
7. A change to the Wage schedule which increases the number of Apprentice steps from 4 to 7 based on 1,000 hour increments.

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 – None

ANNOUNCEMENTS

- Northern Exposure Art Exhibit and the Catherine Bonifas Art Center;
- Daylight Savings would go into effect this weekend;
- Encouraged everyone to vote on November 6, 2012.

Hearing no further public comment, the Council adjourned at 8:54 p.m.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____
Leo J. Evans, Mayor