

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, April 4, 2013**

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.

Pastor Robert Derheim of the New Life Assembly of God Church gave the invocation and led Council in the pledge of allegiance.

Nelson moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from March 21, 2013, as submitted, and Special Meeting Minutes from March 19, 2013, as amended.

ADJUSTMENTS TO THE AGENDA

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

CONFLICT OF INTEREST DECLARATION – None

RETIREMENT RECOGNITION AND PROCLAMATION

Mayor Evans issued a Certificate of Appreciation and Proclamation to retiring City Employee Michael D. DeMars – Department of Public Works

BRIEF PUBLIC COMMENT – None

UNFINISHED BUSINESS – None

PUBLIC HEARINGS – None

NEW BUSINESS

Consent Agenda – Use of Public Spaces – Community Events.

Administration recommended Council approval of the following community

events utilizing public space with the following conditions: 1) Proper insurance was provided naming the City of Escanaba and 2) The event sponsors provide all labor and material to clean up at the conclusion of the event.

Request to use Ludington Park and Ludington Street – Krusin Klassics Car Club.

The Krusin Klassic Car Club requested use of Ludington Park and Ludington Street on May 31, 2013, for their annual “Krusin Klassics Fun Run”.

Request to Reserve the Ludington Park Karas Band Shell – Bay de Noc Great Lakes Sports Fishermen Club.

Mr. Jerry Plourde, Angler Young Angler Director, requested the use of the Ludington Park Karas Band Shell and neighboring soccer field to hold the 4th Annual Angler Young Angler Walleye Tournament on June 15, 2013, from 6:00 a.m. to 7:00 p.m.

Request to Reserve the North Shore Boat Launch – Bay de Noc Great Lakes Sports Fishermen.

Mr. Lynn Hanisko of the Bay de Noc GLSF requested the use of the North Shore Boat Launch for three (3) walleye tournaments to be held on May 26, 2013, August 11, 2013, and September 8, 2013, from 6:00 a.m. to 5:00 p.m.

Request to Reserve the Ludington Park Karas Band Shell – Anytime Fitness.

Ms. Jayne Szukalowski of Anytime Fitness requested the use of the Ludington Park Karas Band Shell on May 4, 2013, from 9:00 a.m. to 11:00 a.m. for the 3rd Annual Youth Race.

NB-1 By Council Member Baker, seconded by Council Member Nelson, that the consent agenda items be approved as proposed.

The vote was as follows:

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

MOTION CARRIED.

Approval - Fireworks Display at Ludington Park - Independence Day and Esky 150 Celebration.

Independence Day and Esky 150 Celebration requests for firework proposals were sent out to six (6) vendors with only one (1) vendor responding for the July 4, 2013, and July 6, 2013, community event. Administration recommended the firework display contract be awarded to Wolverine Fireworks of Kawkawlin, Michigan, in the amount of \$10,000 for each display. It was further requested Council authorize the contract amount to increase equal to community donations received for the fireworks display.

NB-2 Beauchamp moved, Baribeau seconded, to approve the firework display contract be awarded to Wolverine Fireworks of Kawkawlin, Michigan, in the amount of \$10,000 for each display, and authorized Administration to increase the amount equal to community donations received for the fireworks display.

Recreation Director Tom Penegor provided a brief explanation of the two scheduled firework displays.

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

Ayes: Beauchamp, Baribeau, Baker, Nelson, Evans

Nays: None

MOTION CARRIED.

Approval - Sanitation Services for City Parks, Recreational Areas and Special Events – Department of Recreation.

Requests for sanitation services for city parks, recreational areas and special events were sent out to two (2) vendors with only one (1) vendor responding. Administration recommended the Park and Recreation Sanitation contract be awarded to Stenberg Brothers, Bark River, Michigan, for the period through March 31, 2014, for the prices stated in their proposal.

NB-3 Nelson moved, Beauchamp seconded, to award the bid for sanitation services for city parks, recreational areas and special events to Stenberg Brothers, Bark River, Michigan, for the period through March 31, 2014, for the prices stated in their proposal.

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

Ayes: Nelson, Beauchamp, Baker, Baribeau, Evans

Nays: None

MOTION CARRIED.

Discussion – Community Foundation for Delta County– First Reading of Ordinance No. 1133 - Street Name Change Request.

The Community Foundation for Delta County have made a request to the City of Escanaba to consider renaming the street in Ludington Park called “Water Plant Road” to “Beaumier Way”. The request was being made in honor of the contributions made to the community by Dr. John and Mary Jane Beaumier. Administration asked that the City Council set April 18, 2013, for the second reading, public hearing and adoption of Ordinance No. 1133.

NB-4 Nelson moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve a request to rename the street in Ludington Park called "Water Plant Road" to "Beaumier Way". The request was made in honor of the contributions made to the community by Dr. John and Mary Jane Beaumier, and furthermore set April 18, 2013, for the second reading, public hearing and adoption of Ordinance No. 1133.

Approval – Michigan Department of Natural Resources Emergency Dredging – Municipal Marina.

Administration sought Council acceptance of emergency dredging funds in the amount of \$262,500 with zero (0) matching funds for dredging of the Municipal Marina.

City Harbor Master Larry Gravatt and Manager O'Toole briefly reviewed the scope of the grant project. The bid process would be written for bids from 4 different areas of the Marina. Mr. Gravatt stated the State may provide additional funds. If additional funds were received, Council would also need to accept additional grant funds.

NB-5 "By Council Member Baribeau seconded by Council Member Baker:

RESOLUTION

RESOLVED, that the City of Escanaba, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows:

1. To accept the sum of money equal to one hundred (100) percent of the total cost of the emergency dredging of the facilities called for by the plans and specifications, including engineering costs, 25% advance and 75% reimbursement. The state's payments must be supported by documentation of actual costs, including an engineer's report on dredge volume, and actual payments made to the contractor.
2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.
3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.
4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.
5. To establish and appoint the City of Escanaba to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.
7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution."
Upon a call of the roll, the vote was as follows:

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

MOTION CARRIED.

Update – Power Generation/Plant Operation Options/Power Purchase – Electric Department.

Manager O'Toole updated the City Council and public on the status of the Power Plant sale. Escanaba Green Energy advised negotiations were continuing to secure investors for the project and still projected a May 28th closing date.

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

- Proclamation: NATIONAL SERVICE DAY – April 9, 2013;
- Proclamation: BARBERSHOP HARMONY WEEK – April 7th – 13th, 2013;
- Esky 150 Committee had sesquicentennial buttons for sale;
- City 2013/14 Fiscal Year Budget Work Sessions were scheduled for April 8-10, 2013.

Hearing no further public comment, the Council adjourned at 7:40 p.m.

Respectfully submitted,

City Council Minutes
April 4, 2013 – cont.

Robert S. Richards, CMC
City Clerk

Approved: _____
Leo J. Evans, Mayor