

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, July 18, 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 Marc D. Tall

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.

Deputy Clerk Tammy Weissert gave the invocation and led Council in the Pledge of Allegiance.

Beauchamp moved, Baker seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting Minutes from June 28, 2013, and Regular Meeting Minutes from July 3, 2013, as submitted.

ADJUSTMENTS TO THE AGENDA

Beauchamp 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 – None

NEW BUSINESS

Approval – Escanaba-Hermansville ORV Route Surface Lease – Michigan Department of Natural Resources (MDNR).

MDNR wished to lease a 3.8 mile ORV route within the City of Escanaba that extends from the Upper Peninsula State Fair Grounds to the state owned rail-trail on the west side of Escanaba. The width of the trail is approximately 12 feet and runs within the right-of-way of North 30th Street, Ski Hill Road, 19th Avenue North, and 9th Avenue North. The term of the lease is 25 years commencing July 1, 2013, and terminating on June 30, 2038, and allows for an extension of an additional one 25-year period. In lieu of rent, the Lessee shall be responsible for all costs associated with construction,

operation, and maintenance of the route. This project was included in the approved Five-Year Capital Improvement Plan.

Steve Masters, director of the Bays de Noc Convention and Visitors Bureau, gave a brief overview on the ORV Trail. Mr. Masters also stated it would be a benefit for the local citizens, local economy, and tourists.

NB-1 After discussion, Beauchamp moved, Baribeau seconded, to approve an Escanaba-Hermansville ORV Route Surface Use Lease with the Michigan Department of Natural Resources, the term of the lease is 25 years commencing July 1, 2013, and terminating on June 30, 2038, and allows for an extension of an additional one 25-year period, provided in lieu of rent, the Lessee shall be responsible for all costs associated with construction, operation, and maintenance of the route.

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

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

MOTION CARRIED.

Approval - Liquor License Transfer – SDM and “Class C” Licensed Business – 1213 Ludington Street.

On July 11, 2013, the Local Liquor License Review Board met and unanimously recommended City Council transfer ownership of a SDM and “Class C” licensed business, with Entertainment and Sunday Sales permit from M.J. Decker Enterprises, LLC to Crispigna’s Food, LLC. Administration recommended approval of the transfer in accordance with the provisions of MCL 436.1501 of the Liquor Control Code of 1998.

NB-2 Beauchamp moved, Baker seconded, to approve a request to transfer ownership of a SDM and “Class C” licensed business, with Entertainment and Sunday Sales permit from M.J. Decker Enterprises, LLC to Crispigna’s Food, LLC, in accordance with the provisions of MCL 436.1501 of the Liquor Control Code of 1998.

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

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

MOTION CARRIED.

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

Manager O’Toole updated the City Council and public on the sale of the power

plant and stated the funding for the project, which consisted of \$1 million dollars, had been approved by EGE's financial lending institution, Black Diamond Investments, with a \$1 million dollar deposit fee provided by Royal Bank out of St. Louis.

Discussion – Real Estate Purchase (Auction) – 110 North 3rd Street.

Administration requested the City Council go into closed session to consider the purchase of real estate located at 110 North 3rd Street. The property will be going up for public auction on July 27, 2013.

Baribeau moved, Tall seconded, to go into closed session to discuss the purchase of real estate located at 110 North 3rd Street.

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

Ayes: Baribeau, Tall, Baker, Beauchamp, Evans

Nays: None

MOTION CARRIED.

The time was 7:21 p.m.

Council came back into open session at 7:41 p.m.

NB-4 No action was taken by Council regarding a Real Estate Purchase (Auction) – 110 North 3rd Street.

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

- Council Members thanked the Esky 150 Committee and everybody who worked on the Esky 150 for doing a fabulous job;
- Condolences to the family of the drowning victim.

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

City Council Minutes
July 18, 2013 – cont.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved:

Leo J. Evans, Mayor