

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, September 5, 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.

Pastor Chris Johnson of Christ the King Lutheran Church gave the invocation and led Council in the Pledge of Allegiance.

Tall moved, Baker seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from August 15, 2013, Special Meeting Minutes from August 8, 2013, Special Meeting Minutes from August 9, 2013, Special Meeting Minutes from August 12, 2013, and Special Meeting minutes from August 14, 2013, as submitted.

**ADJUSTMENTS TO THE AGENDA**

Beauchamp moved, Baker 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 – Use of Public Space – Ludington Street - Great Pumpkin Parade.**

Abate of Michigan, Inc. requested authorization to use Ludington Street on Saturday, October 5, 2013, from 12:00 p.m. to 1:00 p.m., for their annual Great Pumpkin Parade. Administration recommended approval with the following conditions: 1) Proper insurance was provided naming the City of Escanaba as additional insured, 2) the event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) the event sponsors pay for any overtime labor that may be incurred.

**NB-1** Tall moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve a request from Abate of Michigan, Inc. to use Ludington Street on Saturday, October 5, 2013, from 12:00 p.m. to 1:00 p.m., for their annual Great Pumpkin Parade, provided: 1) Proper insurance was provided naming the City of Escanaba as additional insured, 2) the event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) the event sponsors pay for any overtime labor that may be incurred.

**Approval – Use of Public Space – Rally Day – Christ the King Lutheran Church.**

Christ the King Lutheran Church requested to block off the street in front of their church on the 1200 block of North 18th Street, on September 8, 2013, from 8:00 a.m. to 12:00 Noon. Administration recommended approval of the request provided adequate liability insurance was filed with the City and organizational volunteers clean up at the conclusion of the event.

**NB-2** Baribeau moved, Tall seconded, **CARRIED UNANIMOUSLY**, to approve a request from Christ the King Lutheran Church to block off the street in front of their church on the 1200 block of North 18th Street, on September 8, 2013, from 8:00 a.m. to 12:00 Noon, provided adequate liability insurance was filed with the City and organizational volunteers clean up at the conclusion of the event.

**Approval – Bell's Properties, LLC – Warranty Deed – Whitetail Industrial Park – 3712 19th Avenue North.**

Administration sought Council approval to refund Bell's Properties, LLC. \$30,000 for property situated in the City of Escanaba, commonly referred to as 3712 19th Avenue North.

**NB-3** Baker moved, Tall seconded, to approve to refund Bell's Properties, LLC. \$30,000 for property situated in the City of Escanaba, commonly referred to as 3712 19th Avenue North.

The vote was as follows:

Ayes: Baker, Tall, Baribeau, Beauchamp, Evans

Nays: None

**MOTION CARRIED.**

**Approval – 2013/2014 Property and Liability Insurance Coverage Approval.**

Administration sought Council approval for the annual Property and Liability Insurance Coverage with the Michigan Municipal Risk Management Authority in the amount of \$231,526. This expenditure has been allocated in the current operating year

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budget.

**NB-4** Beauchamp moved, Tall seconded, to approve the annual Property and Liability Insurance Coverage with the Michigan Municipal Risk Management Authority in the amount of \$231,526.

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

Ayes: Beauchamp, Tall, Baker, Baribeau, Evans

Nays: None

**MOTION CARRIED.**

### **Approval – Harbor Dredging Project.**

Between August 8-22, 2013, proposals were either picked up or sent out to seventeen contractors for the 2013 Harbor Dredging Project for the removal of approximately 14,000 cubic yards (+/-) of sand located at the mouth of the harbor and within the basin of the harbor. On August 22, 2013, sealed bids were received from nine contractors. After careful review of the bid proposals, Administration recommended the 2013 Marina Dredging project be awarded to MCM Marine of Sault Ste. Marie, Michigan, in the approximate amount of \$142,620. Funds for this project have been made available through a grant from the Michigan DNR.

**NB-5** Baribeau moved, Baker seconded, to approve the 2013 Marina Dredging project be awarded to MCM Marine of Sault Ste. Marie, Michigan, in the approximate amount of \$142,620.

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

Ayes: Baribeau, Baker, Beauchamp, Tall, Evans

Nays: None

**MOTION CARRIED.**

### **Approval – Resolution – MEDC Revolving Loan Fund.**

Administration sought Council approval of a resolution which formally adopts the regionalization model of the MEDC Revolving Loan Fund and designates City Treasurer Robert Valentine to serve as the voting member on the Regional Fund Loan Approval Committee on behalf of the City of Escanaba.

- Discussed environmental review costs. The desired intent was for municipalities to retain the environmental costs at the local level and not transferred to another entity.

**NB-6** By Council Member Beauchamp, seconded by Council Member Tall;

**RESOLUTION TO OPT INTO REGIONAL RLF MODEL**

**WHEREAS**, MSF has put forth an initiative to encourage regionalization of Michigan CDBG Revolving Loan Funds (RLFs); and

**WHEREAS**, RLF Grantees, which include the City of Escanaba, must, at a public meeting, explicitly elect to opt into or opt out of the Regionalization RLF Model; and

**WHEREAS**, The Regional Fund will operate in a manner consistent with the Community Master Plan and with the Community Economic Development Strategy (CEDS); and

**WHEREAS**, Grantees who opt into the Regional Model must designate an individual(s) to execute documents and must designate an individual to serve as a voting member on the Regional Fund Loan Approval Committee; and

**WHEREAS**, Grantees who opt into the Regional Model must execute a Subrecipient Agreement and related documents and agree to certain terms and conditions; then

**NOW, THEREFORE, BE IT RESOLVED**, The Escanaba City Council hereby elects to participate in the MSF CDBG Regional RLF Model, and hereby assumes responsibility for environmental review, decision making and action as specified and in the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and Sec. 104 (f) of Title I of the Housing and Community Development Act and its related implementing regulations, specifically 214 CFR Part 58. The City further accepts responsibility for compliance with the CDBG Grant Administration Manual (GAM).

Furthermore, the City of Escanaba hereby designates its Treasurer as the official authorized to execute all documents, including the Subrecipient Agreement, relating to the Regional Model. The City of Escanaba further designates its Treasurer as the Grantee's voting representative on the Regional Fund Loan Approval Committee.

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

Ayes: Beauchamp, Tall, Baker, Baribeau, Evans

Nays: None

**RESOLUTION DECLARED ADOPTED.**

**Approval – Resolution - National Register of Historic Places.**

Administration sought Council approval of a resolution to place the City of Escanaba's Central Historic District on the National Register of Historic Places through

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the Michigan Historic Preservation Board.

**NB-7** “By Council Member Baker, seconded by Council Member Tall;

**A RESOLUTION OF THE CITY COUNCIL OF ESCANABA SUPPORTING THE APPLICATION OF PLACING THE CITY OF ESCANABA’S CENTRAL HISTORIC DISTRICT ON THE NATIONAL REGISTER OF HISTORIC PLACES.**

*Whereas*, Escanaba has acted and is committed to preserve its historic character by establishing historic districts within its boundaries; and

*Whereas*, in celebrating Escanaba’s 150th Anniversary, the City of Escanaba recognizes its historical heritage and architectural diversity; and

*Whereas*, Escanaba has also recognized the value of historic preservation as an effective tool for economic revitalization; and

*Whereas*, historic designation will promote the restoration and rehabilitation of the buildings of downtown Escanaba; and

*Whereas*, through financial incentives and funding opportunities, **historic designation** will help protect the historic integrity and qualities of these structures.

*Now*, therefore be it resolved, that the City Council of the City of Escanaba hereby supports the application and is honored by this nomination and consideration, to place **the Escanaba Central Historic District** on the National Register of Historic Places.

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

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

**RESOLUTION DECLARED ADOPTED.”**

**Power Plant Update – Sale of the Power Plant.**

City Manager updated the Council and public by reading a letter from Escanaba Green Energy on the latest developments related to the sale and transfer of the Escanaba Generating facility. (See Attachment – A)

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

Mayor Evans, with Council consensus, recommended City resident Gorden Hermes for reappointment to the Delta Area Transit Authority (DATA).

**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 encouraged members of the Public to attend the various fundraising events scheduled during the next two weeks, the Benefit for the Wheeling Sportsmen on September 7, 2013, Great Lakes Sports Fishing Walleye tournament on September 8, 2013, and United Way Chili Challenge on September 10, 2013;
- Public Works scheduled Curb Repair on the 1000 Block of Ludington Street;
- Danforth Road RR Crossing was scheduled for repair on September 16, 2013;
- On September 16, 2013, the Bonifas Civic Center Grand Reopening at 2:15 p.m.
- Logging Congress was in town at the UP Fairgrounds.

Hearing no further public comment, the Council adjourned at 7:27 p.m.

Respectfully submitted,

Robert S. Richards, CMC  
City Clerk

Approved: \_\_\_\_\_  
Leo J. Evans, Mayor



September 5, 2013

Jim:

Here is our most recent update. EGE has an executed agreement with a provider of the deposit that is required for the Centurion loan and Centurion has approved this provider. This provider and Black Diamond are in the midst of working out details for the posting of the deposit into the required account.

Centurion and EGE have had extensive discussions about the urgency of closing the Centurion financing by the end of September which will allow EGE to get substantial pilling work done before the winter sets in. As a result, Centurion has agreed to flip its closing process such that Centurion is now securing the funds for the Centurion loan. This is being done, in parallel with EGE's efforts to finalize the deposit in Black Diamonds account rather than waiting to secure these funds until after the deposit was made and the term sheet was signed. This adjusted process probably knocks off two weeks of processing and closing time once the Centurion term sheet is signed. This adjustment of process also means that all parties are projecting a closing by the end of September.

Sincerely,

Charles Detiege  
President