

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, October 3, 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 Department Heads, media, and members of the public.

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

Beauchamp moved, Tall seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from September 19, 2013, as submitted.

**ADJUSTMENTS TO THE AGENDA**

City Manager O'Toole asked to move New Business Item 7 to New Business 1a.

Beauchamp moved, Tall seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as amended.

**CONFLICT OF INTEREST DECLARATION** – None

**BRIEF PUBLIC COMMENT**

City resident James Hellermann, member of the Bay de Noc Brewers, spoke in support of the annual Uptoberfest use of public space request.

**UNFINISHED BUSINESS** – None

**PUBLIC HEARINGS**

**Public Hearing - 2011/2012 Escanaba Downtown Façade Program.**

In accordance with program requirements of the MEDC Downtown Façade Program, a closeout hearing was conducted on the 2011/2012 Escanaba Downtown Façade Program.

City Code Official Blaine DeGrave provided an overview of the 2011/2012 Façade Program by providing before façade pictures of the downtown businesses that took part in the program.

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

Hearing no public comment, Mayor Evans closed the public hearing, and the 2011/2012 Escanaba Downtown Façade Program was officially closed.

## **NEW BUSINESS**

### **Approval – Use of Public Space – 1st Avenue North Between North 6th Street and North 7th Street and Alley Between Ludington Street and 1st Avenue North (600 block) – Uptoberfest.**

The United Way of Delta County, in conjunction with the Bay de Noc Brewer's Homebrew Club, sought Council approval to close 1st Avenue North between North 6th Street and North 7th Street and the alley between North 6th Street and North 7th Street on October 12, 2013, from 2:00 p.m. to 7:00 p.m. for the annual United Way of Delta County Uptoberfest. Administration recommended approval with the following conditions: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event sponsor pay for any overtime labor that may be incurred.

**NB-1** Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve a request from The United Way of Delta County, in conjunction with the Bay de Noc Brewer's Homebrew Club, to close 1st Avenue North between North 6th Street and North 7th Street and the alley between North 6th Street and North 7th Street on October 12, 2013, from 2:00 p.m. to 7:00 p.m. for the annual United Way of Delta County Uptoberfest, provided: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event sponsor pay for any overtime labor that may be incurred.

### **Approval – Use of Public Space – Ludington Park – Breast Cancer Awareness.**

The Pink Pumpkins Breast Cancer Awareness 5K Walk/Run sought Council approval to use Ludington Park on October 12, 2013, from 10:00 a.m. to 4:00 p.m. for a breast cancer awareness 5K Run. Administration recommended approval with the following conditions: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event sponsor pay for any overtime labor that may be incurred.

**NB-1a** Tall moved, Baker seconded, **CARRIED UNANIMOUSLY**, to approve a request from The Pink Pumpkins Breast Cancer Awareness 5K Walk/Run to use Ludington Park on October 12, 2013, from 10:00 a.m. to 4:00 p.m. for a breast cancer awareness 5K Run, provided: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event

sponsor pay for any overtime labor that may be incurred.

**Approval – Program Vehicle(s) Purchase – Motor Vehicle Fund – Various Departments.**

Administration sought Council approval to purchase five (5) 2012 Chevrolet Impalas from Riverside Auto Group, Escanaba in an amount not to exceed \$75,000 to replace various departmental vehicles that were found to have structural defects and were no longer road worthy and serviceable. The new vehicles would be purchased out of the Motor Vehicle Fund. After further discussion, Council directed Administration to mark the old vehicle titles as scrap, and scrap value returned to the Motor Vehicle Fund.

**NB-2** Beauchamp moved, Tall seconded, to purchase five (5) 2012 Chevrolet Impalas from Riverside Auto Group, Escanaba in an amount not to exceed \$75,000 to replace various departmental vehicles that were found to have structural defects and were no longer road worthy and serviceable.

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

Ayes: Beauchamp, Tall, Baker, Baribeau, Evans

Nays: None

**MOTION CARRIED.**

**Approval – Michigan Department of Transportation (MDOT) Contract #13-5527 – Asphalt Paving Work for Sheridan Road from 10th Avenue North to 17th Avenue North.**

Administration sought Council approval of an MDOT contract for hot mix asphalt paving work along Sheridan Road from 10th Avenue North to 17th Avenue North; including base crushing and shaping, earth excavation, aggregate base, concrete sidewalk, sidewalk ramp replacement and permanent pavement marking work. Additionally, Administration requested Council authorize the City Manager and City Clerk to sign the necessary contracts. Public Works/City Engineer Bill Farrell reviewed the project and its scope.

**NB-3** By Council Member Baker, seconded by Council Member Baribeau:

**RESOLVED**, to approve MDOT Contract No. 13-5527, Control Section STUL 21422, Job Number 117176, Project STP 1321(008), Federal Item No. HH 8950, CFDA No. 20.205, for hot mix asphalt paving work along Sheridan Road from 10th Avenue North to 17th Avenue North; including base crushing and shaping, earth excavation, aggregate base, concrete sidewalk, sidewalk ramp replacement and permanent pavement marking work;

**Be it Further Resolved**, that Council authorizes the City Manager and City Clerk to sign the necessary contracts.

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

Ayes: Baker, Baribeau, Tall, Beauchamp, Evans

Nays: None

**MOTION CARRIED.**

**Approval – USDA Revolving Loan Fund Reimbursement – Penstar Industrial Complex.**

Administration sought Council approval to reimburse the United States Department of Agriculture a total of \$50,000 from a revolving loan made to the City of Escanaba in 1992 under the Rural Development Administration's Rural Enterprise Program. Loaned funds were provided to the Penstar Industrial Complex developer and funds were used to make facility improvements to meet tenant needs. The loan has since been repaid.

**NB-4** Beauchamp moved, Baker seconded, to approve to reimburse the United States Department of Agriculture a total of \$50,000 from a revolving loan made to the City of Escanaba in 1992 under the Rural Development Administration's Rural Enterprise Program.

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

Ayes: Beauchamp, Baker, Tall, Baribeau, Evans

Nays: None

**MOTION CARRIED.**

**Presentation – Bay College – “Your Community College for Fifty Years”.**

Mr. Phillip Strom, Bay de Noc Community College Board Trustee, gave a presentation on the impact Bay College has had on the community over the last 50 years. After a question and answer period, Mr. Strom was thanked for his presentation.

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

City Manager O'Toole updated the Council and public on the latest developments related to the sale and transfer of the Escanaba Generating facility. A review of various lender dates over the last several months was also discussed.

**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**

State House Representative Ed McBroom congratulated the City on its 150<sup>th</sup> celebration. He spoke of Bay College transfers to other Universities and how difficult it was to obtain transfer and graduate information from State Colleges and Universities. Representative McBroom advised Committee Testimony would be conducted on the Central U.P. Micropolitan Economic Development District Next Michigan Development Act the following week, and City Manager O'Toole was scheduled to testify at the hearing. He further advised he expected a Next Michigan Development Act floor vote within three weeks. Representative McBroom also spoke of his legislation regarding the transport and sale of drugs into Michigan. He advised he proposed legislation asked for stiffer penalties for selling drugs in Michigan and the Upper Peninsula brought in from other States.

## **ANNOUNCEMENTS**

- Council Members thanked Representative McBroom for taking time out of his busy schedule to attend the City Council Meeting;
- Annual Chamber of Commerce Dinner was scheduled for October 10, 2013, at the Island Resort and Casino;
- Escanaba and Gladstone Candidate Forum was scheduled for October 16<sup>th</sup> at 7:00 p.m.

Hearing no further public comment, the Council adjourned at 8:32 p.m.

Respectfully submitted,

Robert S. Richards, CMC  
City Clerk

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