

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, April 3, 2014**

The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Patricia A. Baribeau, Ronald J. Beauchamp, and Ralph B. Blasier

Absent: One Vacancy

Also Present: City Controller Mike Dewar, City Department Heads, media, and members of the public.

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

Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting Minutes from March 12, 2014, Regular Meeting Minutes from March 20, 2014, and Council Study Session Meeting Minutes from March 24, 2014, as submitted.

ADJUSTMENTS TO THE AGENDA

Beauchamp moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda.

CONFLICT OF INTEREST DECLARATION

Council Member Blasier stated he had a conflict of interest with Agenda Item No. 1f. Council Members stated Agenda Item No. 1f would have a separate motion.

BRIEF PUBLIC COMMENT

City resident Roberta Stacey commented on the Community events, specifically the Walk/Run events. Ms. Stacey recommended Council ask the Planning Commission for a policy and to research possible right-of-way for pedestrians and cyclists over automobiles in Ludington Park.

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.

- a. A request from the Paul Mitchell School to reserve the Ludington Park Pavilion for Cut, Color, and 5K Run Saturday, April 19, 2014;
- b. A request from the Escanaba Schools to use Ludington Park on Saturday, May 10, 2014, for the annual Eskymo 5K Run/Walk;
- c. A request from Jacklyn Dault to reserve Ludington Park for the National Eating Disorders Association Walk Fundraiser Saturday, May 17, 2014;
- d. A request from Bobbie Stacey to reserve the Municipal Dock and open space to the Chamber of Commerce for the Bay de Noc Home Run 10K.5K/Kids Run Saturday, May 24, 2014;
- e. A request from the Bay de Noc Great Lakes Sports Fisherman to reserve space near Marina/Yacht Club for two Walleye tournaments Saturday, May 24, 2014, and Saturday, September 13, 2014;
- g. A request from the Bay de Noc Great Lakes Sports Fisherman to reserve the Ludington Park Band Shell for the Angler Young Angler Walleye Tournament Saturday, June 14, 2014;
- h. A request from the William Bonifas Fine Arts Center to reserve the Ludington Park Band Shell for Summer Concert Series Mondays July 7th, July 14th, July 21st, and July 28th.
- i. A request from Escanaba Harbor Master Larry Gravatt to use of the Marina green space for the 3rd Annual Marina Fest Saturday, July 12, 2014;
- j. A request from Anne Erickson to reserve the Ludington Park Pavilion for the Walk in the Park Fundraiser for brain tumor research Saturday, July 19, 2014;
- k. A request from Bay de Noc Great Lakes Sports Fisherman to a host Kid's Fishing Derby In Ludington Park Saturday, July 19, 2014;
- l. A request from the William Bonifas Fine Arts Center to reserve the Ludington Park Band Shell and open green space for the annual Waterfront Arts Festival Saturday, August 2, 2014;

- m. A request from the Bay de Noc Great Lakes Sports Fisherman to reserve the North Shore Boat Launch for a walleye tournament on Saturday, August 9, 2014;
- n. A request from the Delta RICC/Wild Turkey Federation and Bays de Noc Gobblers Association to utilize Marina for “Recreating in the Great Outdoors” August 9, 2014;
- o. A request from the Marquette Care Clinic Crisis Pregnancy Center to reserve the Municipal Dock for the Marquette Care Clinic Walk for Life Saturday, September 6, 2014;
- p. A request from Cindy Bittner to reserve the Ludington Park Pavilion for the End the Silence Walk Saturday, September 13, 2014;
- q. A request from Joy McKnight to reserve the Ludington Park Pavilion for Pink Pumpkins Breast Cancer Awareness 5K Fundraiser Saturday, October 4, 2014;

NB-1(a-e, g-q) Beauchamp moved, Baribeau seconded, to approve the consent agenda items as proposed, contingent upon proper insurance was provided naming the City of Escanaba and event sponsors provide all labor and material to clean up at the conclusion of the event.

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

Ayes: Beauchamp, Baribeau, Blasier, Tall
Nays: None

MOTION CARRIED.

NB-1(f) Baribeau moved, Beauchamp seconded, to approve a request from Mary Blasier to reserve the Ludington Park Pavilion for “Bark in the Park” Sunday, June 1, 2014, contingent upon proper insurance was provided naming the City of Escanaba and event sponsors provide all labor and material to clean up at the conclusion of the event.

Ayes: Baribeau, Beauchamp, Tall
Nays: None
Abstain: Blaiser

Discussion – Mayor Pro-Tem Leo Evans Resignation and Appointment of Mayor Pro-Tem.

The Council discussed the resignation of Mayor Pro-Tem Leo Evans and the process of filling the vacated Council seat as a result of the resignation. Additionally, Council discussed naming a new Mayor Pro-Tem.

Council Members were in agreement that the 'upcoming issue' for former Mayor Evans had nothing to do with his performance as a City Council member.

Mayor Tall briefly reviewed Leo's 18 year history on the Council and stated he had worked very hard for a very long time on the City Council, and thanked him for his commitment to representing the residents of the community. He would be missed.

NB-2 Blasier moved, Beauchamp seconded, to approve the resignation of Mayor Pro-Tem Leo Evans.

Baribeau moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve Council Member Beauchamp as Mayor Pro-Tem for the City of Escanaba.

After discussion, Baribeau moved, Blasier seconded, **CARRIED UNANIMOUSLY**, for members of the public to submit letters of interest for appointment to the Escanaba City Council to fill the Council vacancy. The letters of intent should be sent to City Clerk Richards, and include a resume, and qualifications. All letters of interest should be submitted by, Noon, Thursday, April 17, 2014.

Approval – Resolution – MDNR Recreation Passport Grant.

Administration sought Council approval of a Resolution of Support for a \$14,000 grant application to the MDNR Recreation Passport Grant Program which would be used to renovate the Ludington Park tennis/basketball courts and improve accessibility to the pavilion and bathroom facilities.

NB-3 “By Council Member Baribeau, seconded by Council Member Blasier;

RESOLUTION FOR THE LUDINGTON PARK TENNIS COURTS RENOVATION

“RESOLVED, that the City of Escanaba, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City of Escanaba does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project period and to provide Fourteen Thousand (\$14,000.00) to match the grant authorized by the Department.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the Department for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said 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, Blasier, Beauchamp, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.”

Approval – City of Escanaba Street System Resolutions - Act 51 Street System Map.

Administration sought Council approval of four (4) resolutions to amend the City of Escanaba Street System Map for the purpose of obtaining funds under Act 51, P.A. 1951, as amended.

NB-4(a) “By Council Member Blasier, seconded by Council Member Baribeau;

Whereas the City of Escanaba does wish to decertify South 1st Street. This decertification of South 1st Street is located between Ludington Street and 1st Avenue South for a total decertification length of 160 feet.

The centerline of said street is described as :

Commencing at the Southeast corner of Lot 1, Block 2 of the Original Plat of Escanaba, thence East 40 feet to the Point of Beginning of said centerline, thence North 160 feet to the north end of said centerline.

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

Ayes: Blasier, Baribeau, Beauchamp, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.”

NB-4(b) “By Council Member Beauchamp, seconded by Council Member Blasier;

Whereas the City of Escanaba does wish to decertify a portion of 25th Avenue South. This decertification of 25th Avenue South is located west of South Lincoln Road, for a total decertification length of 650 feet.

The centerline of said avenue is described as:

Commencing at the East ¼ Corner of Section 1, Township 38 North, Range 23 West, thence North 01° 19’ 43” East 10 feet, thence South 89° 48’ 48” West 24.83 feet to the Point of Beginning of said centerline , thence South 89° 48’ 48” West 650 feet to the west end of said centerline.

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

Ayes: Beauchamp, Blasier, Baribeau, Tall
Nays: None

RESOLUTION DECLARED ADOPTED.”

NB-4(c) “By Council Member Baribeau, seconded by Council Member Beauchamp;

Whereas the City of Escanaba did on 8/10/1881 acquire title to 9th Avenue South between South 10th Street and Lakeshore Drive. And whereas it is necessary to furnish certain Information to the State of Michigan to place this street within the City of Escanaba Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the center line of said 9th Avenue South is described as :

Commencing at the southwest corner of Lot 5, Block 13 of Campbell’s Addition to the City of Escanaba, thence south 40 feet to the Point of Beginning of said centerline, thence east 25 feet to the westerly Right-of-Way line of Lakeshore Drive and end of said centerline.
2. That said street is located within a City of Escanaba right-of-way and is under control of the City of Escanaba.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City of Escanaba Local Street System and was open to the Public on 8/10/1881.

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

Ayes: Baribeau, Beauchamp, Blasier, Tall
Nays: None

RESOLUTION DECLARED ADOPTED.”

NB-4(d) “By Council Member Blasier, seconded by Council Member Beauchamp;

Whereas the City of Escanaba did on 3/16/06 acquire title to South 21st Street between 10th Avenue South and 12th Avenue South. And whereas it is necessary to furnish certain Information to the State of Michigan to place this street within the City of Escanaba Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

1. That the centerline of said South 21st Street is described as :

Commencing at the Northwest corner of the East ½ of the Southwest ¼ of the Northwest ¼ of Section 31, Township 39 North, Range 22 West , thence South 00° 40' 22" West 560.03 feet to the south Right-of-Way line of 10th Avenue South, thence North 89° 09' 20" East 30 feet along the said south Right-of-Way line to the Point of Beginning of said centerline, thence South 00° 40' 22" West 760.62 feet along the centerline to the north Right-of-Way line of 12th Avenue South and the end of said centerline.

2. That said street is located within a City of Escanaba right-of-way and is under control of the City of Escanaba.
3. That said street is a public street and is for public street purposes.
4. That said street is accepted into the City of Escanaba Local Street System and was open to the Public on 3/16/06.

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

Ayes: Blasier, Beauchamp, Baribeau, Tall
Nays: None

RESOLUTION DECLARED ADOPTED.”

Update – Sale of the Power Plant/Referendum – City Manager’s Office.

City Controller Dewar updated the Council and public on the latest developments related to the sale of the Escanaba generating facility (See Attachment - A), and Clerk Richards updated the public on the upcoming May 6, 2014, Power Plant referendum.

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

Mayor Tall, with Council Consensus, appointed Mayor Pro-Tem Beauchamp to fill the vacancy on the Local Liquor License Review Board.

BOARD, COMMISSION, AND COMMITTEE REPORTS

Council Members reviewed City Board and Commission meetings each attended since the last City Council Meeting.

GENERAL PUBLIC COMMENT

City Resident Robert Derheim asked Council what the qualifications were for the City Council. City Attorney Peterson stated an individual must be a resident of the City of Escanaba for at least one year, and Mayor Tall suggested individuals should have an interest in serving the community and possibly have served on various City Boards and Commissions. Each applicant would be looked at individually.

ANNOUNCEMENTS

Mayor Tall Proclaimed - Arbor Day, April 25, 2014

Hearing no further public comment, the Council adjourned at 7:34 p.m.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor