



CITY COUNCIL MEETING AGENDA

1st and 3rd Thursday of the Month

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro-Tem
Patricia A. Baribeau, Council Member
Ralph B. Blasier, Council Member
Michael R. Sattem, Council Member

James V. O'Toole, City Manager
Robert S. Richards, CMC, City Clerk
Ralph B.K. Peterson, City Attorney

City Council Chambers located at: City Hall - 410 Ludington Street - Room C101 - Escanaba, MI 49829

The Council has adopted a policy to use a Consent Agenda, when appropriate. All items listed with an asterisk (*) are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the Agenda.

Regular Meeting

Thursday, July 17, 2014, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE -
APPROVAL/CORRECTION(S) TO MINUTES -

City Clerk Robert S. Richards
Special Meeting - July 7 & 9, 2014
Regular Meeting - July 3, 2014

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION

BRIEF PUBLIC COMMENT

PUBLIC HEARINGS - None

NEW BUSINESS

- 1. Approval - 2014/2015 Property and Liability Insurance Coverage Approval.**
Explanation: Administration is seeking Council approval of the annual Property and Liability Insurance Coverage with the Michigan Municipal Risk Management Authority (MMRMA) in the amount of \$239,987. This expenditure has been budgeted in the current operating year budget.
- 2. Approval - Outdoor Food and Beverage Service Application - 1110 Ludington Street - Ludington Grill.**
Explanation: Shad Holmberg, owner and operator of the Ludington Grill, 1110 Ludington Street, is seeking Council approval to utilize the public space in front of his establishment for outdoor food and beverage service. On July 2, 2014 the Escanaba Downtown Development Authority recommended Council approval. Additionally, the request was reviewed by the Department of Public Safety per the City Policy regarding sidewalk use and is recommending approval

3. **First Reading - Ordinance No. 1154 - An Ordinance to Vacate a Portion of an Alley in Block 2 of the City Center Addition.**

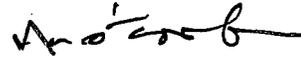
Explanation: Administration is requesting Council consider this the first reading of Ordinance No. 1154, an ordinance to vacate a portion of an alley beginning at the west 140 feet of the east-west alley of Block 2 of the City Center Addition and set August 7, 2014 for the second reading, public hearing and adoption. On July 10, 2014 the Planning Commission recommended Council approval.

4. **Update - Sale of the Power Plant - City Manager's Office.**

Explanation: Administration will update the Council and public on the latest developments related to the sale of the Escanaba generating facility.

APPOINTMENTS
BOARD, COMMISSION, AND COMMITTEE REPORTS
GENERAL PUBLIC COMMENT
ANNOUNCEMENTS
ADJOURNMENT

Respectfully Submitted



James V. O'Toole
City Manager

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, July 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, Ralph B. Blasier, and Michael R. Sattem

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, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting Minutes from June 11, 2014, and Regular Meeting Minutes from June 19, 2014, as submitted.

ADJUSTMENTS TO THE AGENDA

Blasier moved, Sattem 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 – Resolution – Great Lakes Bottomlands Use Agreement.

Basic Marine, Inc. requested City Council pass a resolution approving the State's issuance of a Great Lakes Bottomlands Use Agreement for Lake Michigan bottomlands adjacent to upland property Basic Marine, Inc. owns and controls located on the end of North 4th Street.

City Assessor Daina Norden briefly reviewed the Basic Marine, Inc. property purchase and scope of their proposed project.

NB-1 By Council Member Blasier, seconded by Council Member Sattem:

**RESOLUTION
APPROVING THE STATE'S ISSUANCE OF A
USE AGREEMENT FOR GREAT LAKES BOTTOMLANDS**

WHEREAS, Basic Marine is making application to the State of Michigan for a Use Agreement for a Great Lakes bottomlands; and

WHEREAS, The subject bottom lands are adjacent to Section 29 T.39N., R.22W., (See Attached Map) and occupy an existing pier and future expansion of Basic Marine's dry dock and ship repair facility;

WHEREAS, the State of Michigan requests the concurrence of the local political jurisdiction;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Escanaba approves of the Great Lakes bottom lands conveyance application from Basic Marine to the State of Michigan for certain Lake Michigan public trust bottom lands for the expansion of its dry dock and ship repair facility.

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

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

RESOLUTION DECALRED ADOPTED.

Approval - Traffic Control Orders (TCO's) – No. 984-987 - Department of Public Safety.

Administration sought Council approval of Traffic Control Orders No. 984-987. The TCO's called for removal of limited timed parking signs at the following locations:

- 984 – A 15 minute parking space in front of 1217 Ludington Street;
- 985 - A 15 minute parking space in front of 1837 Third Avenue North;
- 986 – A 15 minute parking space in front of 400 South 10th Street;
- 987 – Two 30 minute parking spaces in front of Medicine Shoppe on the 100 Block of South 11th Street.

NB-2 Baribeau moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Traffic Control Orders No. 984-987.

Update – Sale of the Power Plant – City Manager's Office.

Manager O'Toole Administration updated the Council and public on the latest developments related to the sale of the Escanaba generating facility.

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

Mayor Tall, with Council consensus, appointed Joseph B. Crispigna to the Traffic Safety Advisory, term ending 2016.

BOARD, COMMISSION, AND COMMITTEE REPORTS

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

GENERAL PUBLIC COMMENT

Thomas Benard and Steve Marciniak commented on their application for a Second Hand Goods License, and legal charges made against them. They advised if the issue wasn't resolved soon, they would be considering legal action.

ANNOUNCEMENTS

- Family Day in the Park tomorrow evening July 4th, and Rock the Dock Saturday evening on July 5th on the Municipal Dock;
- Encouraged members of the public to have a Safe and Happy 4th of July, and encouraged members of the public to protect and leash their pets.

Hearing no further public comment, the Council adjourned at 7:13 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Work Session Meeting
Monday, July 7, 2014**

Pursuit to a special meeting notice posted June 17, 2014, the meeting was called to order by the Honorable Mayor Marc D. Tall at 8:00 a.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 Michael R. Sattem.

Absent: Ralph B. Blasier

Also Present: City Manager James V. O'Toole, City Clerk Richards, City Department Heads, and media.

ADJUSTMENTS TO THE AGENDA

Baribeau moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

NEW BUSINESS

Discussion – Boards, Commissions and Committees.

The City Council and Administration discussed current board, commission and/or committee vacancies along with term limits on each board, commission and committee. After discussion, the following changes were proposed: The following was discussed:

- It was suggested, Across the Board, if statutorily allowed, and if an individual members 2nd term was set to expire, the Mayor with Council consensus, could extend a members term one year, up to three times;
- If statutorily allowable, allow individual members to also serve on two Boards or Commissions;
- Electrical Advisory Board Members were currently serving indefinitely until the Power Plant was disposed of, or sold. At that time, the Electrical Advisory Board would be disbanded, and it would be the hope that those members would serve on other City Boards or Commissions.

After further discussion, it was Council consensus to direct Administration to change the City Policy for Appointments to Board and Commissions to reflect:

- Across the Board, if statutorily allowed, and if an individual members 2nd term was set to expire, the Mayor with Council consensus, could extend an individual members term one year, up to three times;

- If statutorily allowable, allow individual members to also serve on two Boards or Commissions.

Discuss – Municipal Employee’s Defined Benefit Retirement Plan, Municipal Employee’s Defined Contribution Retirement Plan and Department of Public Safety Act 345 Retirement Plan.

The City Council and Administration discussed the various pension plans that municipal employees participate in while working for the City of Escanaba.

- Manager O’Toole briefly reviewed the use of Pension Obligation Bonds to fulfill the City unfunded Pension Obligations. Manager O’Toole stated Council received information to backup Administration’s recommendation not to pursue that direction;
- City Treasurer/Human Resource Director Valentine updated Council on the status of the City of Escanaba Pension Defined Benefit Plans;
- Administration was not recommending Bonding for the unfunded pension liability. The City’s MERS plan was a closed plan and Michigan statutes allow bonding. Public Safety Retirement Plan was an open plan and State statutes prohibited bonding. City could, but again Administration recommended against it, and reviewed the reasons why;
- Council directed Treasurer Valentine to prepare a \$15 million Pension Bonding Plan scenario for review;
- Council asked Treasurer Valentine to prepare a monthly/quarterly report to Council on the City Pension Plans.
- Discussed hiring a third party evaluation to bond or not to bond. Administration advised the Actuarial on retainer would not perform that work. The question was a philosophical question;
- It was suggested putting more funds into the unfunded portion of the City Pension Plans. It was suggested to review and discuss this issue at a future work session.

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS – None

Hearing no further public comment, the Council adjourned at 1:07 p.m.

Respectfully submitted,

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

OFFICIAL PROCEEDINGS
CITY COUNCIL
ELECTRICAL ADVISORY COMMITTEE
CITY OF ESCANABA, MICHIGAN
Special Joint Meeting
Wednesday, July 9, 2014

Pursuit to a meeting notice posted July 3, 2014, the meeting was called to order by the Mayor Marc D. Tall at 6:00 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, Ralph B. Blasier, and Michael R. Sattem.

Absent: None

Present: Electrical Advisory Committee (EAC) Members: Chairperson Wilson, Ann Bissell, and John Anthony

Absent: Larry Arkens, Glendon Brown, Two vacancies, and Power Plant Liaison.

Also Present: City Manager James V. O'Toole, Electric Superintendent Mike Furmanski, City Controller Michael Dewar, Jack Scott of Pro Energy Services, Inc., Charles DeTiege of Escanaba Green Energy (EGE), members of the public and media.

Baribeau moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve the agenda as submitted.

UNFINISHED BUSINESS – None

CONFLICT OF INTEREST – None

PUBLIC HEARING – None

NEW BUSINESS

Update - Electric Department –General Operations.

Electrical Superintendent Mike Furmanski updated the City Council, Electrical Advisory Committee and Citizens of Escanaba on the current departmental activities.

- Reviewed new services at work at the OSF St. Francis Hospital;
- Reviewed a callout to help replace equipment for a large customer power user.

Update– Operation and Maintenance of Power Plant – Pro Energy Services, Inc.

Jack Scott Pro Energy Services, Inc. updated the City Council, Electrical Advisory Committee and Citizens of Escanaba on the status of the June operation and maintenance of the power plant.

- No accidents or injuries were reported;
- No Air Monitoring deviations in the month;
- Reviewed dates and hours Power Plant Units ran;
- Routine maintenance and equipment replacements occurred throughout the month on Units 1 & 2. Reported no repairs with the Combustion Turbine;
- Due to cleaning of the Precipitators, ash was washed into the pond which caused the pH to drop to a pH of 3.

Approval – Equipment Purchase – West Side Substation Pad Mounted Switch.

Administration sought Council approval to purchase a pad-mounted switch from Border States Electric for an amount not to exceed \$20,000. Electric Superintendent Mike Furmanski reviewed the bid and scope for the use and location at the West Side Substation for the proposed pad-mount switch purchase.

After discussion, Beauchamp moved, Blasier seconded, to purchase a pad-mounted switch from Border States Electric for an amount not to exceed \$20,000.

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

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

MOTION CARRIED.

Update – Power Plant Purchase Agreement/Sale.

Charles Detiege of EGE updated Council and the Electrical Advisory Committee on the sale of the Power Plant. Mr. DeTiege advised proof of funds were supposed to be in today, but no proof of funds were available as of the meeting time. Mr. DeTiege stated once proof of funds were confirmed a closing date would be given.

GENERAL PUBLIC COMMENT – None

- John Anthony briefly commented and praised the City on the Energy Optimization program available for commercial electric users;
- Also commented on the share of information. He suggested development on sharing more information of electric use by commercial users.

COUNCIL/COMMITTEE, STAFF REPORTS – None

ADJOURNMENT

Hearing no further public comment, or further reports from the Electrical Advisory

Joint City Council & Electrical Advisory Minutes
July 9, 2014 – cont.

Committee or Council, the meeting adjourned at 6:16 p.m.

Respectfully submitted,

Robert S. Richards
City Clerk

Approved:

Marc D. Tall, Mayor

MEMORANDUM

July 10, 2014

TO: Jim O'Toole, Robert Richards

FROM: Michael Dewar



We are recently in receipt of the billing information for the City's 2014/15 property and liability insurance coverage. Based on the information provided below, I'm recommending City Council approval of MMRMA as the City's insurance carrier for the 2014/15 fiscal year, in the gross amount of \$239,987.

Insurance Coverage

MMRMA insurance coverage represents the City's main insurance protection. Included in the coverage are a \$5,000,000 limit on liability claims and a \$96.6 million limit on property claims, with various exclusions and exceptions. The City carries a "maximum out-of-pocket" of \$120,000 on claims (after deductibles), a \$250,000 deductible on electric plant coverage, with smaller deductibles on auto claims and other property. The attached Coverage Proposal details some of these specifics.

There are no major changes in coverage for the 14/15 fiscal year. While not a change in coverage, MMRMA increased our property valuation \$95 million to \$96.6 million.

Comparison

On the last page of this document, I've attached a Ten Year Premium History workpaper. Across from the "TOTAL PAYMENTS" line, you will note our premium for 14/15 – at \$239,987 – is up \$8,461 (3.7%) when compared to last year.

For the past nine years, MMRMA has had a policy of issuing "dividend" (refund) checks. The only way that we will receive our dividend check is to commit to another year of coverage. MMRMA has maintained that these checks represent earnings on their investments. Last year, we received a dividend check of \$108,154. This year's dividend check will amount to \$194,653, payable within one month of our renewal.

The impact of the dividend checks is that it results in lower "net" premiums; these savings will be spread over all of the various funds and departments as a single charge to "Insurance and Bonds" for each applicable function. For the 14/15 budget process, I estimated net costs to be \$60,000 (because there's no way of knowing ahead of time, with any certainty, what our dividend check will be); with the net cost at a negative \$22,414 (not counting the charges for electrical generating operations), we will be well below budget for this aspect of operations.

As of this date, the City is attempting to sell the electric generating station. Once this occurs, the City will receive a pro-rate refund of the MMRMA premiums tied to this operation; additionally, we will save insurance costs required by our contracts with ProEnergy and ATC/MISO (generation & transmission interconnect), but these are covered by another carrier.

I will be at the City Council meeting to address any questions, but if there are any questions prior to then, please contact me.

MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY COVERAGE PROPOSAL

Member: City of Escanaba **Proposal No:** Q000001071
Date of Original Membership: July 1, 1995
Proposal Effective Dates: July 01, 2014 To July 01, 2015
Member Representative: Mike Dewar **Telephone #:** (906) 786-0605
Regional Risk Manager: U.P. Insurance Specialists, Inc. **Telephone #:** (906) 475-5400

A. Introduction

The Michigan Municipal Risk Management Authority (hereinafter "MMRMA") is created by authority granted by the laws of the State of Michigan to provide risk financing and risk management services to eligible Michigan local governments. MMRMA is a separate legal and administrative entity as permitted by Michigan laws. **City of Escanaba** (hereinafter "Member") is eligible to be a Member of MMRMA. **City of Escanaba** agrees to be a Member of MMRMA and to avail itself of the benefits of membership.

City of Escanaba is aware of and agrees that it will be bound by all of the provisions of the Joint Powers Agreement, Coverage Documents, MMRMA rules, regulations, and administrative procedures.

This Coverage Proposal summarizes certain obligations of MMRMA and the Member. Except for specific coverage limits, attached addenda, and the Member's Self Insured Retention (SIR) and deductibles contained in this Coverage Proposal, the provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulations, and administrative procedures shall prevail in any dispute. The Member agrees that any dispute between the Member and MMRMA will be resolved in the manner stated in the Joint Powers Agreement and MMRMA rules.

B. Member Obligation - Deductibles and Self Insured Retentions

City of Escanaba is responsible to pay all costs, including damages, indemnification, and allocated loss adjustment expenses for each occurrence that is within the Member's Self Insured Retention (hereinafter the "SIR"). **City of Escanaba's** SIR and deductibles are as follows:

Table I

Member Deductibles and Self Insured Retentions

COVERAGE	DEDUCTIBLE	SELF INSURED RETENTION
Liability	N/A	\$100,000 Per Occurrence
Vehicle Physical Damage	\$1,000 Per Vehicle	\$15,000 Per Vehicle \$30,000 Per Occurrence
Fire/EMS Replacement Cost	\$1,000 Per Occurrence	N/A
Property and Crime	\$1,000 Per Occurrence	N/A
Sewage System Overflow	N/A	\$100,000 Per Occurrence

The member must satisfy all deductibles before any payments are made from the Member's SIR or by MMRMA.

The **City of Escanaba** is afforded all coverages provided by MMRMA, except as listed below:

- 1.
- 2.
- 3.
- 4.

All costs including damages and allocated loss adjustment expenses are on an occurrence basis and must be paid first from the Member's SIR. The Member's SIR and deductibles must be satisfied fully before MMRMA will be responsible for any payments. The most MMRMA will pay is the difference between the Member's SIR and the Limits of Coverage stated in the Coverage Overview.

City of Escanaba agrees to maintain the Required Minimum Balance as defined in the Member Financial Responsibilities section of the MMRMA Governance Manual. The Member agrees to abide by all MMRMA rules, regulations, and administrative procedures pertaining to the Member's SIR.

C. MMRMA Obligations - Payments and Limits of Coverage

After the Member's SIR and deductibles have been satisfied, MMRMA will be responsible for paying all remaining costs, including damages, indemnification, and allocated loss adjustment expenses to the Limits of Coverage stated in Table II. The Limits of Coverage include the Member's SIR payments.

The most MMRMA will pay, under any circumstances, which includes payments from the Member's SIR, per occurrence, is shown in the Limits of Coverage column in Table II. The Limits of Coverage includes allocated loss adjustment expenses.

Table II
Limits of Coverage

Liability and Motor Vehicle Physical Damage	Limits of Coverage Per Occurrence		Annual Aggregate	
	Member	All Members	Member	All Members
1 Liability	5,000,000	N/A	N/A	N/A
2 Judicial Tenure	N/A	N/A	N/A	N/A
3 Sewage System Overflows	500,000	N/A	500,000	N/A
4 Volunteer Medical Payments	25,000	N/A	N/A	N/A
5 First Aid	2,000	N/A	N/A	N/A
6 Vehicle Physical Damage	1,500,000	N/A	N/A	N/A
7 Uninsured/Underinsured Motorist Coverage (per person)	100,000	N/A	N/A	N/A
Uninsured/Underinsured Motorist Coverage (per occurrence)	250,000	N/A	N/A	N/A
8 Michigan No-Fault	Per Statute	N/A	N/A	N/A
9 Terrorism	5,000,000	N/A	N/A	5,000,000

Property and Crime	Limits of Coverage Per Occurrence		Annual Aggregate	
	Member	All Members	Member	All Members
1 Buildings and Personal Property	97,571,350	350,000,000	N/A	N/A
2 Personal Property in Transit	1,000,000	N/A	N/A	N/A
3 Unreported Property	5,000,000	N/A	N/A	N/A
4 Member's Newly Acquired or Constructed Property	5,000,000	N/A	N/A	N/A
5 Fine Arts	1,000,000	N/A	N/A	N/A
6 Debris Removal (25% of Insured direct loss plus)	25,000	N/A	N/A	N/A
7 Money and Securities	1,000,000	N/A	N/A	N/A
8 Accounts Receivable	1,000,000	N/A	N/A	N/A
9 Fire Protection Vehicles, Emergency Vehicles, and Mobile Equipment (Per Unit)	2,000,000	10,000,000	N/A	N/A
10 Fire and Emergency Vehicle Rental (12 week limit)	1,000 per week	N/A	N/A	N/A
11 Structures Other Than a Building	5,000,000	N/A	N/A	N/A
12 Storm or Sanitary Sewer Back-Up	1,000,000	N/A	N/A	N/A
13 Marine Property	250,000	N/A	N/A	N/A
14 Other Covered Property	10,000	N/A	N/A	N/A
15 Income and Extra Expense	1,000,000	N/A	N/A	N/A
16 Blanket Employee Fidelity	1,000,000	N/A	N/A	N/A
17 Faithful Performance	Per Statute	N/A	N/A	N/A
18 Earthquake	5,000,000	N/A	5,000,000	100,000,000
19 Flood	5,000,000	N/A	5,000,000	100,000,000
20 Terrorism	50,000,000	50,000,000	N/A	N/A

TABLE III

Data Breach and Privacy Liability, Data Breach Loss to Member, Electronic Media Liability, and Breach Mitigation Expense Coverage

Limits of Coverage

Retroactive Dates:

For Coverage A -- Data Breach and Privacy Liability Coverage: 07/01/2013

For Coverage C -- Electronic Media Liability Coverage: 07/01/2013

Data Breach and Privacy Liability, Data Breach Loss to Member, Electronic Media Liability, and Breach Mitigation Expense	Limits of Coverage Per Occurrence/Claim	Annual Aggregate	
	Member	Member	All Members
Coverage A -- Data Breach and Privacy Liability Coverage: Each Claim:	\$1,000,000 Included in the limit above	\$1,000,000	\$15,000,000
Coverage B -- Data Breach Loss to Member Coverage: Each Unauthorized Access:	Included in the limit above		
Coverage C -- Electronic Media Liability Coverage: Each Claim:	Included in the limit above		
Coverage D -- Breach Mitigation Expense Coverage: Each Unintentional Data Compromise:	Included in the limit above		

The total liability of MMRMA shall not exceed \$1,000,000 per Member aggregate Limit of Liability for coverages A, B, C, and D, in any coverage period.

The total liability of MMRMA shall not exceed \$15,000,000 for All Members aggregate Limit of Liability for coverages A, B, C, and D, from July 1, 2014, to June 30, 2015.

TABLE IV

Data Breach and Privacy Liability, Data Breach Loss to Member, Electronic Media Liability, and Breach Mitigation Expense Coverage

Deductibles

Data Breach and Privacy Liability, Data Breach Loss to Member, Electronic Media Liability, and Breach Mitigation Expense	Deductible Per Occurrence/Claim
	Member
Coverage A -- Data Breach and Privacy Liability Coverage: Each Claim:	\$25,000
Coverage B -- Data Breach Loss to Member Coverage: Each Unauthorized Access:	\$25,000
Coverage C -- Electronic Media Liability Coverage: Each Claim:	\$25,000
Coverage D -- Breach Mitigation Expense Coverage: Each Unintentional Data Compromise:	\$25,000

D. Contribution for MMRMA Participation

City of Escanaba

Period: July 01, 2014 To July 01, 2015

Coverages per Member Coverage Overview:	\$211,840
Stop Loss Coverage:	\$13,147
Member Loss Fund Deposit:	\$15,000
TOTAL ANNUAL CONTRIBUTIONS:	\$239,987

E. List of Addenda

1. Coverage Rider - Electric Generation Plant
2. Stop Loss Program Participation Agreement
3. Two Year Contribution Agreement

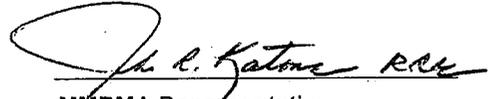
This document is for the purpose of quotation only and does not bind coverage in the Michigan Municipal Risk Management Authority, unless accepted and signed by both the authorized Member Representative and MMRMA Representative below.

Accepted By:
City of Escanaba

Proposal No:
Q000001071

MMRMA

Member Representative



MMRMA Representative

Date

6-25-14

Date

MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY
Coverage Rider

Coverage/Additional Interest	Deductible	Self Insured Retention	Description
Electric Generation Plant	\$250,000 / Occurrence	None	Property and Crime Coverage at Electrical Generation Plant

ADDENDUM

**STOP LOSS PROGRAM
PARTICIPATION AGREEMENT**

Optional

The Stop Loss Program limits the Member's cash payments during a July 1 - June 30 year for those costs falling within the Member's SIR. The Stop Loss Program responds only to cumulative Member SIR payments, including damages, indemnification, and allocated loss adjustment expenses, within a July 1 - June 30 calendar year. The paid costs include payments for any coverage provided to the Member by MMRMA provided that the costs are actually paid within the July 1 - June 30 period. On July 1 of each year, the Member's paid costs accumulate from zero.

If the Member has chosen to participate in the Stop Loss Program, and if the Member's paid costs exceed the member's entry point, the Stop Loss Program will pay, until July 1, all costs that would, in the absence of the Stop Loss Program, be paid from the Member's SIR. **City of Escanaba's** entry point is **\$120,000**. Withdrawing Members do not participate in the Stop Loss Program after the date of withdrawal.

The Member agrees to be bound by MMRMA rules relating to the Stop Loss Program.

Accepted by:

Member Representative

Date: _____

MMRMA

J. R. Katon RRH

Authorized Representative

Date: 6-25-14

MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY

Member: City of Escanaba
 QUOTE NUMBER Q000001071
 QUOTE PROPERTY LIST REPORT
 EFFECTIVE DATES 7/1/2014 To 7/1/2015

Location Address		Location Description		
1.	410 Ludington Street, Escanaba, MI 49829	City Hall/Library		
	Building Description	Building Value	Contents Value	Total Value
	City Hall/Library	\$7,043,384	\$2,517,742	\$9,561,126
	Location Totals	\$7,043,384	\$2,517,742	\$9,561,126

Location Address		Location Description		
2.	1711 Sheridan Rd., Escanaba, MI 49829	Electric Building Offices		
	Building Description	Building Value	Contents Value	Total Value
	Electric Offices/Garage	\$1,494,229	\$437,949	\$1,932,178
	Electric Sub - Garage	\$201,671	\$114,868	\$316,539
	Electric Sub - 1821 7th Ave.	\$183,531	\$0	\$183,531
	Electric Sub - N 30th	\$921,738	\$193,841	\$1,115,579
	Electric Sub - Power plant	\$482	\$0	\$482
	Location Totals	\$2,801,651	\$746,658	\$3,548,309

Location Address		Location Description		
3.	1705 Sheridan Rd., Escanaba, MI 49829	Public Works Complex		
	Building Description	Building Value	Contents Value	Total Value
	Public Works Offices/Garage	\$3,905,713	\$853,545	\$4,759,258
	Salt Dome	\$180,187	\$0	\$180,187
	Electric Warehouse	\$552,174	\$281,466	\$833,640
	Water Storage Building	\$102,754	\$25,403	\$128,157
	Location Totals	\$4,740,828	\$1,160,414	\$5,901,242

Location Address		Location Description		
4.	80 1st Ave., Escanaba, MI 49829	Museum		
	Building Description	Building Value	Contents Value	Total Value
	Museum	\$515,446	\$0	\$515,446
	Location Totals	\$515,446	\$0	\$515,446

Location Address		Location Description		
5.	313 Lakeshore Dr., Escanaba, MI 49829	Beach House		
	Building Description	Building Value	Contents Value	Total Value
	Beach House	\$489,077	\$25,403	\$514,480
	Location Totals	\$489,077	\$25,403	\$514,480

Location Address		Location Description		
625 Lakeshore Dr., Escanaba, MI 49829		Ludington Park Restroom		
Building Description		Building Value	Contents Value	Total Value
Ludington Park Restroom		\$198,917	\$25,403	\$224,320
Location Totals		\$198,917	\$25,403	\$224,320

Location Address		Location Description		
7.	735 Lakeshore Dr., Escanaba, MI 49829	Band Shell		
Building Description		Building Value	Contents Value	Total Value
Band Shell		\$168,571	\$25,403	\$193,974
Location Totals		\$168,571	\$25,403	\$193,974

Location Address		Location Description		
8.	1 Water Plant Road, Escanaba, MI 49829	Water Plant		
Building Description		Building Value	Contents Value	Total Value
Main Plant/Offices/Lab		\$4,548,607	\$1,930,637	\$6,479,244
Carbon Building		\$723,361	\$457,256	\$1,180,617
Clear Well		\$1,028,381	\$14,225	\$1,042,606
Sludge Tank		\$629,920	\$0	\$629,920
Well House		\$8,360	\$0	\$8,360
Location Totals		\$6,938,629	\$2,402,118	\$9,340,747

Location Address		Location Description		
3501 18th Ave., Escanaba, MI 49829		Wastewater Treatment Plant		
Building Description	Building Value	Contents Value	Total Value	
Administration/Lab	\$1,633,188	\$635,077	\$2,268,265	
Generator Shed	\$28,775	\$250,170	\$278,945	
Headworks Building	\$712,688	\$863,706	\$1,576,394	
New Garage	\$91,977	\$28,451	\$120,428	
Rapid Mixer	\$159,154	\$45,725	\$204,879	
Primary Clarifier 1	\$227,378	\$10,162	\$237,540	
Primary Clarifier 2	\$227,378	\$10,162	\$237,540	
Primary Clarifier 3	\$252,178	\$11,178	\$263,356	
Primary Clarifier 4	\$252,178	\$11,178	\$263,356	
Heat Exchanger Building	\$73,037	\$193,064	\$266,101	
Sludge Tanks 5 & 6	\$1,359,664	\$43,185	\$1,402,849	
Sludge Storage Tank 4	\$583,356	\$8,129	\$591,485	
Anaerobic Digester 3	\$441,048	\$26,419	\$467,467	
Anaerobic Digester 2	\$441,048	\$26,419	\$467,467	
Anaerobic Digester 1	\$689,145	\$26,419	\$715,564	
Sewer Truck Storage	\$73,142	\$152,419	\$225,561	
Final Clarifier 1	\$626,258	\$19,408	\$645,666	
Final Clarifier 2	\$626,258	\$19,408	\$645,666	
Aeration Tank 2	\$397,519	\$20,322	\$417,841	
Aeration Tank 1	\$397,519	\$20,322	\$417,841	
Secondary Building	\$438,956	\$447,095	\$886,051	
Chlorine Contact Tank	\$316,425	\$14,225	\$330,650	
Piping Control Building	\$10,159	\$0	\$10,159	
Garage	\$43,739	\$0	\$43,739	
Location Totals		\$10,102,167	\$2,882,643	\$12,984,810

Location Address		Location Description		
10.	211 N. 21st St., Escanaba, MI 49829	Civic Center		
Building Description	Building Value	Contents Value	Total Value	
Civic Center	\$3,359,608	\$86,371	\$3,445,979	
Elevated Tank	\$1,876,994	\$0	\$1,876,994	
Location Totals		\$5,236,602	\$86,371	\$5,322,973

Location Address		Location Description		
11.	7th Ave. S., Escanaba, MI 49829	Royce Park Shelter		
Building Description	Building Value	Contents Value	Total Value	
Royce Park Shelter	\$135,401	\$1,016	\$136,417	
Location Totals		\$135,401	\$1,016	\$136,417

Location Address		Location Description		
1900 3rd Ave. N., Escanaba, MI 49829		Public Safety		
Building Description		Building Value	Contents Value	Total Value
Public Safety		\$3,253,505	\$259,112	\$3,512,617
Location Totals		\$3,253,505	\$259,112	\$3,512,617

Location Address		Location Description		
13. 17 Water Plant Rd., Escanaba, MI 49829		New Harbormaster		
Building Description		Building Value	Contents Value	Total Value
New Harbormaster		\$450,571	\$31,500	\$482,071
Old Harbormaster		\$47,042	\$0	\$47,042
Location Totals		\$497,613	\$31,500	\$529,113

Location Address		Location Description		
14. 1351 N. 19th St., Escanaba, MI 49829		Webster Park		
Building Description		Building Value	Contents Value	Total Value
Shelter House		\$123,682	\$0	\$123,682
Location Totals		\$123,682	\$0	\$123,682

Location Address		Location Description		
15. North Shore St., Escanaba, MI 49829		North Shore Utility Building		
Building Description		Building Value	Contents Value	Total Value
North Shore Utility Building		\$45,622	\$20,322	\$65,944
Location Totals		\$45,622	\$20,322	\$65,944

Location Address		Location Description		
16. 1025 Ludington St., Escanaba, MI 49829		Center Court		
Building Description		Building Value	Contents Value	Total Value
DDA Building		\$178,617	\$5,081	\$183,698
Location Totals		\$178,617	\$5,081	\$183,698

Location Address		Location Description		
17. 2000 Power Plant Road, Escanaba, MI 49829		Power Plant		
Building Description		Building Value	Contents Value	Total Value
Power Plant - STATED VALUE		\$33,196,170	\$0	\$33,196,170
Fuel Tank - STATED VALUE		\$123,595	\$0	\$123,595
Combustion Turbine Generator - STATED VALUE		\$5,791,503	\$0	\$5,791,503
Substation #1 - STATED VALUE		\$1,394,397	\$0	\$1,394,397
Warehouse - STATED VALUE		\$54,983	\$0	\$54,983
Office - STATED VALUE		\$53,953	\$0	\$53,953
Pump House - STATED VALUE		\$41,199	\$101,612	\$142,811
Location Totals		\$40,655,800	\$101,612	\$40,757,412

Location Address		Location Description		
19.	Athletic Field, Escanaba, MI 49829	Athletic Field Concession Stand		
	Building Description	Building Value	Contents Value	Total Value
	Athletic Field Concession Stand	\$373,661	\$20,322	\$393,983
	Location Totals	\$373,661	\$20,322	\$393,983

Location Address		Location Description		
19.	225 N. 19th St., Escanaba, MI 49829	Elevated Tank North		
	Building Description	Building Value	Contents Value	Total Value
	Elevated Tank	\$1,876,994	\$0	\$1,876,994
	Location Totals	\$1,876,994	\$0	\$1,876,994

Location Address		Location Description		
20.	23rd Ave. South, Escanaba, MI 49829	23rd Ave. South Lift Station		
	Building Description	Building Value	Contents Value	Total Value
	Lift Station	\$79,525	\$35,970	\$115,495
	Location Totals	\$79,525	\$35,970	\$115,495

Location Address		Location Description		
21.	101 Ludington St., Escanaba, MI 49829	Ludington St. Pump Station/Restrooms		
	Building Description	Building Value	Contents Value	Total Value
	Pump Station/Restrooms	\$177,884	\$51,213	\$229,097
	Generator Building	\$5,128	\$56,395	\$61,523
	Location Totals	\$183,012	\$107,608	\$290,620

Location Address		Location Description		
22.	5th Street, Escanaba, MI 49829	5th St. Lift Station		
	Building Description	Building Value	Contents Value	Total Value
	5th St. Lift Station	\$56,609	\$30,586	\$87,195
	Location Totals	\$56,609	\$30,586	\$87,195

Location Address		Location Description		
23.	Sand Point (Power Plant Rd.), Escanaba, MI 49829	Sand Point Lift Station		
	Building Description	Building Value	Contents Value	Total Value
	Sand Point Lift Station	\$39,762	\$39,832	\$79,594
	Location Totals	\$39,762	\$39,832	\$79,594

Location Address		Location Description		
24.	9th Street, Escanaba, MI 49829	9th Street Lift Station		
	Building Description	Building Value	Contents Value	Total Value
	9th Street Lift Station	\$55,667	\$35,666	\$91,333
	Location Totals	\$55,667	\$35,666	\$91,333

Location Address		Location Description		
Danforth Rd., Escanaba, MI 49829		Chicago/Northwestern Lift Station		
Building Description		Building Value	Contents Value	Total Value
Chicago/Northwestern Lift Station		\$83,501	\$44,507	\$128,008
Location Totals		\$83,501	\$44,507	\$128,008

Location Address		Location Description		
26.	Lakeshore Drive, Escanaba, MI 49829	Lakeshore Drive Lift Station		
Building Description		Building Value	Contents Value	Total Value
Lakeshore Drive Lift Station		\$45,727	\$27,740	\$73,467
Location Totals		\$45,727	\$27,740	\$73,467

Location Address		Location Description		
27.	Wading Pool, Escanaba, MI 49829	Wading Pool		
Building Description		Building Value	Contents Value	Total Value
Storage Shed		\$18,351	\$0	\$18,351
Location Totals		\$18,351	\$0	\$18,351

Grand Totals		
Building Value	Contents Value	Total Value
\$85,938,321	\$10,633,029	\$96,571,350

CITY OF ESCANABA

Analysis of Insurance Premiums Ten Year Premium History

	<u>05/06</u>	<u>06/07</u>	<u>07/08</u>	<u>08/09</u>	<u>09/10</u>	<u>10/11</u>	<u>11/12</u>	<u>12/13</u>	<u>13/14</u>	<u>14/15</u>
Real Property	\$35,234	\$33,732	\$33,515	\$34,286	\$34,629	\$33,936	\$30,542	\$30,771	\$48,514	\$48,967
Contents	5,435	5,201	5,170	5,289	5,342	5,235	4,973	5,010	6,278	6,353
EDP	243	233	232	237	239	234	0	0	0	0
Extra Expense	29	28	28	29	29	28	0	0	0	0
Inland Marine	1,629	1,559	1,550	1,586	1,602	1,570	1,492	1,503	2,283	4,395
Other	<u>516</u>	<u>493</u>	<u>491</u>	<u>503</u>	<u>508</u>	<u>497</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Sub-Total	\$43,086	\$41,246	\$40,986	\$41,930	\$42,349	\$41,500	\$37,007	\$37,284	\$57,075	\$59,715
Police Professional	\$9,261	\$8,755	\$8,910	\$9,115	\$9,297	\$10,227	\$10,738	\$10,792	\$13,490	\$16,188
Streets	5,983	5,657	5,757	5,889	6,007	5,406	4,325	4,357	4,397	4,185
Water & Sewer	12,852	12,149	12,364	12,648	12,901	11,611	9,289	9,359	3,665	3,665
Electric	3,304	3,125	3,180	0	0	0	0	0	0	0
All Other	<u>43,971</u>	<u>45,282</u>	<u>46,081</u>	<u>47,141</u>	<u>48,093</u>	<u>46,028</u>	<u>36,606</u>	<u>37,215</u>	<u>38,881</u>	<u>44,994</u>
Sub-Total	\$75,371	\$74,968	\$76,292	\$74,793	\$76,298	\$73,272	\$60,958	\$61,723	\$60,433	\$69,032
Fleet	\$18,801	\$19,078	\$17,885	\$17,833	\$17,381	\$19,120	\$22,763	\$22,992	\$33,648	\$30,345
Electric Operations	N/A	N/A	\$86,228	\$87,247	\$88,463	\$86,694	\$66,931	\$67,433	\$52,748	\$52,748
Stop Loss	\$4,000	\$8,803	\$9,633	\$14,880	\$15,087	\$15,638	\$13,498	\$13,613	\$12,622	\$13,147
MMRMA Risk & Capitalization	\$17,863	\$18,013	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$0	\$0
Insurance Portion	\$159,121	\$162,108	\$251,024	\$256,683	\$259,578	\$256,224	\$221,157	\$223,045	\$216,526	\$224,987
Member Loss Fund	26,076	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
TOTAL PAYMENTS	<u>\$185,197</u>	<u>\$177,108</u>	<u>\$266,024</u>	<u>\$271,683</u>	<u>\$274,578</u>	<u>\$271,224</u>	<u>\$236,157</u>	<u>\$238,045</u>	<u>\$231,526</u>	<u>\$239,987</u>
Insurance Portion	\$159,121	\$162,108	\$251,024	\$256,683	\$259,578	\$256,224	\$221,157	\$223,045	\$216,526	\$224,987
Plus: MCCA Charges	0	0	0	0	0	0	0	0	0	0
Less: Dividends	0	<u>(7,036)</u>	<u>(18,039)</u>	<u>(55,227)</u>	0	<u>(43,454)</u>	<u>(81,405)</u>	<u>(196,903)</u>	<u>(108,154)</u>	<u>(194,653)</u>
Net Insurance Cost	<u>\$159,121</u>	<u>\$155,072</u>	<u>\$232,985</u>	<u>\$201,456</u>	<u>\$259,578</u>	<u>\$212,770</u>	<u>\$139,752</u>	<u>\$26,142</u>	<u>\$108,372</u>	<u>\$30,334</u>
Net Insurance Cost W/O Electric	<u>\$159,121</u>	<u>\$155,072</u>	<u>\$146,757</u>	<u>\$114,209</u>	<u>\$171,115</u>	<u>\$126,076</u>	<u>\$72,821</u>	<u>(\$41,291)</u>	<u>\$55,624</u>	<u>(\$22,414)</u>



NB #2
cc 7/17/14

Escanaba Public Safety

Director Kenneth A. Vanderlinden

1900 Third Avenue North, Escanaba, MI 49829
Telephone: (906) 786-6810 Fax (906) 786-6030

MEMORANDUM

TO: James V. O'Toole, Escanaba City Manager
FROM: Director K.A. Vanderlinden
DATE: June 30, 2014
SUBJECT: The Ludington Grill, LLC

I have received and reviewed the Outdoor Service Application for Permission, in regards to having an outdoor service area in front of the Ludington Grill. I have also stopped and inspected the site, along with speaking with the Shad Holmberg (owner) regarding his wishes.

With their proposed drawing, there is still an allowance of 6'2" for pedestrian traffic, which is within compliance of the city guidelines which states; "The width of the pedestrian zone shall be at least six feet at any given point."

Additionally I did discuss with the owner how beverages would get from within the establishment to the outside service area. Mr. Holmberg agreed the beverages would be brought outside by staff rather than having people walk out the front door with their drinks.

I do not have any issues in regards to allowing the outdoor service.



Outdoor Service
Application for Permission
 (Authorized by R 436.1419)

Part 1: Applicant Information

Licensee Name: THE LUDINGTON GRILL, LLC	
Business Address: 1110 LUDINGTON	City, Zip Code: ESCANABA, MI 49829
Township/Village:	County: DELTA
E-mail Address:	Business Telephone: 906-553-7778
Contact Name: SHAD A. HOLMBERG	
Contact E-mail:	Contact Telephone: 906-450-3748

Part 2: Location

In what city, village or township is the proposed outdoor service area located? ESCANABA

Are any of the proposed outdoor service area(s) in a different city, village or township than listed above? Yes No

Is the proposed outdoor service area and the present licensed premises interrupted by a dedicated street or road? Yes No

Is the proposed area around or near a body of water, a sporting venue or activities (i.e. horseshoes, volleyball, softball, etc.)?
 Yes No

If you answered yes to any of the questions above, please explain:

Part 3: Measurements

What is the distance (in feet) between the proposed outdoor service area and the licensed premises? (Measurements must be exact)
 0 = IMMEDIATELY ADJACENT

What are the dimensions of the proposed outdoor service area? (width x length = square feet) - Do not estimate measurements
 7' x 28' = 196 sq. Ft.

Part 4: Diagram

Attach a scaled diagram showing the measurements of the area proposed for outdoor service. Clearly show the current licensed establishment, the area proposed for outdoor service licensing, and any intervening property. Measurements should not be estimated. Include ingress/egress of the area on the diagram as well as the type and height of barrier(s).

WARNING

Failure to provide accurate measurements of your area will delay your application. It is the applicant's responsibility to provide accurate dimensions of the outdoor service area to ensure timely processing of this request.

Part 5: Control of the Proposed Outdoor Service Area

Describe the type and height of the barrier that will be used to clearly delineate the outdoor service area and how the outdoor service area will be well-defined and clearly marked (requirements by the local unit of government should be followed):

4' High wrought Iron Fence around Perimeter

Is there any intervening property? Yes No

- Attach supporting documentation to show that the licensee owns or has control of the area proposed for outdoor service. (e.g. Lease Agreement, Warranty Deed, Municipal Permission)
- Outdoor service areas located on municipal property must be accompanied with a document from the municipality providing permission to utilize the municipally owned property.

Part 6: Outdoor Service - Use

Is the proposed outdoor service area to be a golf course? Yes No

If YES, indicate the number of acres and number of holes:

Note: Roving golf carts are considered added bars and require an additional bar. Stationary golf carts may be added bars or service bars.

Will there be an added bar? Yes No

If YES, indicate the number of bars and where they will be used:

Explain any uses for proposed outdoor service area other than food and beverage sales and the type of security that will be used for the event(s) and how they will be utilized to secure and monitor to prevent sales to minors and sales to visibly intoxicated persons:

FOOD AND BEVERAGES SALES ONLY.

Signature of Applicant:

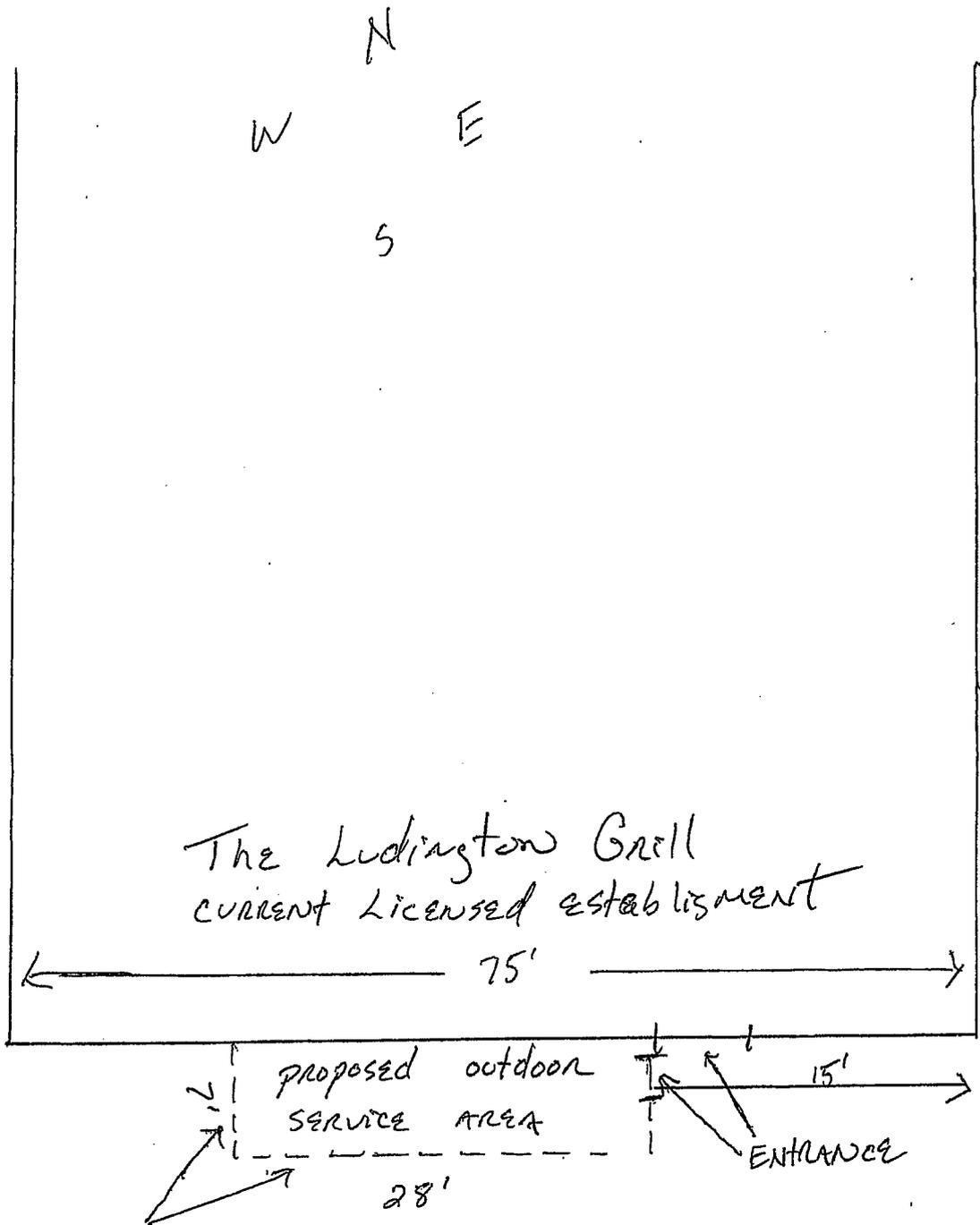
Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this permit by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

6-12-14
Date

Shad Holmberg Pres
Print name of applicant/licensee and title


Signature of applicant/licensee



4" High wrought Iron Fence



LICENSING AND REGULATORY AFFAIRS

CUSTOMER DRIVEN. BUSINESS MINDED.

Rick Snyder, Governor
Steve Arwood, Director
Andrew J. Deloney, MLCC Chairman

Shad Holmberg 460 37088
The Ludington News Release
Bill

Contact: Andrea Miller
517.322.5898

www.michigan.gov/lara

Email: mediainfo@michigan.gov

Michigan Liquor Control Commission Speeds up Outdoor Permission Process

New consent agenda saves between 6 to 8 weeks of processing time.

(March 22, 2013) Just in time for the spring/summer season, the Michigan Liquor Control Commission (MLCC) will begin a new consent agenda permission process allowing for quicker turnaround time for outdoor service requests from existing on-premises locations. This is another step further in the consent agenda process that was started at the MLCC over a year ago.

Previously, outdoor service permissions were applied for and assigned to an Enforcement Investigator as the initial step of the investigation process. Investigators, on most occasions, have an extensive caseload of priority investigations and complaints that would restrict their ability to contact the establishment, conduct the investigation, and submit the investigative report on the outdoor service request. The next steps in the process were to forward the investigation to the Licensing Division for review and completeness, preparation for consideration by the Commission, and docketing the request for a Licensing Meeting. The last steps in the process were to prepare an Order of the Commission, release the Commission Order, and completion of a final inspection by the Enforcement Division.

"This consent agenda makes it more efficient and faster when compared to the former procedure," said Andrew Deloney, Chairman of the MLCC. "This arguably saves between 4 to 8 weeks of processing time and is yet another expansion of the quick and easy consent agenda process which we started over a year ago. The process has been great, it's allowing for quick and easy approvals, and now we're expanding it further with this new opportunity."

In order for a licensee to be considered for the outdoor service permission consent agenda, the licensee must submit the following information:

Bob, This is what I need

- Outdoor Service Application for Permission
- A detailed diagram of the currently licensed premises which includes the proposed Outdoor Service area. Exact measurements of the proposed Outdoor Service area must be included. Ingress/Egress must be included on the diagram. The licensee must describe how the proposed area will be well-defined and clearly marked.
- The proposed Outdoor Service area must be directly adjacent (connected) to the licensed premises with direct access to the proposed area.
- A property document that indicates that the licensee has control over the proposed area, i.e. warranty deed, lease agreement, letter or resolution from the local governmental unit indicating that the licensee has permission to use the municipally owned area, etc.

The request will then be submitted and put on the consent agenda if the following is met:

- The licensee does not have any pending violations
- The licensee is currently in good standing and the license is not currently in escrow
- The Commission is provided with a completed application
- The Commission is provided with a detailed diagram with exact measurements and ingress/egress markings

(more)

- The Commission is provided with a property document which indicates the licensee's control over the proposed area
- The proposed Outdoor Service area is adjacent (connected) to the currently licensed premises and is directly accessed from within the establishment
- The proposed Outdoor Service area is not accessed by crossing an easement or thoroughfare
- The proposed Outdoor Service area does not exceed 10,000 square feet
- The proposed Outdoor Service area is not near a body of water, a sporting venue, or activities such as horseshoes, volleyball, softball, etc.

If the application does not qualify for the Consent agenda, an investigation by the Commission's Enforcement Division will be conducted.

Under the new consent agenda process, if no issues exist, the licensee may be approved for this permission within 1-3 business days, which is subject to a final inspection by the Commission's Enforcement Division.

There is no fee required for this permission or the new expedited process.

For more information about the MLCC, please visit www.michigan.gov/lcc. Follow us on Twitter [www.twitter.com/MILiquorControl](https://twitter.com/MILiquorControl), "Like" us on Facebook.

For more information about LARA, please visit www.michigan.gov/lara. Follow us on Twitter [www.twitter.com/michiganLARA](https://twitter.com/michiganLARA), "Like" us on Facebook or find us on YouTube www.youtube.com/michiganLARA.

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Michigan Department of Licensing and Regulatory Affairs, P.O. Box 30004, Ottawa Bldg., 4th Floor, Lansing, MI 48909
LARA is an equal opportunity employer/program

CITY OF ESCANABA POLICY AND PROCEDURES

ORIGINATOR: Escanaba City Council

ADOPTION DATE: August 18, 2011

SUBJECT: Sidewalk Use Regulations – Street Furnishings,
Sidewalk Signs, Merchandise and Outdoor Dining
(Food Service Only and/or Food Service with Alcohol)

REFERENCES: Chapter 3.5 Alcoholic Beverages of the Code of
Ordinances, Chapter 24 Streets, Sidewalks and Other
Public Places of the Code of Ordinances, and Appendix
A. Zoning of the Code of Ordinances

1. SCOPE.

The City of Escanaba is committed to the preservation and enhancement of sidewalks. This policy is intended to promote the attractive commercial and historic environment by allowing private use of the public sidewalk, while ensuring a successful streetscape and protection of the general public. Several design principles aimed at enhancing the functions of the City's sidewalk underscore the approval process for a sidewalk use permit. Addressing appearance, streetscape amenity and safety, as well as comfort and enjoyment towards both pedestrians and patrons are key. The City's sidewalks are public property and have to be always respected and treated as such.

2. PURPOSE.

- a. To establish standards for the use of portions of the public sidewalk by business owners/operators for outdoor merchandise display, outdoor dining with or without alcohol service, seating and/or signage.
- b. To maintain accessible pedestrian access at all times, both along the sidewalk and into businesses.
- c. Generally, application to these guidelines will be considered on their individual merits and assessed against the policy guidelines. Proposed outdoor dining locations will also be assessed in terms of safety and may require the installation of additional features such as lighting if the site is deemed to otherwise be an unsuitable location. The policy applies to all areas of the City.
- d. Use of the space should provide a sense of safety and security for patrons at all times. Use of the space can also contribute to a sense of safety and

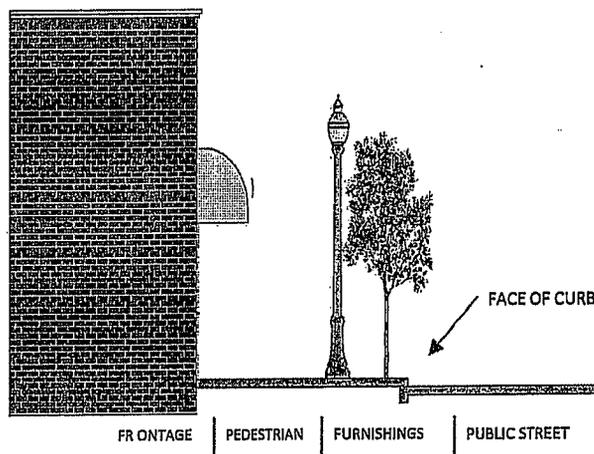
security for residents and pedestrians because the street is under the customers' and operators' passive surveillance.

- e. As safety is of major importance for both pedestrians and patrons, use of public space is required to:
- Be located in an area that is considered safe for patrons and avoid locations that are deemed unsuitable;
 - Meet the clearances and setbacks requirement specified in this policy for each particular circumstance;
 - Ensure the use area is set back from the building line at street intersections, at distances as specified in this policy;
 - Ensure wheelchair access to pedestrian ramps is not compromised;
 - Ensure the safety of adjoining buildings is not compromised by restricting access or adding unreasonably to fire potential;
 - Ensure neighboring uses are not adversely impacted by the use of the sidewalk.
 - Not obstruct pedestrian flow.
 - Not obstruct patron flow with respect to ingress and egress of the primary building use.
- f. For public sidewalk areas to be approved for use, applicants will need to meet requirements for public access and circulation including the needs of people with disabilities. If a location is deemed unsafe for this activity, approval may not be granted even if the application complies with the policy guidelines.

3. GLOSSARY OF TERMS.

For the purpose of this document, the following terms are defined as follows:

- **Frontage Zone.** The "frontage zone" portion of the sidewalk is defined generally as the space on the public sidewalk closest to the building facades measuring approximately four (4) feet (+/-) from the right-of-way line.
- **Furnishings Zone.** The "furnishings zone" of the sidewalk is defined as the space between the "pedestrian zone" and the two (2) feet behind the face of curb where the City owned "public features" (light posts, benches, planters, etc.) are placed.



- **Pedestrian Zone.** The “pedestrian zone” is the area between the “frontage zone” and the “furnishings zone” that is available for pedestrian circulation. The width of the pedestrian zone shall be at least six (6) feet at any given point.

- **Outdoor Dining – Food Service Only.** Outdoor dining – food service only is defined as the use of the public sidewalk frontage zone for the purpose of extending the services of premises whose main function is for the provision of food and non-alcoholic beverages to the public. Such premises include restaurants, cafes, diners, delis and other food outlets. Outdoor dining – food service only should be directly associated with the business that holds the outdoor dining permit and should only operate when those premises are open for business. Outdoor dining should contribute to the vibrancy of street life.

- **Outdoor Dining – Food Service and/or Alcoholic Beverage Service.** Outdoor dining – food service and/or alcoholic beverage service is defined as the use of the public sidewalk frontage zone for the purpose of extending the services of premises whose main function is for the provision of food and alcoholic beverages to the public. Such premises include restaurants, cafes, diners, bars, delis and other food outlets. Outdoor dining – food service and/or alcoholic beverage service only should be directly associated with the business that holds the outdoor dining permit and should only operate when those premises are open for business. Outdoor dining should contribute to the vibrancy of street life.

4. **USE OF THE CITY SIDEWALK FRONTAGE ZONE.**

- a. **Signage, Merchandise, Planters, Benches and Vending Machines.** Business owners may use the frontage zone of the sidewalk directly adjoining their business frontage. The frontage zone of the public sidewalk may be used for the display of signage, merchandise, planters, benches and vending machines or other items relating to the legal business operation of the adjacent business, and deployed daily during business hours by business owners or operators without a permit. No items are allowed within entry or exit areas of any business or building, unless specifically approved as compliant with accessibility and safety standards. Use of the frontage zone requires maintaining private features and the furnishings zone in a neat and safe condition.

- b. **Outdoor Dining – Food Service Only.** Business owners may use the frontage zone of the sidewalk directly adjoining their business frontage for outdoor dining with food service only with approval of the Escanaba Downtown Development Authority, Delta-Menominee-Schoolcraft Health Department and Escanaba Department of Public Safety. No tables, chairs or barricades are allowed within entry or exit areas of any business or building, unless specifically approved as compliant with accessibility and safety standards. Use of the frontage zone requires maintaining private features and the furnishings zone in a neat and safe condition.

- c. **Outdoor Dining – Food Service and/or Alcoholic Beverage Service.** Business owners may use the frontage zone of the sidewalk directly adjoining their business frontage for outdoor dining with alcoholic beverage service when reviewed by the Escanaba Downtown Development Authority and Escanaba Department of Public Safety and approved by the Escanaba City Council and State of Michigan Liquor Control Commission (either seasonally or on an event basis). No tables, chairs or barricades are allowed within entry or exit areas of any business or building, unless specifically approved as compliant with accessibility and safety standards. Use of the frontage zone requires maintaining private features and the furnishings zone in a neat and safe condition. Seasonal applications must be submitted for review at least 45 days prior to the proposed installation date. Event basis applications must be submitted for review at least 21 days prior to the proposed event date.

5. **USE OF PEDESTRIAN ZONE.**

- a. **Pedestrian Zone.** The pedestrian zone shall remain clear without any obstructions to allow for the movement of pedestrians.

6. **FURNISHING ZONE.**

- a. **Furnishing Zone.** The furnishing zone of the public sidewalk may be used for the display of signage, planters, benches, merchandise or other items relating to the legal business operation of the adjacent business, and deployed daily during business hours by business owners or operators without a permit.

7. **DESIGN CRITERIA.**

- a. **Freestanding Signs.** Sidewalk signs can be placed on frontage or furnishing zones outside the pedestrian zone to attract pedestrians into shopping areas. Sidewalk signs will not require a permit but must:
- (1). Be constructed using one of the following durable materials: wooden, plastic or metal signs with open bases, or shaped silhouette signs made of plywood, metal, plastic or similar wood like material that can withstand various weather conditions.
 - (2). Not be constructed of glass, breakable materials, paper, laminated paper, and PVC pipe frames.
 - (3). A-frame signs must comply with the Sign Ordinance.



ACTION SUMMARY- DOWNTOWN DEVELOPMENT AUTHORITY

To: Escanaba City Council Members

07-02-2014

At the July 2, 2014, regular scheduled meeting of the Downtown Development Authority, the Board of Trustees took the following action:

Ludington Grill Outside Seating Request

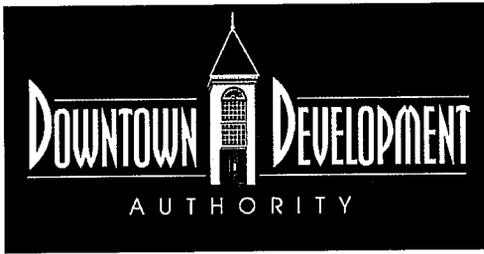
After a brief discussion, a motion was made by Trustee O'Toole to support the outdoor service area based on final Council approval and that the structure be made temporary by attaching the separating fence to the building and the restoration of the sidewalk. Final approval is also based on the Department of Public Works final inspection regarding the safe restoration of the sidewalk.

Ayes were unanimous.

A handwritten signature in cursive script, appearing to read "Edward Legault", is written over a horizontal line.

Edward Legault

Executive Director, Downtown Development Authority



Downtown Development Authority Board
MEETING MINUTES

July 2, 2014, at 7:30 am

Administration
Edward Legault
Judy Schroeder

Downtown Development Authority Trustees

Sue Parker, Chairperson	James O'Toole, Trustee
Dan Bender, Vice Chair	Marc Tall, Trustee
Andy Crispigna, Treasurer	Tara Deno, Trustee
Mitch Taylor, Trustee	Jeff Slagstad
Mary Finlan, Trustee	

Escanaba City Hall, Council Chambers, 410 Ludington Street, Escanaba, MI 49829

OFFICIAL PROCEEDINGS
ESCANABA DDA
CITY OF ESCANABA, MICHIGAN
Regular Board Meeting
July 2, 2014

Call To Order:

The meeting was called to order by Chairperson Sue Parker at 7:30 a.m. at the Escanaba City Hall Council Chambers, 410 Ludington Street.

Roll Call:

Chairperson Sue Parker, Vice Chair Dan Bender and Trustees Tall, O'Toole, Taylor, Finlan and Treasurer Andy Crispigna. Also present Jenny Lancour, Gregory Mitchell and Peggy O'Connell.

Absent-Excused: Trustee Deno and Trustee Slagstad

APPROVAL/CORRECTION(S) TO MINUTES

Trustee Tall moved to approve the minutes of May 7, 2014 as presented, seconded by Trustee O'Toole. Motion carried.

APPROVAL/ADJUSTMENTS TO THE AGENDA

Trustee O'Toole moved to approve the agenda as amended with the addition of New Business #4, Event Sponsorship for Sidewalk Days, 2nd by Trustee Tall. Motion Carried.

CONFLICT OF INTEREST DECLARATION

None

TREASURER'S REPORT

Fund Balance is at \$194,713.52. Other payables were as usual.

Motion to approve Treasurer's Report by Trustee Tall, 2nd by V.C. Bender. Motion carried.

Public Hearing: None

OLD BUSINESS/UNFINISHED BUSINESS:

1. City Market Place

During the April 16th 2014 Board Meeting the Board approved DDA Administration to move forward with the project of the City Market Place to the Planning Commission. The Original Project approval by the Board on January 9, 2013 capped the funds to Barry Polzin at \$7200. We have reached and exceeded that amount by \$800. The project has exceeded the budget based on several different versions of the project. DDA Administration recommends approval for the exceeded expenditures in the amount of \$3,000, totaling \$10,200. This amount would also cover future adjustments.

A motion was made by Trustee Finlan to approve the \$3,000 increase, 2nd by Trustee Tall. Motion carried.

NEW BUSINESS:

1. Marina Fest Sponsorship

Larry Gravatt the coordinator for Marina Fest would like DDA financial assistance again this year. The amount requested is \$1000 that will be used towards entertainment. The Marina Fest will take place August 9, 2014.

A motion to grant the \$1,000 for the Marina Fest was made by V.C. Bender, 2nd by Trustee Finlan. Motion carried.

2. Escanaba Downtown Welcome Banner

The DDA was approached by the Delta County Chamber of Commerce to support the purchase of a "Welcome Banner" for some of the area flagship events such as, the Newmar Kountry Klub group, and the Trappers Convention & Outdoor Show. We will also have the Professional Fisherman coming to Escanaba area as well as DDA sponsored events. DDA Administration is recommending the purchase of this banner.

A motion was made by Trustee O'Toole for the purchase of such a banner for an amount not to exceed \$2,500, 2nd by V. C. Bender. Motion carried.

3. Ludington Grill Outside Seating Request

Shad Holmberg has requested the DDA's approval of an outdoor service area that would be used for Food and Beverage sales. His request, description of plan and the city of Escanaba Policy & Procedures are attached. He is looking for the DDA's support as part of the approval process. Mr. Holmberg has met the zoning requirements with one exception. The separating fence has been permanently attached to the sidewalk.

After a brief discussion, a motion was made by Trustee O'Toole to support the outdoor service area based on final Council approval and that the structure be made temporary by attaching the separating fence to the building and the restoration of the sidewalk. Final approval is also based on the Department of Public Works final inspection regarding the safe restoration of the sidewalk. 2nd by V.C. Bender.

4. Sidewalk Days Sponsorship

The Downtown Partners in Business has again requested DDA financial assistance in support of the July 25, 2014 Sidewalk Days.

A motion was made by Trustee O'Toole to support the July 25th Sidewalk Days in the amount of \$1,000 and that all advertising name the DDA as one of the sponsors. 2nd by Trustee Finlan. Motion carried.

PROJECT UPDATES-

- Overhead sign lighting – Curtis Servant is discussing our project with Rapid Electric's parent company as is their new process for additional expenditures. Based on that meeting feedback we will move forward or terminate our contract
A motion was made by Trustee Taylor to terminate any future dealings/contracts with the present electrical company and hire another electrical contractor to finalize the lighting of the Overhead Sign, 2nd by Trustee O'Toole. Motion carried.
- Façade Program – Will look to get CUPPAD to again, start our application process based on completion of additional feedback from SHPO. We will also submit to get Tax Credits for the project based on our listing on the NRHP.

- Escanaba Market Place – Working with CUPPAD to ensure we have everything to move forward.
- Property Acquisition Update – No new updates

VARIOUS OTHER ISSUES :
GENERAL PUBLIC COMMENT
BOARD/STAFF COMMENTS
ANNOUNCEMENTS :
ADJOURNMENT : 8:32 a.m.

The Escanaba Downtown Development Authority will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five days notice to the Downtown Development Authority. Individuals with disabilities requiring auxiliary aids or services should contact the Downtown Development Authority by writing or calling (906) 789-8696

Respectfully Submitted,

Sue Parker, Chairperson

NB # 3
cc 7/17/14

ORDINANCE NO. 1154

AN ORDINANCE TO VACATE A PART OF AN ALLEY IN BLOCK 2 OF THE CITY CENTER ADDITION

THE CITY OF ESCANABA ORDAINS:

**CHAPTER I
AREA TO BE VACATED**

Section 101. The City of Escanaba hereby vacates a portion of an alley beginning at the west 140 feet of the east-west alley of Block 2 of the City Center Addition to the City of Escanaba. The area to be vacated lies between Ludington Street and 1st Avenue South and between South 22nd Street and South Lincoln Road/M35.

**CHAPTER II
RESERVATIONS**

Section 201. The City of Escanaba reserves to itself, its successors, or assigns perpetual easement rights to construct and maintain any public utilities under or over said vacated parcel, and access thereto.

**CHAPTER III
APPEAL**

Section 301. This Ordinance is passed after due notice has been given as required by Section 2 of Chapter XII of the City Charter, and by Ordinance No. 65 of the City of Escanaba, as amended, and by Act No. 207 of the Public Acts of Michigan for 1921, as amended, that the Council would hear objections to the vacating and discounting of the aforementioned and described property on _____.

**CHAPTER IV
EFFECTIVE DATE**

This Ordinance shall be in full force and effect ten (10) days after its passage and publication.

APPROVED:

APPROVED:

Ralph B.K. Peterson, City Attorney

Marc D. Tall, Mayor

ATTEST:

Robert S. Richards, CMC/City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Escanaba, County of Delta, Michigan, at a regular meeting held on _____, and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on _____ and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Robert S. Richards, CMC/City Clerk

June 3, 2014

City of Escanaba - City Council
410 Ludington Street
Escanaba MI 49829

We would like to request the vacation of the alley between The Stonehouse and the currently empty lot at 109 S. Lincoln Road. Our family has owned the restaurant for 32 years and recently purchased the property to the south which was previously occupied by Photo Offset Printing.

We hope that you agree that The Stonehouse has been a long standing asset to the Escanaba community. We have always tried to keep this corner as aesthetically appealing as possible since it sits at the entrance to our downtown.

We have a total of 45 employees. On a typical weekend night we have 20 employees working in our business. We obviously need all of the parking we can possibly get to accomodate both our employees and customers. We are aware that when Walgreens was built across the street from us the City allowed the vacation of that alley for their business. We are asking for the same.

There is still an existing alley between the property we purchased and the homes to the East that will remain. We plan to provide the proper landscaping and shielding to make this property pleasing to the eye and not a detriment to the homes to the east. It does not seem necessary to have alleys on both the North/South line and the East/West line.

The vacation of the alley would allow us to engineer our parking lot for the maximum amount of parking which has always been a problem for our customers. If the alley is vacated we have agreed with MDOT to eliminate the 3 parking spaces on the corner of Lincoln & Ludington and add a green area which would make the corner much more attractive.

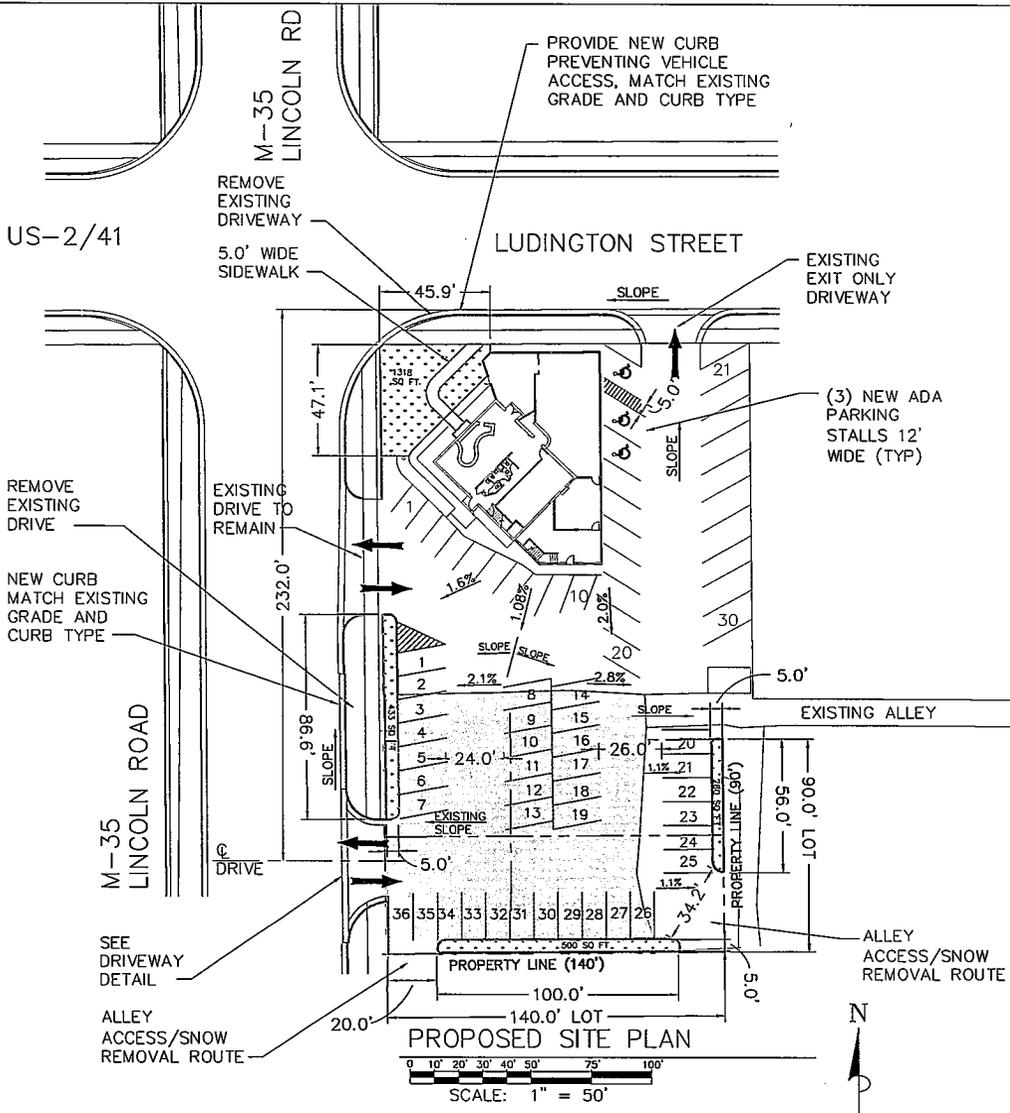
Thank you for your consideration. If you have any questions we can be reached at 786-5003.



John Romps
President
Romps Family LLC
6523 Park L.7 Lane Escanaba MI 49829

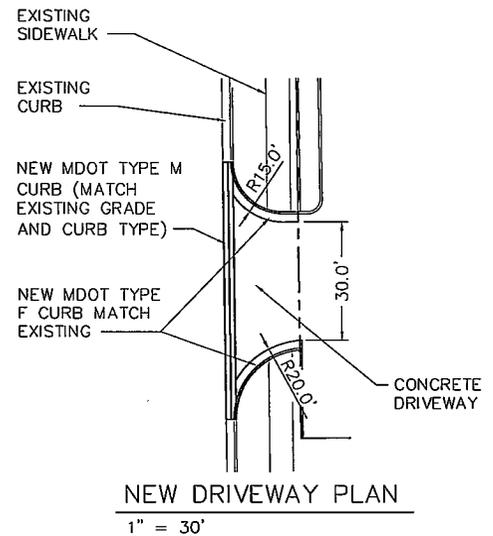


Starr Romps
Vice Pres., Sec., Treasurer
Romps Family LLC



NOTES

ZONED: COMMERCIAL DISTRICT "E"
 SITE: 140'x90'=12,600 SQ FT
 GREEN SPACE: 20% NEEDED = 2,520 SQ. FT.
 EXISTING LOT 1,588 SQ FT
 NEW LOT 943 SQ FT
 TOTAL GREEN SPACE SHOWN: 2,531 SQ FT
 TREES: 1 INDIGENOUS TREE PER 1,000 SQ. FT. OF FLR. AREA
 PARKING: 30 EXISTING PARKING SPACES
 36 NEW PARKING SPACES SHOWN (9'x20')
 TOTAL: 66 PARKING STALLS



- LEGEND**
- PROPOSED PAVEMENT
 - PROPOSED GREENSPACE
 - TRAFFIC FLOW

REV 2 6-2-14
REV 1 5-29-14

BITTNER ENGINEERING, INC.
 113 SOUTH 10th STREET
 ESCANABA, MICHIGAN 49829
 Phone: 800-758-1511
 Email: bittnerengineering@bittnerengineering.com

OWN BY:	CHB	DRAWING NUMBER:	2
DSGN BY:	DB	PROJECT #:	14-99-2151
APPD BY:	DBB	SCALE:	AS NOTED
DATE:	5-29-14	CAD NO.2151 ZONING MAP	SH1 2 OF 2 REV. 2

STONEHOUSE RESTAURANT
PARKING LOT MODIFICATION

PROPOSED SITE PLAN
WITH NO ALLEY

**PLANNING COMMISSION
ACTION SUMMARY**

TO: City Council and City Clerk Bob Richards

07/10/2014

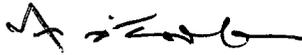
At the July 10, 2014, scheduled meeting of the Planning Commission, the following matter was referred to the City Council for placement on their July 17, 2014, City Council Agenda:

Ordinance 1154 - Request to Vacate Part of an Alley in Block 2 of the City Center Addition-2223 Ludington Street/109 South Lincoln Road.

The Planning Commission made the following recommendation by the form of a motion:

A motion was made by Commissioner Todd Milkiewicz, seconded by Commissioner Stephen Buckbee, recommending the City Council approve Ordinance 1154 – Order to Vacate an Alley in Block 2 of City Center Addition.

Ayes were unanimous.



James V. O'Toole
City Manager

July 10, 2014 Draft Meeting Minutes of the Escanaba Planning Commission to follow.

**PLANNING COMMISSION
ACTION SUMMARY**

TO: City Council and City Clerk Bob Richards

07/10/2014

At the July 10, 2014, scheduled meeting of the Planning Commission, the following matter was referred to the City Council for placement on their July 17, 2014, City Council Agenda:

Site Plan Approval– 2223 Ludington Street/109 South Lincoln Road – Romps Family LLC (aka The Stonehouse Restaurant).

The Planning Commission made the following recommendation by the form of a motion:

A motion was made by Commissioner James Hellermann, seconded by Vice-Chairperson Patrick Connor, to approve the Site Plan as submitted 2223 Ludington Street/109 South Lincoln Road – Romps Family LLC (aka The Stonehouse Restaurant) with the following conditions:

- 1. Leave the existing (approx. 30ft wide) driveway approach on M-35 (the entrance closest to the intersection of Hwy M-35 & US-2).**
- 2. Remove/close the existing driveway approach (approx. 16ft wide) on M-35 that currently provides access to the City alley from the highway by removal and replacement of the concrete curb and gutter.**
- 3. Reconstruct an existing residential driveway (proposed as new 30ft wide access) on M-35 located near the southerly portion of the expanded parking lot (approx. 230ft south from the southerly curb line of Lincoln Road). This driveway access will be created as a MDOT style “M” opening with concrete curb delineation and gutter pan through the driveway opening area.**
- 4. Remove the 3 existing parking stalls located within the southeast quadrant of the intersection of Hwy M35/US-2/Lincoln Road by removing and reconstructing the existing concrete curb line along the radius of this intersection such that vehicular access will be prohibited to this area.**

Ayes were unanimous.



James V. O'Toole
City Manager

July 10, 2014 Draft Meeting Minutes of the Escanaba Planning Commission to follow.

