

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, June 6, 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, and Ronald J. Beauchamp.

Absent: Brady L. Nelson

Beauchamp moved, Baker seconded, **CARRIED UNANIMOUSLY**, to excuse Council Member Brady L. Nelson.

Also Present: City Manager James V. O'Toole, City Attorney Ralph B.K. Peterson, City Department Heads, media, and members of the public.

Pastor Darin Kelsey of the Berean Baptist Church gave the invocation and led Council in the pledge of allegiance.

Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting Minutes from May 8, 2013, Regular Meeting Minutes from May 16, 2013, and Special Meeting Minutes from May 20, 2013, as submitted.

**ADJUSTMENTS TO THE AGENDA**

Baker moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as submitted.

**CONFLICT OF INTEREST DECLARATION** – None

**BRIEF PUBLIC COMMENT** – None

**UNFINISHED BUSINESS**

**Approval – Resolution Approving a State's Issuance of a Use Agreement for Great Lakes Bottomlands.**

The Department of Environmental Quality (DEQ) required the City pass a resolution approving the State's Issuance of a Use Agreement for Great Lakes Bottomlands for Basic Marine. The Bottomlands agreement was needed so dredging could occur and to protect the public trust.

Assessor Daina Norden and Basic Marine representative Mark Cousineau briefly explained the use agreement and provided answers to Council's questions and concerns.

**UB-1** “By Council Member Beauchamp, seconded by Council Member Baker;

**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 Sections 29 & 30 T.39N., R.22W., 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: Beauchamp, Baker, Baribeau, Evans  
Nays: None

**RESOLUTION DECLARED ADOPTED.**

**PUBLIC HEARINGS** – None

**NEW BUSINESS**

**Approval - Workers Compensation Excess Insurance – Department of Human Resources.**

Administration sought Council authorization to enter into a one year contract in the amount of \$40,003 with Midwest Employers Casualty Company for Workers Compensation Excess Insurance.

City Treasurer/Human Resources Director Robert Valentine provided background information and an overview of the Workers Compensation Excess Insurance.

**NB-1** Beauchamp moved, Baribeau seconded, to approve to enter into a one year contract in the amount of \$40,003 with Midwest Employers Casualty Company for Workers Compensation Excess Insurance.

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

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

**MOTION CARRIED.**

**Approval – Street Paving – Department of Public Works.**

On May 3, 2013, four (4) invitations to submit bids for street paving were sent out and the bid was advertised in the Daily Press. A bid opening was conducted on May 23, 2013, with two (2) bids received. After careful review and consideration by the Administration, the bid from Payne and Dolan, of Gladstone, Michigan, was being recommended for approval at the given unit prices. This work has been budgeted in the upcoming fiscal year budget.

City Engineering Department representative Terry Flowers provided a broad overview on the condition of City Streets as mandated by the State of Michigan, and updated Council on the current City street projects, what had been accomplished, and next fiscal years street projects.

**NB-2** Baker moved, Beauchamp seconded, to approve the annual street paving bid from Payne and Dolan, of Gladstone, Michigan, at the given unit prices from bid opening of May 23, 2013.

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

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

**MOTION CARRIED.**

**Approval – Use of Public Space - Marquette Care Clinic Walk for Life – Department of Parks and Recreation.**

Ms. Audra Buchmiller sought Council authorization to use the Municipal Dock on Saturday, August 24, 2013, from 8:00 a.m. to 4:00 p.m. for a Walk for Life fundraiser. A certificate of liability insurance has been provided and organizers have agreed to clean up following the conclusion of the event. Administration was recommending Council approval.

**NB-3** Beauchamp moved, Baribeau seconded, to approve a request from Ms. Audra Buchmiller to use the Municipal Dock on Saturday, August 24, 2013, from 8:00 a.m. to 4:00 p.m. for a Walk for Life fundraiser provided a certificate of liability insurance was provided and organizers agreed to clean up following the conclusion of the event.

**Approval – Mutual Service Agreement – Ford River Township – Water Department.**

Administration sought approval of a mutual service agreement with Ford River Township which would allow the City of Escanaba Water Department to respond to a local emergency in respect to the Ford River Township water system that has developed beyond the control of a single party, and in non-emergency, when circumstances will allow for it.

Water/Wastewater Superintendent Jeff Lampi provided a brief overview of the mutual service agreement.

**NB-4** Baribeau moved, Beauchamp seconded, to approve of a mutual service agreement with Ford River Township which would allow the City of Escanaba Water Department to respond to a local emergency in respect to the Ford River Township water system that has developed beyond the control of a single party, and in non-emergency, when circumstances will allow for it.

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

Ayes: Baribeau, Beauchamp, Baker, Evans

Nays: None

**MOTION CARRIED.**

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

Manager O'Toole updated the City Council and public on the sale of the power plant. He advised Escanaba Green Energy's (EGE) final loan structure and guarantee had been agreed upon. EGE advised once they received the final deposit date from the deposit maker, they would be able to provide the City a final closing date from their lender.

**APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES – None.**

**BOARD, COMMISSION, AND COMMITTEE REPORTS**

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

**GENERAL PUBLIC COMMENT – None**

**ANNOUNCEMENTS**

City Council Minutes  
June 6, 2013 – cont.

- June 19, 2013, **ESCANABA CITY BAND APPRECIATION DAY;**
- Esky 150 update;
- Encouraged the members of the public to remember the fallen soldiers who fought on D-Day, June 6, 1945, and all veterans.

Hearing no further public comment, the Council adjourned at 7:40 p.m.

Respectfully submitted,

Robert S. Richards, CMC  
City Clerk

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