

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, May 14, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Ling, Pesola, Robinson, Swaine, Wilson.
Absent: Commissioner Johnson.

It was moved by Commissioner Wilson, supported by Commissioner Robinson and carried to excuse the absence of Commissioner Johnson.

It was then moved by Commissioner Wilson, supported by Commissioner Pesola and carried to dispense with the reading of the minutes of the previous meeting and approve them as presented.

Total bills payable in the amount of \$483,702.27 were presented. It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried to pay the bills with the exception of the bill to Scot Foods in the amount of \$419.44. It was then moved by Commissioner Robinson and supported by Commissioner Wilson to pay the above excluded bill to Scot Foods and to excuse Commissioner Ling from voting.

The following vote was taken:

Ayes: Mayor Merrick. Commissioners Pesola, Robinson, Swaine, Wilson.

Nay: None.

Abstention: Commissioner Ling. The motion was carried.

Mayor Merrick noted additional agenda item #12, a proposed drainage easement to Northern Michigan University and #13, an award to be presented to members of the police department. Mayor Merrick also noted that the Commission had voted to ask people to refrain from smoking in the Commission Chambers during meetings.

Mayor Merrick then presented Francis Augustyn, representing VFW Post #5784. Mr. Augustyn read a letter and a commendation expressing Post #5784's gratitude to Corporal Thomas Knapp and Police Chief George Johnson for their efforts to inform and educate the public regarding parking for the handicapped. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to accept this letter and place it on record, and to make it a part of each man's permanent file.

Mayor Merrick then announced that this was the time set for a public hearing on the proposed 1979-80 fiscal year budget including the 1979-80 federal revenue sharing budget. Commissioner Ling asked for permission to address the Commission from the floor. He opposed the budget on the basis that the Commission had not cut the budget as presented to them during their informal hearings. Mayor Merrick responded by saying that the majority of Commissioners had not felt it was necessary to cut the budget from the tentative budget and that the local property taxes paid for most of the direct benefits received by the citizens of Marquette. Commissioner Swaine commented on the very effective Michigan tax relief for low income persons and on the fact that the City had lowered the millage rate more than the Headlee Amendment would require. Tom Knauss, representing the Harbor Committee, asked the Commission to waive the \$4,000 payment in lieu of taxes from the Marina and to substitute a \$1,000 payment for services rendered. Wilbert Pearson asked

the Commission to lower taxes. Mike Hongisto said there was too much disparity in department head salaries and that salaries should be cut. Joe Snively asked that the City keep the ski hill at Mt. Mesnard open. Don Potvin said that the budget should be reduced. Leonard Brumm said that the Commission should cut the budget and let the City Manager decide on the details. Mike Rublein representing Junior Hockey said that Junior Hockey rental rates at the Arena should not be raised. Robert Hampton representing Marquette Figure Skating Club asked that the Arena rental rates not be raised. Dick Kortum said that the Parks and Recreation budget included too many non-recreational items and that the Arena rates were too high. Bonnie Johnson said the public works department was not efficient. Chris Taylor said that salaries and Parks and Recreation budget should be cut. Carolyn McDonald said the budget should be cut and asked how the department head salaries were determined. The hearing was closed. Mayor Merrick called a five minuterecess. Following the recess, three communications regarding the budget were read. Each of the proposals from the hearing and communications was then discussed separately. It was moved by Mayor Merrick and supported by Commissioner Wilson to budget \$12,900 for the operation of Mt. Mesnard and to definitely keep Mt. Mesnard open during the coming ski season. The following vote was taken:

Ayes: Mayor Merrick. Commissioner Wilson.

Nays: Commissioners Ling, Pesola, Robinson, Swaine. The motion was defeated. It was then moved by Commissioner Wilson and supported by Commissioner Merrick to increase the budget for Mt. Mesnard by \$2,900 and to make a determination during the summer whether this should be used for Mt. Mesnard or to subsidize skiing at Cliff's Ridge. The following vote was taken:

Ayes: Mayor Merrick. Commissioner Wilson.

Nays: Commissioners Ling, Pesola, Robinson, Swaine. The motion was defeated. It was moved by Mayor Merrick and supported by Commissioner Pesola to delete the \$5,000 appropriation to AMCAB from the revenue sharing fund and to add \$10,200 to the budget for an administrator to the Handicapped Citizens' Advisory Board. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Pesola, Wilson.

Nays: Commissioners Ling, Robinson, Swaine. The motion was not carried. It was then moved by Commissioner Swaine, supported by Commissioner Robinson and carried to adopt the annual appropriations bill as follows:

WHEREAS, on April 16, 1979, this Commission received the Tentative Budget estimates of all expenditures which will be required to be made from the several funds of the City during the next fiscal year, and for the payment of interest and indebtedness to fall due during the year for functions, objects and purposes therein specified, and also fixed the date of May 14, 1979 for the Public Hearing upon said estimates, and

WHEREAS, said estimates and notices of said meetings and the purpose thereof have been published in the Mining Journal, a daily newspaper, published in the City before said meeting of May 14, 1979, and

RESOLVED, that the several sums and amounts of money estimated and determined upon in the said estimates are hereby determined to be required for the respective objects and purposes specified in said estimates to defray the expenditures and liabilities of the City corporation for the current fiscal year, and

RESOLVED, that there is hereby appropriated for the fiscal year out of the money in, and to come into the City Treasury, not otherwise appropriated or belonging to any other general or special fund, the following sums and amounts for the several departments and particular objects and purposes respectively specified in said estimates and the above determination, viz:

GENERAL FUND

For LEGISLATIVE: The amount of said sums, to-wit: Eighteen thousand, two hundred dollars	\$ 18,200
For EXECUTIVE: The amount of said sums, to-wit: Seventy three thousand, four hundred sixty five dollars	73,465
For ELECTIONS: The amount of said sums, to-wit: Fifty six thousand, five hundred dollars	56,500
For GENERAL SERVICES ADMINISTRATION: The amount of said sums, to-wit: Four hundred seventy three thousand, seven hundred sixty dollars	473,760
For LAW ENFORCEMENT: The amount of said sums, to-wit: Seven hundred twenty seven thousand, five hundred fifty dollars	727,550
For FIRE: The amount of said sums, to-wit: Four hundred seventy seven thousand, seven hundred seventy five dollars	477,775
For PROTECTIVE INSPECTION: The amount of said sums, to-wit: Fifteen thousand dollars	15,000
For PUBLIC WORKS: The amount of said sums, to-wit: One million, four hundred sixty seven thousand, seven hundred twenty dollars	1,467,720
For SANITATION: The amount of said sums, to-wit: One hundred ninety seven thousand, six hundred thirty five dollars	197,635
For HEALTH: The amount of said sums, to-wit: Eighty four thousand, three hundred dollars	84,300
For SOCIAL SERVICES: The amount of said sums, to-wit: Fifty three thousand, six hundred sixty dollars	53,660
For RECREATION AND PARKS: The amount of said sums, to-wit: Eight hundred forty four thousand, three hundred thirty five dollars	844,335
For PLANNING: The amount of said sums, to-wit: Thirty one thousand, five hundred dollars	31,500
For OTHER FUNCTIONS: The amount of said sums, to-wit: One million, thirty one thousand, two hundred ten dollars	1,031,210

MAJOR STREET AND TRUNK LINE FUND

For the MAJOR STREET AND TRUNK LINE FUND: The amount of said sums, to-wit: One million, four hundred twenty six thousand, five hundred twenty dollars	1,426,520
--	-----------

LOCAL STREET FUND

For the LOCAL STREET FUND: The amount of said sums, to-wit:
Six hundred nine thousand, three hundred fifty dollars 609,350

WATER AND SEWER FUND

For the WATER & SEWER FUND: The amount of said sums, to-wit:
One million, six hundred three thousand, three hundred ninety seven dollars 1,603,397

PARKING SYSTEM FUND

For the PARKING SYSTEM FUND: The amount of said sums, to-wit:
Thirty nine thousand, one hundred fifty dollars 39,150

MARINA FUND

For the MARINA FUND: The amount of said sums, to-wit:
Thirty eight thousand, three hundred fifteen dollars 38,315

LIBRARY FUND

For the LIBRARY FUND: The amount of said sums, to-wit:
Three hundred fifty five thousand, six hundred dollars 355,600

FEDERAL REVENUE SHARING FUND

For the FEDERAL REVENUE SHARING FUND: The amount of said sums, to-wit:
Five hundred fifty thousand, four hundred eighteen dollars 550,418

TOTAL: \$10,175,360

AND BE IT RESOLVED, that it is hereby determined that the estimated revenues and income for the City purposes to be derived from all sources other than taxes during the current fiscal year, are not sufficient for the requirements and appropriations aforesaid, and that it is necessary for said objects and purposes, to meet the appropriation aforesaid, that there be raised by taxes with the next General Fund Levy and paid into the several funds of the City's General Fund, the amount of:

One million, nine hundred seventy one thousand, three hundred dollars (\$1,971,300).

AND BE IT RESOLVED, that the sum of one million, nine hundred seventy one thousand, three hundred dollars, (\$1,971,300) be and the same is hereby ordered to be raised upon the general tax roll of this City for the fiscal year 1979-1980.

AND BE IT FURTHER RESOLVED, that the sum of Two hundred eighty five thousand, two hundred eighty dollars (\$285,280) be and the same is hereby ordered to be raised by tax upon the general tax roll of this City for operating purposes of the PETER WHITE PUBLIC LIBRARY.

Mayor Merrick then called a five minute recess. During the recess, Commissioner Wilson asked to be excused. Following the recess, it was moved by Commissioner Swaine, supported by Commissioner Pesola and carried to excuse the absence of Commissioner Wilson from the rest of the meeting as he was not feeling well.

Mayor Merrick then announced that this was the time set for citizens wishing to address the Commission. Peter Embly urged the Commission to consider Health Maintenance organizations. Bonnie Johnson complained about being sued for filing an appeal to the Board of Zoning Appeals. Mike Hongisto complained about the Marquette Industrial Park and the need for a new industrial park.

Mayor Merrick then announced that item 3 would be heard before item 2 and introduced Cletus Courchaine from the Michigan Department of Public Health. Mr. Courchaine discussed federal and state legislation establishing drinking water standards and introduced John Erickson from the Department of Public Health. Mr. Erickson said that the City was in violation of state standards under the Safe Drinking Water Act and the the Commission must notify all City water customers of this fact. He said that the City had three alternatives as to actions that could be taken in response to this situation. Each of these alternatives was discussed briefly.

Mayor Merrick then called a five minute recess.

Following the recess the Clerk read a communication from Citizens to Save the Superior Shoreline regarding a City proposal to do erosion control work at Shiras Park. The Manager discussed the proposed work briefly.

A report and recommendation from the City Manager regarding bids for snow plow and grader replacement blades was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to award the bids for the five and six foot plow blades, the loader blades, loader base blades, and loader lip blades to Paper Calmenson Co., of St. Paul, Minnesota and the main grader blades, and the right and left grader blades to the low bidder, Drott Tractor Company of Negaunee.

A report and recommendation from the City Manager regarding bids on concrete projects was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried to award the bids to Quality Concrete of Marquette for the following projects:

Spring Street Park Sidewalk	\$14,612.50
Curb Cut Ramps	20,661.00
Sidewalk & Curb Replacement	35,273.50

A report and recommendation from the City Manager regarding bids for ice cream products was read. It was moved by Commissioner Ling, supported by Commissioner Robinson and carried to award this bid to the low bidder, Jilbert Dairy, Inc. in the amount of \$3,181.71.

A report and recommendation from the City Manager regarding bids on heavy equipment and truck rental rates was read. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried to award these bids as recommended on the schedule sheet dated May 8, 1979.

A report and recommendation from the City Manager regarding installation of Arena ventilation equipment was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to award the bid to Wright Electric in the amount of \$7,750.

A recommendation from the Planning Board regarding a rezoning on Sugarloaf Avenue was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried to set the next regular meeting on May 29th as the time and date for a public hearing on this rezoning (Z-1-79).

A second recommendation from the Planning Board for approval of the final plat of Heikkala's Subdivision #2 was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried to approve this final plat with the stipulation that the sidewalk be completed within two years (P-4-78).

A recommendation from the Planning Board for approval of the final development plan of Woody Glen Planned Unit Development was read. It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried to approve the final development plan as recommended (PUD-1-78).

City Engineer Mike Etelamaki addressed the Commission regarding a proposed storm sewer easement for Northern Michigan University north of the new Skill Center site. It was moved by Commissioner Ling, supported by Mayor Merrick and carried to authorize the Mayor and City Clerk to execute this easement with the stipulation that the City reserve the right to tap into the storm sewer and that the minimum number of trees be removed.

Commissioner Ling asked about the floor level of the new water plant and about sewer and water main construction on Presque Isle.

Commissioner Pesola asked if section 6.7 of the Charter prohibited members of the Commission who smoked from voting on motions regarding smoking.

Commissioner Robinson commended the Commissioners on their restraint in not smoking and the citizens of Marquette for their work in the recent cleanup. She also said that the barrier posts in Shiras Park along Lakeshore Blvd. should be installed as soon as possible.

Commissioner Swaine said that the adoption of the budget did not mean that the Commission should stop looking for ways to save money.

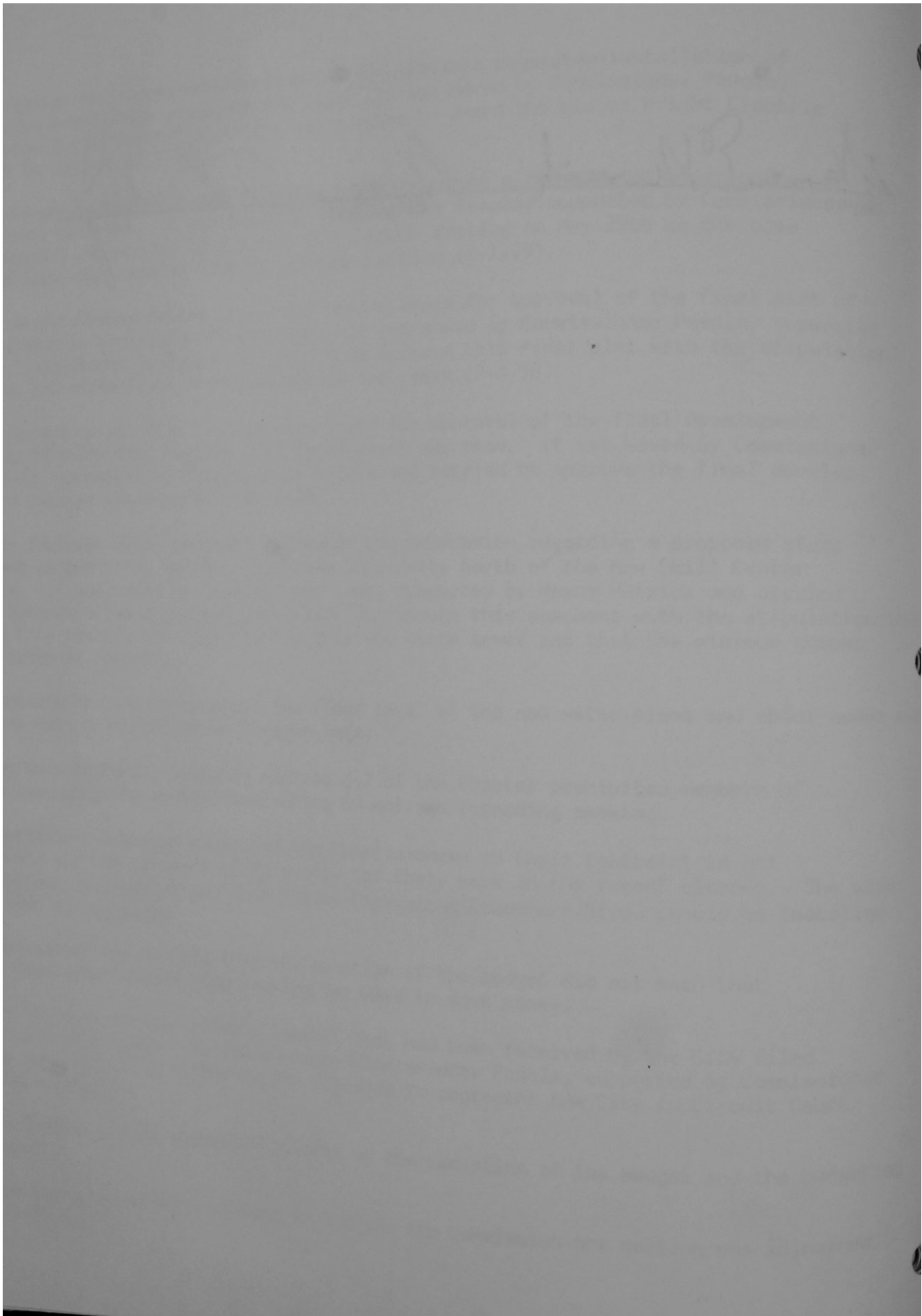
City Attorney Adamini noted a lawsuit that had been received by the City filed by C & S Shorelines. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to authorize the Attorney to represent the City in Circuit Court on this lawsuit.

City Manager McNabb commented briefly on the adoption of the budget and the budgeting process.

There being no citizens wishing to address the Commission the meeting was adjourned at 11:59 p.m.

Harold E. Merrick
Mayor

Norman J. Gruber
City Clerk



OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Tuesday, May 29, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Johnson. Ling. Pesola. Robinson. Swaine. Wilson.

Absent: None.

It was moved by Commissioner Robinson, supported by Commissioner Johnson and carried unanimously that the minutes of the previous meeting be approved as presented.

Total bills payable in the amount of \$175,519.61 were presented. It was moved by Commissioner Johnson, supported by Commissioner Swaine and carried unanimously that these bills be paid as listed.

Mayor Merrick noted additional agenda items #20, regarding a stop light on South Front Street, and #21, a liquor license approval.

Mayor Merrick then presented mayoral commendations to Assistant Fire Chief Frank Sciotto and Fire Fighter Michael Bennett for their actions in saving a woman's life at a fire which took place on April 8, 1979. He expressed the deep appreciation of the woman, her family and the citizens of Marquette for their actions.

John Mohr, representing the National Arbor Day Foundation then presented a plaque to Mayor Merrick, designating Marquette as a Tree City USA award recipient. Mayor Merrick accepted the award on behalf of the City and commented on the City's efforts in the area of trees in the City.

Mayor Merrick then announced that this was the time and date set for a public hearing on a proposed water and wastewater rate ordinance. Their being no one to address the Commission, the hearing was closed. It was moved by Commissioner Swaine, supported by Commissioner Wilson and carried unanimously to adopt Ordinance #328 as follows:

AN ORDINANCE TO AMEND CHAPTER 58, TITLE VII OF THE CODE OF
CITY OF MARQUETTE TO CHANGE THE WATER AND WASTEWATER RATES
FOR THE WATER AND WASTEWATER UTILITY.

Mayor Merrick then announced that this was the time set for a public hearing on a proposed rezoning east of Sugarloaf Avenue. Neil Nyström supported this rezoning. The hearing was closed. It was moved by Commissioner Ling, supported by Commissioner Wilson and carried unanimously to rezone the triangular area east of the west line of Section 11 and north of Union Street right of way from Conservation-Recreation to Industrial.

Mayor Merrick then announced that this was the time set for citizens wishing to address the Commission. Neil Nystrom asked if clearance signs could be posted on the Soo Line ore dock approach at Fourth Street. Pryse Duerfeldt reported on the activities of the committee working on the City's delegation to visit Marquette's Sister City, Yokaichi, Japan. He asked the Commission to send a formal representative along with this group. Mike Hongisto complained about the storm sewer construction on Norwood and Wilkinson Streets.

The City Clerk then read a communication from Vic Melchiori, complaining about vehicles with burned out headlights. This communication was referred to the Police Chief for study and report.

A report and recommendation from the City Manager regarding the small cities grant application and a request for public hearing was read. It was moved by Commissioner Robinson, supported by Commissioner Johnson and carried unanimously to schedule a public hearing on the Small Cities Grant Second Year Application for the regular Commission Meeting on June 11, 1979. Assistant City Manager Svanda commented on the report and hearing.

A report and recommendation from the City Manager regarding transfer of federal revenue sharing funds was read. It was moved by Commissioner Wilson, supported by Commissioner Johnson, and carried unanimously to transfer \$29,318 from the 1979-80 federal revenue sharing budget to the 1978-79 federal revenue sharing budget as recommended.

A report and recommendation from the City Manager regarding a proposed fire hose rental rate increase was read. It was moved by Commissioner Pesola, supported by Commissioner Johnson, and carried unanimously to set the fire hose rental rate at \$3.00 per length per day.

A report and recommendation from the City Manager regarding proposed fee increases in winter overnight parking violations and dog impoundments was read. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to set the regular Commission Meeting on June 11, 1979 as the time and date for a public hearing on ordinances to amend these fees.

A report and recommendation from the City Manager regarding bids for water system supply materials was read. It was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to award these bids to the low bidders as recommended.

Mayor Merrick called a five minute recess.

Following the recess, a communication from the Board of Light and Power bringing to the attention of the Commission the previously approved 2% increase in electric rates effective July 1, 1979 was read. This communication was noted.

A second communication from the Board of Light and Power asking for approval of a resolution authorizing short term borrowing was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to adopt the following resolution:

WHEREAS, the Board of Light and Power of the City of Marquette ("Board") has recommended to the City Commission of the City that it is necessary and advisable in order to provide adequate supply of electric power, to protect the public health, safety and welfare of the City and its residents to purchase a supply of fuel for use by the Electric Utility System of the City (the "System"), in order to provide necessary fuel reserves for the winter; and

WHEREAS, the Board has estimated that the cost of the necessary fuel requires borrowing the sum of Three Million Five Hundred Thousand Dollars (\$3,500,000), and has recommended that it be permitted to borrow the sum of Three Million Five Hundred Thousand Dollars (\$3,500,000) and issue its notes therefore in the amount of \$3,500,000 (the "Notes"), in accordance with and subject to the provisions of Act 182, Public Acts of Michigan, 1971, as amended ("Act 182"), and in accordance with the provisions of this resolution; and

NOW THEREFORE, BE IT RESOLVED THAT:

1. The City Commission of the City does hereby determine that it is necessary for the public health, safety and welfare of the City for the Board to purchase fuel and borrow therefore the sum of not to exceed \$3,500,000.
2. Notes to be designated 1979 ELECTRIC UTILITY SYSTEM REVENUE NOTES (FUEL SUPPLY), be issued in the aggregate principal sum of not to exceed \$3,500,000 in accordance with and subject to the provisions of Act 182 and this resolution for the purpose of paying the cost of purchasing fuel for the System. The denomination of said Notes shall be determined by the purchaser thereof but in any event shall be in multiples of \$5,000 each, shall be dated as of the date of the delivery, shall be numbered in direct order of maturity from 1 upwards, and shall mature in not to exceed one year from their date, at such time or times and with such right of prior redemption as shall be negotiated with the purchaser thereof and approved by the Board.
3. The notes shall bear interest at a rate or rates to be determined upon the sale thereof payable on such dates and in such manner as shall be agreed to with the purchaser thereof. Both principal of and interest on the Notes shall be payable at a bank or trust company qualified to act as paying agent under the laws of the State of Michigan, to be designated by the original purchaser of the Notes and approved by the Board.
4. The Notes shall be executed on behalf of the City by the Board through its Chairman and Secretary. The Notes, when executed, shall be delivered to the Secretary of the Board and be delivered by him to the purchaser thereof upon payment of the purchase price therefor in accordance with the proposal for the purchase thereof as submitted as hereinafter provided.

The proceeds of the sale of the Notes shall be used solely for payment of the cost of issuing the notes and purchasing fuel. Any unexpended balance remaining from the Notes shall be used for payment of principal or interest on the Notes.

5. The Notes shall be sold at private sale and the Director of the Board is hereby authorized to obtain proposals for the purchase thereof. Any proposal so obtained shall be submitted for approval thereof to the Board.

6. The Notes and the interest coupons attached thereto, if any, or the interest payments required to be made thereon, shall not be a general obligation of the City but shall be secured by and payable solely and only from the unencumbered revenues of the System after meeting all requirements of the outstanding Revenue Bonds on the System and subject to the requirements of any additional Electric Utility System Revenue Bonds of the City hereinafter issued in accordance with and subject to the provisions of Ordinance No. 314 of the City, as amended. The right is reserved to issue additional notes under the provisions of Act 182, which shall be of equal standing and priority of lien on the revenues of the System with the Notes authorized by the provisions of this resolution.

There shall be established with a bank designated by the Board, a separate account to be designated 1979 NOTE REDEMPTION FUND ("Note Redemption Fund"). There shall be deposited in the Note Redemption Account from the unencumbered revenues of the System, after meeting all requirements of the outstanding bonds and any additional bonds hereinafter issued, from time to time, such sums as shall be sufficient to pay the interest and principal on the Notes as it becomes due. Moneys in the Note Redemption Funds shall be used solely and only to pay the principal of and interest on the Notes as the same becomes due, or to redeem the Notes or any part thereof prior to maturity as herein provided, except to the extent that it may be necessary to use such moneys to pay the principal of and interest on the above described outstanding revenue bonds or any additional bonds that may hereafter be issued or to meet other requirements therefor as provided in Ordinance No. 314 of the City.

7. The notes so ratified and confirmed shall be payable solely from revenues of the System on a parity with other Notes issued under this resolution and subordinate to the payment of revenue bonds of the System, including specifically the \$51,040,000 Electric Utility System Revenue Bonds, 1978 Series, issued pursuant to Ordinance No. 314 of the City, as amended.

8. The notes shall be in a form acceptable to the purchaser and approved by the City Attorney.

9. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and they hereby are rescinded.

A recommendation from the Downtown Development Authority regarding a proposed one way street pattern in the Central Business District was read. It was moved by Commissioner Wilson, supported by Commissioner Johnson and carried unanimously to resolve to support the proposed one way traffic pattern for a six month trial period.

Mayor Merrick then announced that this was the time set for reconsideration of the final plat of Superior Heights Subdivision #2. City Engineer Etelamaki and surveyor Bob Cambensy addressed the Commission regarding this plat. The pro-prietor was not present, so consideration was deferred to the end of the agenda.

A recommendation from the Planning Board regarding proposed vacation of a portion of the Baraga Avenue cul-de-sac was read. Jarl Roine, representing the Planning Board, addressed the Commission regarding this matter. It was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to table action on this matter for clarification and to refer it back to the Planning Board.

A recommendation from the Planning Board that land adjacent to the Quarry Pond not be sold as requested was read. Mr. Roine and City Planner Gruber addressed the Commission regarding this recommendation. No action was taken.

A recommendation from the Parking Committee for the replacement of 14 long term meters on the north side of Main Street with one-hour parking meters was read. It was moved by Commissioner Johnson, supported by Commissioner Ling and carried unanimously to grant this request.

Recommendations from the Parking Committee and Police Chief opposing the removal of parking along certain bus routes in the City were read. The Commission concurred with these recommendations and took no action.

A recommendation from the Parking Committee that the parking regulations in the 1200 block of Norway Street be changed so as to be consistent with the remainder of the street was read. It was moved by Commissioner Johnson, supported by Commissioner Pesola and carried unanimously to remove the restrictions from the 1200 block of Norway Street as recommended.

A communication from the Department of Transportation regarding the installation of a traffic signal at the corner of Front and Spring Streets was read. It was moved by Commissioner Ling, supported by Commissioner Robinson and carried unanimously to agree to pay 50% of the actual installation and annual operating costs of this traffic signal and to agree to the removal of parking on Spring and Front Streets as proposed.

A communication from the Liquor Control Commission regarding transfer ownership of an SDM license at 919-921 South Front Street was read. This communication was accepted and placed on file.

Mayor Merrick announced that this was the time to reconsider item #14. Bruce Pesola addressed the Commission, noting the proposed change in the number of lots in the subdivision. City Attorney Adamini stated that the Commission should receive the redrawn plat before final approval is given. This item was deferred until submission of the plat.

Mayor Merrick then appointed Mr. Claude Lauscher to the Marquette Transit Authority to fill the unexpired term of Mr. John Helt. There were no objections from the Commission.

Commissioner Wilson suggested that the Commission consider joint resistance to the state's water filtration requirements. City Manager McNabb noted that he would be meeting with representatives of the Michigan Department of Public Health regarding this matter and would report to the Commission on progress made. Commissioner Robinson asked that the Manager explore the option of permanent non-compliance. Commissioner Swaine suggested working through the Municipal League regarding opposing the requirement for filtration.

Commissioner Robinson said that speeding on Anderson Street and the bypass was a problem, and asked that at the next meeting the Commission consider asking the Highway Department to lower the speed limit on the bypass. She also said that bicyclists were having problems with cars on the road at Presque Isle, and asked the Parks and Recreation

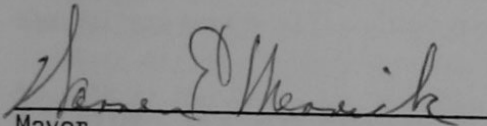
Committee to consider a bike path in the park. She suggested that people use the bike path where there is one. She then asked about the proposed designation of the old water treatment plant building for the National Register of Historic Places. She also suggested that the Commission send a representative to a meeting on health maintenance organizations.

Commissioner Pesola asked if the Attorney had made a decision about smokers on the City Commission voting on a smoking ban. Attorney Adamini said that in his opinion this did not violate the charter.

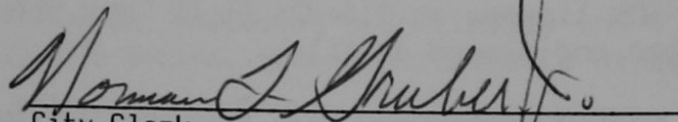
Commissioner Ling asked that complaints about bees at 369 Alger Street be investigated, said that enforcement of uncovered loads on the way to the landfill was being well taken care of, said that the Quarry Pond was getting dirtier due to a blocked outlet, and asked why the speed limit on County Road 553 had been increased.

Commissioner Johnson commended business people in the downtown area for their purchase of trees and planters, noted that people have been complaining that the street sweeper has not been in their neighborhoods, asked about the proposed lease to Northern Michigan University for land on County Road 550, said that speeding was a problem throughout the City, and urged the Commission to continue to save money and keep taxes down.

There being no citizens to address the Commission, the meeting was adjourned at 9:45 p.m.



Mayor



City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, June 11, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Robinson, Swaine, Wilson.

Absent: None.

It was moved by Commissioner Johnson, supported by Commissioner Robinson and carried unanimously to approve the minutes as presented.

Total bills payable in the amount of \$421,379.37 were presented. Commissioner Ling declared a conflict of interest. It was moved by Commissioner Swaine, supported by Commissioner Robinson and carried unanimously to pay the bills as presented with the exception of the bill to Scot Foods in the amount of \$103.81. It was then moved by Commissioner Robinson and supported by Commissioner Johnson to pay the above excluded bill to Scot Foods and excuse Commissioner Ling from voting. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Johnson, Pesola, Robinson, Swaine, Wilson.

Nays: None.

Abstention: Commissioner Ling. The motion was carried.

Mayor Merrick announced additional agenda item #23, a person to address the Commission on a farmers market.

Mayor Merrick then presented commendations to Mr. John Collins, private citizen, and to patrolmen Fawcett and Greer of the Police Department for their actions in saving two lives at a fire that occurred recently in the City. He expressed the community's and the individuals' deep appreciation for their concern and action in saving these lives.

Mayor Merrick announced that this was the time and date for a public hearing on the Small Cities Program. Assistant City Manager Svanda reported on the activities completed with the monies received from the first year's grant. He next outlined the proposed activities to be funded with monies from the current grant application for the second year. He also introduced Nancy Carlson who is in charge of the housing rehabilitation program and John Dott who is engineer for the street and utility improvements in the project area. Ronnie Dupras representing AMCAB addressed the Commission stating that they had money available for weatherization and would like to work with the City on various projects. The hearing was closed. Following a brief discussion it was moved by Commissioner Johnson, supported by Commissioner Ling and carried unanimously that Mr. Svanda be directed to file the application for the second year of the Small Cities Grant.

Mayor Merrick then announced that this was the time and date set for a public hearing on an ordinance to increase the winter parking ban fine. There being no persons to address the Commission the hearing was closed. It was moved by Commissioner

Wilson, supported by Commissioner Pesola and carried unanimously to adopt ordinance #329 as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 16,
OF THE CODE OF THE CITY OF MARQUETTE BY
AMENDING SECTION 16.06 TO SET FINES FOR
NIGHTTIME PARKING DURING THE WINTER MONTHS

The City of Marquette ordains:

Section 1. Section 16.06 is hereby amended in part by increasing the night parking ban fine from \$5 to \$10 for each occurrence.

Section 2. Effective Date. This ordinance shall become effective ten (10) days after its adoption and publication.

Mayor Merrick then announced that this was the time and date set for a public hearing on an ordinance to amend the dog impoundment fees. There being no one to address the Commission the hearing was closed. It was moved by Commissioner Pesola and supported by Commissioner Johnson to adopt the ordinance as proposed. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried unanimously to amend the ordinance to provide a maximum fine of \$30.00. The original motion was then carried unanimously. Ordinance #330 was adopted as follows:

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 28
SECTION 28.11(a) TO CHANGE THE DOG IMPOUND-
MENT FEE SCHEDULE

The City of Marquette Ordains:

Section 1. Section 28.11. Impounding Fees, is hereby amended in part as follows:

28.11 Any dog seized or impounded by the Dog Warden shall be released to the owner thereof upon the following conditions:

(a) Payment of an impounding fee of \$10 for the first impounding, \$15 for the second impoundment of the same dog, \$30 for the third impoundment and each thereafter of the same dog.

Section 2. Effective Date. This ordinance shall become effective ten (10) days after its adoption and publication.

Mayor Merrick then announced that this was the time set aside for citizens who wished to address the Commission. He said that each person would be limited to two minutes with a total of 20 minutes. Mike Hongisto asked about convicts working for the city and complained about a truck damaged by a piece of City equipment. Ronnie Dupras representing Citizens to Save the Superior Shoreline complimented the City on its efforts to find the source of the pollution at the picnic rocks and expressed concern over a permit to fill the beach area at Shiras Park. Peter Embly said people should be allowed to tak for more than two minutes and urged the City to become involved in health maintenance organizations.

A communication from Wallace D. Steinhoff submitting his resignation from the Downtown Development Authority was read. Mayor Merrick said that this resignation was accepted with regrets and directed the Clerk to send Mr. Steinhoff a letter of appreciation.

A communication from the School Board requesting that the Commission set the 1979-80 school tax rates was read. It was moved by Commissioner Johnson, supported by Commissioner Wilson and carried unanimously to accept the request and to apply a tax rate of 18.75 mills plus the County allocated millage of 7.165 for operational millage and 3.41 mills for debt retirement on the tax role as requested by the School Board.

A communication from Superior Taxi Company requesting Commission approval of a proposed rate increase was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to set the regular meeting on June 25 as the time and date for a public hearing on this proposed rate increase.

A communication from Gourdie Fraser and Associates regarding a change in a drainage easement in Marquette Industrial Park was read. City Attorney Adamini reported that a public hearing was necessary because the easement was recorded in the plat. It was moved by Commissioner Robinson, supported by Commissioner Johnson and carried unanimously to set the regular meeting on June 25, 1979 as the time and date for a public hearing on the vacation of the drainage easement between lots 23 and 24 in the Marquette Industrial Park.

A communication from the Marquette Apartment Owners Association regarding a proposed apartment complex at NMU was read. Ken Hogg addressed the Commission asking that they use the A-95 review process to arrange a meeting with the university to discuss the grant application for this project. It was moved by Commissioner Johnson and supported by Commissioner Pesola to request a conference with NMU on this grant application and that at the conference the apartment owners association and other interested parties be allowed to express their views. The following vote was taken:

Ayes: Commissioners Johnson, Ling, Pesola, Swaine, Wilson.
Nays: Mayor Merrick. Commissioner Robinson. The motion was carried.

A report and recommendation from the City Manager regarding bids for concession items was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried unanimously to award these bids as follows:

Soda Pop - Cans & Premix	- H. W. Elson Bottling Co.
Soda Pop - Postmix	- Marquette Bottling Works
Cigarettes, Candy, Mints, & Gum	- Larson & Krieg

A report and recommendation from the City Manager regarding bids for Third Street Parking lot beautification project was read. It was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to award the bid for site work to Quality Concrete in the amount of \$4,110.00 and for the sign erection to Cook Sign Service in the amount of \$960.60.

A report and recommendation from the City Manager regarding the disposal of inert materials was read. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to concur with the Manager's recommendation and prohibit the disposal of inert materials at the City landfill.

A report and recommendation from the City Manager regarding the water and sewer utility operating budget was read. It was moved by Commissioner Wilson, supported by Commissioner Swaine and carried unanimously to adopt the following resolution:

RESOLVED, that a transfer not to exceed \$60,000 be made from the Water Supply and Sewage Disposal System Receiving Fund to the Operation and Maintenance Fund, sufficient to cover the operating expenditures for the balance of the 1978-1979 fiscal year, in accordance with Section A of Ordinance No. 165.

A recommendation from the Planning Board for the rezoning of Grove Hill Estates Subdivision was read. It was moved by Commissioner Robinson, supported by Commissioner Pesola and carried unanimously to set the regular meeting on June 25 as the time and date for a public hearing on the rezoning of Grove Hill Estates Subdivision from single family residential to general residential.

A recommendation from the Planning Board for the waiver of certain deed restrictions on lots 23 and 24 of the Marquette Industrial Park was read. Following a brief discussion it was moved by Commissioner Robinson, supported by Commissioner Johnson and carried unanimously to concur in the recommendation that the front yard deed restrictions be waived from 35 feet to 25 feet for lots 23 and 24 of the Industrial Park Subdivision to allow the construction of a parking lot with the condition that the east half of the north boundary of the parking lot which is south of Whetstone Creek, be moved 10 feet to the south.

A recommendation from the Planning Board for the waiver of deed restrictions on lots 1 through 4 of the Marquette Industrial Park Subdivision was read. Sam Elder, representing the Planning Board answered questions regarding this recommendation and the recommendation to vacate a portion of the Baraga Avenue cul-de-sac. It was moved by Commissioner Ling, and supported by Commissioner Johnson to concur in the recommendation and waive the front yard requirement from 35 feet to 25 feet from the proposed right of way line for North State Equipment Company's building on lots 1-4 and to set the regular meeting on June 25th as the time and date for a public hearing on the vacation of a portion of the Baraga Avenue cul-de-sac. The following vote was taken:
Ayes: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Swaine, Wilson.
Nay: Commissioner Robinson. The motion was carried.

A recommendation from the Planning Board regarding approval of the final plat of Superior Heights Subdivision #2 was read. Commissioner Pesola asked to be excused from voting on this matter. It was moved by Commissioner Robinson, supported by Commissioner Johnson and carried unanimously to excuse Commissioner Pesola from voting on this matter. Mr. Elder then answered questions regarding the Planning Board's recommendation and the "3 lot" version of the plat versus the "4 lot" version. Following a discussion during which City Manager McNabb said that the City's maximum liability should be no more than \$3,000 if

there is any liability in this matter, it was moved by Commissioner Ling, and supported by Commissioner Johnson to approve the final plat of Superior Heights Subdivision #2 as requested by the proprietors with three lots north of the outlot. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Ling, Johnson, Robinson, Swaine, Wilson.
Nays: None.

Abstention: Commissioner Pesola. The motion was carried.

A report from the Police Chief regarding tickets issued to the cars with one headlight burned out was read.

Mayor Merrick then announced that this was the time set aside for discussion of the Sister City Program. Pryse Duerfeldt addressed the Commission requesting that they send an official representative to visit Marquette's Sister City with a delegation from Marquette. Following a lengthy discussion it was moved by Commissioner Wilson and supported by Mayor Merrick to authorize the expenditure of no more than \$2,000 from the City Commission's travel budget to send an official representative from the City to Marquette's Sister City, Yokaichi, Japan. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Robinson, Swaine, Wilson.

Nays: Commissioners Johnson, Ling, Pesola. The motion was carried.

Mayor Merrick called a five minute recess.

Following the recess Mayor Merrick said that this was the time set for discussion of the requirement for a water filtration plant. City Manager McNabb reported on his meeting with the Public Health Department. Commissioner Robinson suggested looking into the designation offered in the Act of permanent non-compliance and Commissioner Wilson suggested working through the Municipal League.

Mayor Merrick then announced that this was the time set for discussion of speeding on the Bypass. It was moved by Commissioner Robinson, supported by Commissioner Wilson and carried unanimously to ask the transportation department to reduce the speed limit on the US 41 Bypass between Front Street and Washington Street.

Mayor Merrick announced that he would not appoint the Charter Study Committee until the next meeting to allow consideration of increasing the size of this committee. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to increase the size of the Charter Study Committee from seven to nine members with one of the extra members to be appointed by the Commission and the other by the Board of Light and Power.

Martha Bush addressed the Commission regarding an open air farmers market. She presented information gathered by a group interested in farmers markets and asked that the Commission become involved in this project. City Manager McNabb was directed to study this matter and report back to the Commission.

Commissioner Johnson thanked the Public Works Department for cleaning up Jackson Street, asked if Little Presque Isle was included in the proposed land swap, asked if the water main at Presque Isle had been pressure tested, questioned

possible health problems at the recent carnival, said that abandoned and damaged cars were a problem in the City, and said that the streets in south Marquette needed to be swept.

Commissioner Ling noted that some of the ball diamonds were in bad shape as is the tennis court at the Quarry Pond, said that the road to Mt. Marquette was passable but that something should be done to improve it, and complained about problems with drugs and alcohol abuse at the last rock concert. He asked the City Attorney to investigate a possible requirement for performance bonds as a condition of contracts for use of the arena with the bond to be forfeited if the renter cannot maintain an orderly house.

Commissioner Pesola said Mt. Marquette should be on the next agenda.

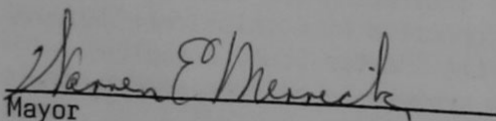
Commissioner Robinson said that the Commission should meet with the citizens about Mt. Mesnard, questioned the large logs on Shiras Beach, and asked about progress at the water plant. She also noted complaints about speeding on Coast Guard Road.

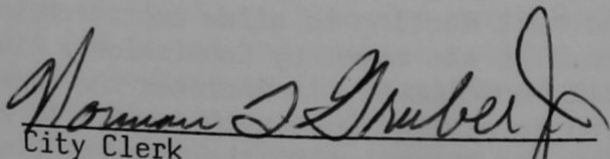
Commissioner Wilson asked when the next work session would be.

City Manager McNabb noted that he had received a request that a public hearing be scheduled for the proposed Economic Development project for Olson Motors. It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried unanimously to set the regular meeting on June 25th as the time and date for a public hearing on this project.

Neil Nystrom asked that the fine for parking violations in private parking lots be increased to coincide with the winter parking ban fines. He also asked about signs on the Soo Line overpass. Mike Hongisto complained about the high cost of developing the Marquette Industrial Park and said that it shouldn't have been rezoned for business. Peter Embly said the City should meet regularly with the Northern Michigan University Board of Control, discussed possible ways to finance the Sister City Program and asked permission to work with a City Staff Member to investigate a health maintenance organization grant application.

The meeting was adjourned at 11:15 p.m.


Mayor


City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, June 25, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Robinson, Swaine, Wilson.
Absent: None.

It was moved by Commissioner Johnson and supported by Commissioner Wilson that the minutes be approved as presented and that their reading be waived. Commissioner Robinson moved, supported by Commissioner Johnson and carried to amend the motion to include two corrections in the minutes. The original motion to approve the minutes was then carried unanimously.

Total bills payable in the amount of \$215,534.32 were presented. It was moved by Commissioner Swaine, supported by Commissioner Wilson and carried unanimously that these bills be paid as presented with the exception of the bill to Merrick's 5 & 10 in the amount of \$9.48. It was then moved by Commissioner Robinson, supported by Commissioner Wilson to pay the above excluded bill to Merrick's 5 & 10 and to excuse Mayor Merrick from voting. The following vote was taken:
Ayes: Commissioners Johnson, Ling, Pesola, Robinson, Swaine, Wilson.

Nay: None.

Abstention: Mayor Merrick. The motion was carried.

Mayor Merrick announced additional agenda items 30, an opinion from the City Attorney regarding a conflict of interest, 31, a discussion of alcohol and drug problems at the Arena rock concerts, and 32, a discussion of water and sewer main installation at Presque Isle.

Mayor Merrick then announced that this was the time set for a public hearing on the rezoning of Grove Hill Estates Subdivision. There being no citizens to address the Commission the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Pesola and carried unanimously to concur with the Planning Board's recommendation and rezone Grove Hill Estates Subdivision from RS, single family residential to RG, general residential.

Mayor Merrick then announced that this was the time set for a public hearing on the vacation of a portion of the Baraga Avenue cul-de-sac. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Ling, and supported by Commissioner Wilson to adopt the resolution vacating a portion of the Baraga Avenue cul-de-sac. The following vote was taken:
Ayes: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Swaine, Wilson.
Nays: Commissioner Robinson. The following resolution was adopted:

WHEREAS, a public street right of way exists over and across and under the following described parcel, to-wit:

Parcel A: A parcel of land comprising that portion of the Baraga Avenue right of way located northeasterly of lots 2 and 3 of the Marquette Industrial Park Plat, located in the NW $\frac{1}{4}$ of Section 22, Township 48 North, Range 25 West, City of Marquette, Michigan, and more particularly described as follows: Commencing at the northeast corner of lot 3, said corner being the point of beginning of the description; thence northwesterly along a curve to the right a distance of 93.98 feet to the northwest corner of lot 3, said curve having a radius of 85.00 feet and a long chord bearing N88 $^{\circ}$ 26'49"W 89.27 feet; thence continuing along said curve 51.91 feet along the northeasterly line of lot 2, said arc having a long chord bearing N39 $^{\circ}$ 16'42"W 51.10 feet; thence S70 $^{\circ}$ 57'06"E 128.63 feet to the point of beginning.

by virtue of dedication in the Plat of the Marquette Industrial Park, and

WHEREAS, the owner of lots 1, 2, 3, and 4 of said Marquette Industrial Park has proposed a vacation of said above described parcel in exchange for a conveyance by said owner to the City of another parcel to be used for street right of way purposes, said other parcel being described as:

Parcel B: A parcel of land comprising portions of lots 1 and 2 of the Marquette Industrial Park as platted in the NW $\frac{1}{4}$ of Section 22, Township 48 North, Range 25 West, City of Marquette, Michigan, more particularly described as follows: Commencing at the northeast corner of lot 1, said point marked as point of beginning, thence running S89 $^{\circ}$ 39'25"W on the north line of lot 1 a distance of 94.10 feet; thence S00 $^{\circ}$ 20'35"E on a perpendicular to the north line a distance of 96.85 feet to the north line of lot 2; thence continuing S00 $^{\circ}$ 20'35"E 13.94 feet to a point in the interior of said lot 2; thence S70 $^{\circ}$ 57'06"E a distance of 15.88 feet to a point on the easterly line of lot 2; thence northwesterly on the easterly line of lot 2, along the arc of a circular curve to the right, a distance of 21.15 feet to the northeast corner of lot 2; said curve having a radius of 85 feet and a long chord bearing N14 $^{\circ}$ 39'06"W 21.10 feet; thence northeasterly along a continuation of said curve, being the easterly line of lot 1, a distance of 144.17 feet to the point of beginning, said curve having a long chord bearing N41 $^{\circ}$ 04'00"E 127.50 feet, and

WHEREAS, if the existing right of way were vacated and the City granted the alternative right of way, it would make development of lots 1, 2, 3, and 4 more convenient,

NOW THEREFORE BE IT RESOLVED THAT,

1. The parcel hereinbefore described as Parcel A be and the same is hereby vacated, it no longer being required for public use.
2. The vacation herein provided for is made upon the express condition that the owner of lots 1, 2, 3, and 4 in the Marquette Industrial Park convey title to

the parcel hereinbefore described as Parcel B to the City of Marquette.

Mayor Merrick then announced that this was the time and date set for a public hearing on the vacation of a drainage easement in the Marquette Industrial Park. There being no one to address the Commission the hearing was closed. It was moved by Commissioner Pesola, supported by Commissioner Wilson and carried unanimously to adopt the following resolution:

WHEREAS, a drainage easement exists over, across and under the following described parcel, to-wit:

A 20 foot strip of land in the southwest quarter of the northeast quarter, section 22, T48N, R25W, City of Marquette, Marquette County, Michigan, more fully described as 10 feet each side of the line between lots 23 and 24, north of Whetstone Brook in the Marquette Industrial Park

by virtue of dedication in the Plat of the Marquette Industrial Park, and

WHEREAS the owner of said lots 23 and 24 has proposed to move said 20 foot drainage easement from its present location to a location described as the east 20 feet of lot 24 lying north of Whetstone Brook and,

WHEREAS, if the present easement were vacated and the City granted an easement in the proposed new location, it would make development of lots 23 and 24 more convenient,

NOW THEREFORE, BE IT RESOLVED THAT,

1. All that part of a 20 foot strip of land in the southwest quarter of the northeast quarter more fully described as 10 feet each side of the line between lots 23 and 24, north of Whetstone Brook, in the Marquette Industrial Park, described as a drainage easement in the Plat of the Marquette Industrial Park, be and the same is hereby vacated, it no longer being required for public use.

2. The vacation herein provided for is made upon the express condition that the owner of lot 24 in the Marquette Industrial Park convey a drainage easement in perpetuity in favor of the City of Marquette, over, across and under a 20 foot strip of land in the southwest quarter of the northeast quarter, section 22, T48N, R25W, City of Marquette, Marquette County, Michigan, more fully described as the east 20 feet of lot 24 north of Whetstone Brook in the Marquette Industrial Park.

Mayor Merrick then announced that this was the time set for a public hearing on a request to increase the taxi rates. One communication opposing the increase was read. David Savolainen addressed the Commission supporting the request. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Pesola and carried unanimously to permit the Superior Taxi Company Inc. to raise their rates effective July 1, 1979 to the following:

\$1.10/start plus \$.10 per 1/8 mile.
\$.80/mile after the first mile.
Waiting time \$.25/minute.
Demand-response delivery service, \$3.30.
General delivery service, \$2.20.
Flat 10% increase to nearest high \$.05 on
calls outside Marquette City Limits.

Mayor Merrick announced that this was the time set for citizens who wished to address the Commission. He said that the 20 minutes allotted would be divided amongst the people interested in speaking. Maureen Shea said that rocks and loose gravel on Mt. Marquette presented problems for people in wheelchairs using the new ramps there. Mike Hongisto objected to the Commission's support of the proposed CCI-DNR land swap. Leonard Brumm complained about the restriction banning inert material from the landfill. Bonnie Johnson complained about pollution at the Shiras Park beach and about water main freezeups. Rick Colvin, Marquette Township Clerk, said that the township paid for use of the landfill and said that utility charges to township people were too high.

Mayor Merrick called a five minute recess.

A communication from Patricia Lunn submitting her resignation from the Parks and Recreation Advisory Board was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to accept her resignation with regrets and to send her a letter of appreciation.

A communication from Janice Marana complaining about beekeeping in her neighborhood was read. The City Attorney discussed a proposed amendment to the animal control ordinance that would prohibit beekeeping within the City. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to set the regular Commission Meeting on July 9, 1979 as the time and date for a public hearing on:

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 28, SECTION 28.04 TO PROVIDE FOR THE REGULATION OF ANIMALS, FOWL AND INSECTS.

A communication from Richard Mick regarding erosion problems on Wilson Street was read. City Manager McNabb discussed maintenance problems on unpaved streets. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to ask the City Engineer for a study and report and to set the regular meeting on July 30, 1979 as the time and date for a public hearing on the following proposed special assessment district:

Curbing, paving, watermain, sanitary sewer, water taps and sewer laterals on Wilson Street from the west line of Homestead Addition westerly 950 feet.

Mr. Mick addressed the Commission regarding the maintenance of Wilson Street prior to curbing and paving construction. It was then moved by Commissioner Swaine, supported by Commissioner Wilson and carried unanimously to ask the

City Engineer for a study and report and to set the regular meeting on July 30, 1979 as the time and date for a public hearing on the following special assessment district:

Curbing, paving, water taps, and sewer laterals on Granite Street from Wright Street to the Dead River.

A communication from Stephen Noertker concerning the City Zoning Ordinance was read. This communication was discussed by several Commissioners and City Attorney Adamini. It was moved by Commissioner Robinson, supported by Commissioner Johnson and carried unanimously that this communication be placed on file.

Communications from four contractors regarding the City's ban on inert material at the landfill were read. Following a discussion during which the Manager was directed to meet again with the contractors to attempt to resolve this problem, it was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to rescind the action of June 11th closing the landfill to the dumping of inert materials. Wayne Premeau addressed the Commission stating he had not received notice of this action.

A communication from Marge DePetro regarding damages from a sewer backup was read. It was moved by Commissioner Johnson, supported by Commissioner Ling and carried unanimously to table this and related items for discussion at the work session on July 2, 1979 at 3:00 p.m.

A communication from the City Council on Aging and the Handicapped Citizens Advisory Board regarding barrier free access to the Baraga Community Center was read. Sandra Wilshusen and David Brantley urged the Commission to approve seeking grants for construction of this project. Barry Polzin discussed the design of the proposed construction. City Engineer Etelamaki and Planner Gruber discussed potential problems with future traffic on Spring Street. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to authorize the staff to pursue grants for construction of this addition.

A communication from the Michigan Municipal League regarding the annual League meeting in Dearborn was read. Mayor Merrick noted that any Commissioners could attend this meeting.

A communication from CUPPAD regarding the City's annual membership resolution was read. Following a brief discussion it was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to adopt the following resolution:

WHEREAS, the Marquette County Overall Economic Development Planning (OEDP) Committee and the CUPPAD Regional Commission provide a means for public and private interests to jointly devise local solutions to area problems and to foster the economic, social, and physical development and conservation of the Central Upper Peninsula; and,

WHEREAS, the City of Marquette wishes to participate as a member of the Marquette County OEDP Committee and the CUPPAD Regional Commission;

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF MARQUETTE:

1. Be a member of the County OEDP Committee and the CUPPAD Regional Commission through December 31, 1980.
2. Name two representatives to represent this body on the County OEDP Committee.
3. Pay the FY79-80 local share contribution of \$2,856.00.

Commissioner Wilson and City Manager McNabb would continue to be the City's representatives on the County OEDP Committee.

A communication from the Department of Transportation regarding reconstruction of US 41 on the west side of town was read. No action was taken on this communication.

A communication from the Chamber of Commerce regarding City funds for maintenance and improvements at Mt. Marquette was read. City Engineer Etelamaki suggested acquiring right of way for the access road and dedicating it as a City street. Dennis Kallery representing the Chamber requested \$5,000 for maintenance and improvements. Following a discussion it was moved by Commissioner Wilson, supported by Commissioner Johnson and carried unanimously to appropriate up to \$5,000 in cash and services for the maintenance and improvement of Mt. Marquette.

A report and recommendation from the City Manager regarding a consent to sub-lease property at the corner of Lake Shore Boulevard and Island Beach Road was read. It was moved by Commissioner Johnson, supported by Commissioner Wilson and carried unanimously to authorize the Mayor and City Clerk to execute this agreement.

A report and recommendation from the City Manager regarding a bond paying agent was read. It was moved by Commissioner Pesola and supported by Commissioner Swaine to adopt the resolution appointing a paying agent. The following vote was taken:

Ayes: Commissioners Johnson, Pesola, Robinson, Swaine, Wilson.

Nay: None.

Abstentions: Mayor Merrick. Commissioner Ling. Mayor Merrick and Commissioner Ling declared conflicts of interest in voting on this motion. The following resolution was adopted:

RESOLVED, That First National Bank & Trust of Marquette, Marquette, MI be and is hereby appointed Principal Paying Agent and National Bank of Detroit, Detroit, Michigan, Co-Paying Agent for the Bond/Note Issue described on the attached Exhibit A.

BE IT FURTHER RESOLVED, That the Principal Paying Agent shall be paid, as compensation for its services, fees on the following basis:

Account Maintenance Fee - to be billed semiannually
\$200.00 per annum.

For Payment of Interest Coupons
\$0.14 per coupon.

For Payment of Coupon Bonds
At Maturity or on Redemption Prior to Maturity
When All Outstanding Bonds are to be Redeemed
\$1.50 per bond.

On Redemption Prior to Maturity When Less Than
All Outstanding Bonds are to be Redeemed
\$1.75 per bond.

Plus Out-of-Pocket Expenses (e.g., postage, registered mail, surcharge, etc.)

The charges of the Co-Paying Agent will be paid by the Principal Paying Agent from its compensation.

BE IT FURTHER RESOLVED, that all statements of account and all cancelled obligations shall be forwarded by the Paying Agent to:

Accounting and Finance Department
City Hall
Marquette, Michigan 49855

Attention: Robert F. Lawrence

A report and recommendation from the City Manager regarding Marquette Township water rates was read. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to concur with the recommendation and increase the Marquette Township water rate by 17% to \$.592 per 100 cubic feet effective July 1, 1979.

A report and recommendation from the City Manager regarding bids for aggregate material was read. It was moved by Commissioner Robinson, supported by Commissioner Pesola and carried unanimously to award the bid to A. Lindberg and Sons at the following prices:

22A Aggregate (FOB Plant)	\$1.93/ton
22A Aggregate (FOB City)	3.48/ton
6A Aggregate (FOB Plant)	4.18/ton
6A Aggregate (FOB City)	5.73/ton
2NS Aggregate (FOB Plant)	2.86/ton
2NS Aggregate (FOB City)	4.41/ton
4 Aggregate (FOB Plant)	4.05/ton
4 Aggregate (FOB City)	5.60/ton

A report and recommendation from the City Manager regarding bids for concrete pipe was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried unanimously to award the bid to U.P. Concrete Pipe Company

of Escanaba as recommended at the following prices:

12" Diameter	\$ 5.85/ft.
24" Diameter	12.45/ft.
30" Diameter	17.25/ft.
76" Diameter	132.20/ft

A report and recommendation from the City Manager regarding bids for sewer pipe materials was read. It was moved by Commissioner Johnson, supported by Commissioner Wilson and carried unanimously to award the bid for both groups of ABS pipe to Lakeside Iron Works in the amount of \$14,124.75 and the bid for PVC pipe to Lake Superior in the amount of \$2,201.55.

A report and recommendation from the City Manager regarding bids for construction castings was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to award this bid to East Jordan Iron Works of East Jordan, Michigan in the amount of \$7,417.50.

A report and recommendation from the City Manager regarding bids for a hydraulic press with attachments was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to award this bid to Carroll Motors in the amount of \$7,409.65.

A report and recommendation from the City Manager regarding bids for bituminous materials and paving was read. It was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to award this bid to Payne and Dolan Inc. of Waukesha, Wisconsin at the following prices:

Bituminous Aggregate (placed)	\$17.74/ton
Prime Coat (placed)	.70/gal.
Bond Coat (placed)	.70/gal.
Bituminous Aggregate (FOB plant)	13.95/ton
Cold Patch (FOB city)	20.00/ton

A report and recommendation from the City Manager regarding bids for two snow plow trucks was read. It was moved by Commissioner Wilson, supported by Commissioner Swaine and carried unanimously to award the bid for two snow plow trucks to Wenberg Sales of Houghton, Michigan in the amount of \$134,794.00.

A communication from the LS&I Railroad regarding a pipe line crossing agreement was read. It was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to authorize the Mayor and City Clerk to execute this agreement on behalf of the City.

A communication from the City Attorney submitting an ordinance to increase the private parking lot fine was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried unanimously to set the regular meeting on July 9, 1979 at the time and date for a public hearing on the following ordinance:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 16, SECTION 16.07(2) TO PROVIDE FOR AN INCREASED PENALTY VIOLATION.

A communication from the Planning Board regarding appointment of a Street Name Study Committee was read. It was moved by Commissioner Ling, supported by Commissioner Johnson and carried unanimously to designate the Parking Committee as the body to consider the proposed street name changes and to ask that they consider public input in suggesting these changes.

Mayor Merrick then appointed the following persons to the Committee to study the Board of Light and Power section of the City Charter:

Robert Bordeau
Richard Bur
Bruce Closser
Holly Greer
William Jensen
Robert Ling
Melvin Nyquist
James Smith
William Wilson

City Attorney Adamini then presented an opinion regarding conflict of interest. Commissioner Robinson said that although there was no legal conflict of interest in her voting on university matters, she would like to know the opinion of the other Commissioners regarding such votes. The concensus of the Commission was that her conscience should dictate whether she votes on such matters or not.

Mayor Merrick announced that this was the time set for discussion of a performance bond to control the audiences during rock concerts at the Arena. Following a lengthy discussion it was agreed that the Attorney, the Arena Manager and interested Commissioners would meet to discuss a series of alternative solutions to this problem.

Mayor Merrick then announced that this was the time set for discussion of water and sewer lines being installed at Presque Isle. City Engineer Etelamaki answered questions regarding this installation saying that he felt that the lines would be approved by the DNR and State Health Department.

Commissioner Wilson asked if there had been any news on the licensing of the landfill and thanked the Commission for appointing him as a delegate to visit Marquette's sister city in Japan.

Commissioner Swaine noted that some of the water main freezing problems were a result of cost cutting.

Commissioner Robinson inquired about flooding at the Savola house on Wilson Street, asked about the park construction near the coal unloader and asked when the bike path would be built.

Commissioner Pesola asked what work needed to be done to complete the drainage district on Fisher Street.

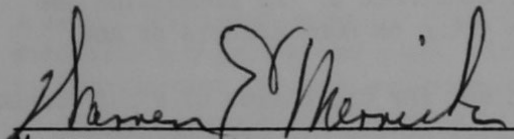
Commissioner Ling said that the City budget was approximately 10 million dollars, the school board budget was 8 million dollars and the Board of Light and Power

budget was 12 million dollars, and that local people had a right to expect excellence of service for these amounts of money. He also said that problems in the Public Works Department should be discussed at the soonest work session possible.

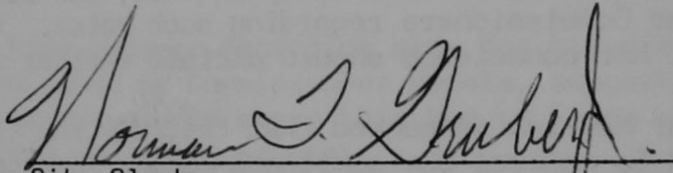
Commissioner Johnson noted many calls regarding problems at Public Works, complaints about the construction on Wilkinson Avenue, asked about the tax rollback bill and the 1980 census, said that the workmanship at the new water plant was not good, noted complaints about rubble at the corner of Grove and Forest Park Drive, asked if the City had resolved election costs problems with the County, said that the tree on the corner of Ridge and Lake Street is in danger from the construction there, and said that tall grass was a problem in many areas.

Bonnie Johnson said that rock concerts at the Arena should be stopped, asked about the costs of the pipes being put in at Presque Isle, and said that the bike path should not be built over a leaky water main. Allan Augustyn commented on law enforcement at the rock concerts. Patti Sandell asked that a sign be erected in the McCarty Cove area in Shiras Park.

The meeting was adjourned at 12:25 a.m.



Mayor



City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, July 9, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Robinson, Swaine, Wilson.

Absent: None.

It was moved by Commissioner Robinson, supported by Commissioner Pesola and carried unanimously that the minutes of the June 25th meeting be approved as presented.

Total bills payable in the amount of \$541,525.69 for the 1978-79 Fiscal Year and \$178,628.30 for the 1979-80 Fiscal Year were presented. Commissioner Ling said that the bill to Pre-Load Inc. should not be paid until cracks in the concrete tank foundation were repaired. It was moved by Commissioner Ling and supported by Commissioner Johnson that the bill to Pre-Load Inc. in the amount of \$2,403 be withheld from the current list of bills payable. The following vote was taken:

Ayes: Commissioners Johnson, Ling, Pesola, Robinson.

Nays: Mayor Merrick. Commissioners Swaine, Wilson. The motion was carried. It was then moved by Commissioner Johnson, supported by Commissioner Swaine and carried unanimously to pay the bills for the 1978-79 Fiscal Year with the exception of the bill to Pre-Load. It was moved by Commissioner Pesola, supported by Commissioner Wilson and carried unanimously to pay the bills for the 1979-80 Fiscal Year as presented.

Mayor Merrick noted the following additional agenda items: #10, a communication from the Liquor Control Commission; #11, a change order for the water plant contract; #12 and #13, recommendations from the Parking Committee; #14, a communication from the Mayor; #15, the consideration of a land exchange on West Ridge Street; and #16, a communication from the Attorney regarding a lawsuit.

Mayor Merrick then opened a public hearing on an ordinance to increase the parking fine in private lots. Two persons supported and one questioned the coverage of the proposed ordinance. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Wilson and carried unanimously to adopt ordinance #331 as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 16, SECTION
16.07 (2) TO PROVIDE FOR AN INCREASED PENALTY VIOLATION

Mayor Merrick then opened the public hearing on an amendment to the animal control ordinance. One person asked what the ordinance meant and two persons opposed its adoption. The hearing was closed. It was moved by Commissioner Wilson, supported by Commissioner Pesola and carried unanimously to table this matter for investigation and report by the City Attorney regarding court cases on similar ordinances. It was agreed that the next meeting would be open for public comment.

Mayor Merrick then announced that this was the time set for citizens wishing to address the Commission. Herbert Poole complained about the lack of sanitary facilities at the McCarty Cove area of Shiras Park. He also asked to have a tree cut down and asked when he would be reimbursed for blasting damage from the water plant construction. Frank Nelson said that heavy truck traffic is wrecking Lakeshore Boulevard. Mike Hongisto complained about the Public Works Department. Joanne Greet said that people should be allowed more time to speak early in the meeting. Bonnie Johnson asked about water pipes under the bike path, why excess blacktop is being discarded and not reused and said that an open forum was a good idea. Frank Watson asked to speak on item #5 and Peter Embly urged the Commission to consider health maintenance organizations.

Mayor Merrick called a five minute recess.

A communication from the Marquette Farmer's Cooperative Market was read. A communication from the Chamber of Commerce opposing farmer's markets was also read. It was moved by Commissioner Johnson and supported by Commissioner Swaine to authorize the Mayor and City Clerk to sign a lease for a designated portion of the west lot on South Third Street for 14 market days starting on July 28th and running to September 15th for \$63.00 subject to the conditions in the letter from the market. Martha Bush representing the Cooperative Market answered questions. It was moved by Commissioner Swaine, supported by Commissioner Johnson and carried unanimously that the conditions of the lease be amended to require that all goods sold must have been raised by the seller, that the agreement is cancellable by either party on 21 days notice, that the City be named as an insured party for liability insurance and that the minimum amount of liability insurance be set at \$100,000. The vote on the amended motion was: Ayes: Mayor Merrick. Commissioners Johnson, Ling, Robinson, Swaine, Wilson. Nays: Commissioner Pesola. The amended motion was carried.

Mayor Merrick announced that this was the time set for presentation of an ordinance to adopt the BOCA Basic Property Maintenance Code. It was moved by Commissioner Pesola, supported by Commissioner Johnson and carried unanimously to set the regular meeting on July 30 as the time and date for a public hearing on:

AN ORDINANCE TO REPEAL TITLE XII, CHAPTER 81 AND
ADOPT BY REFERENCE THE BOCA BASIC PROPERTY MAINTEN-
ANCE CODE/1978 AND ALL AMENDMENTS, SUPPLEMENTS AND
REVISIONS THERETO

The City Clerk then read a memo from the City Engineer regarding priorities for street construction. The City Engineer discussed the proposed transfer of priorities. Frank Watson asked questions about Fair Avenue construction. Following a discussion it was moved by Commissioner Robinson, supported by Commissioner Swaine and carried unanimously to concur with the recommendation of the City Engineer and to authorize paving of Hampton Street between Altamont and Division, and the reconstruction of paving on Pioneer Road between Division and Altamont Street with the transfer of the required funds from the Fair Avenue construction project and the addition of the Pioneer Road engineering to the Gourdie Fraser contract for the Division-Co. Rd. 553 intersection.

A report and recommendation from the City Manager regarding award of the bike path construction contract was read. City Engineer Etelamaki discussed the proposed repair of the water main in the area where part of the bike path will be built. Following a discussion regarding whether the excess funds would be sufficient to cover repair of the water main, it was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to defer action on award of this bid until such time as proposals for the reconstruction of the water main were received.

A recommendation from the Planning Board for the approval of the final plat of Chippewa Square was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried unanimously to approve the final plat of Chippewa Square as presented.

It was moved by Mayor Merrick, supported by Commissioner Johnson and carried unanimously to appoint Commissioner Pesola as delegate and Commissioner Robinson as alternate to the annual Michigan Municipal League meeting in September.

Mayor Merrick noted that the proposed member for the Downtown Development Authority would not accept the appointment and that other persons should be considered.

A communication from the Liquor Control Commission regarding transfer of a liquor license was read. It was moved by Commissioner Pesola and supported by Commissioner Ling to allow Commissioner Wilson to abstain from voting and to approve the transfer ownership of a 1978 B-Hotel license with Dance Permit located at 214 N. Front Street, Marquette, Michigan 49855, Marquette County from William F. Wilson, Rec'r for the Kawbawgam Company to Peasants, Inc. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Robinson, Swaine.

Nays: None.

Abstention: Commissioner Wilson. The motion was carried.

Mayor Merrick announced that this was the time set for consideration of a change order to the water plant construction contract. Following a discussion regarding the amounts in the change order and the fact that sales tax should not have been paid, it was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to approve change order #7 to the Darin and Armstrong contract in the amount of \$2,548.00.

Mayor Merrick called a five minute recess.

Following the recess a recommendation from the Parking Committee regarding additional rental parking on Main Street was read. It was moved by Commissioner Robinson, supported by Commissioner Pesola and carried unanimously to defer action on this recommendation until the next regular meeting to allow time for public comment.

A second recommendation from the Parking Committee regarding additional parking meters was read. It was moved by Commissioner Johnson and supported by Commissioner Pesola to concur with the recommendation and have parking meters placed along the north side of Maple Street between Third and Fourth Streets for a six month trial period. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Johnson, Ling, Pesola, Wilson.

Nays: Commissioners Robinson, Swaine. The motion was carried.

A communication from Mayor Merrick regarding criticism of department heads and the responsibility of the Manager to handle personnel problems was read. This letter was discussed at length.

Mayor Merrick then announced that this was the time set for consideration of a land exchange on West Ridge Street. City Attorney Adamini explained that a piece of land needed for the Westwood Road special assessment project would be exchanged for a piece of former Westwood Road at no cost to the City. It was moved by Commissioner Wilson, supported by Commissioner Pesola and carried unanimously to authorize the Mayor and City Clerk to execute the deed for exchange.

Mayor Merrick announced that this was the time set for discussion of the decision in the C&S Shorelines lawsuit. It was moved by Commissioner Johnson, and supported by Commissioner Wilson to go into closed session at the end of the agenda to discuss this lawsuit. The following vote was taken:
Ayes: Mayor Merrick. Commissioners Johnson, Robinson, Swaine, Wilson.
Nays: Commissioners Ling, Pesola. The motion was carried by the required 2/3 majority.

Commissioner Wilson inquired about the Soo Line condemnation, asked about the water filtration mandate discussions at the Municipal League Region X meeting and suggested that the Commission consider requesting a lower speed limit on Washington Street.

Commissioner Robinson asked if the Junk Car ordinance needed to be tightened up for better enforcement, suggested that uniform tourist directional signs would be a good idea, and asked what progress has been made in the lower harbor.

Commissioner Pesola asked for an update on the water and sewer main conditions at Presque Isle.

Commissioner Ling also asked about the water and sewer construction at Presque Isle, said that there were no lines on the Quarry Pool tennis courts, said that the landfill closes too soon, and encouraged police surveillance and pursuit of criminals.

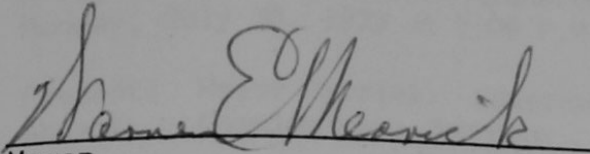
Commissioner Johnson noted complaints about upkeep at the cemetery, asked if the City was responsible for cutting tall grass at intersections, how full the Mountain Street water tank was, when the street lines are going to be painted, reminded the people of the wind symphony concert on Wednesday, and the Highway Department plan review on Thursday, said that this was handicapped awareness week, and that a stop sign was needed at the corner of Craig and Altamont Streets.

Mayor Merrick asked the Arena Committee to report on their policy on leasing for specific events.

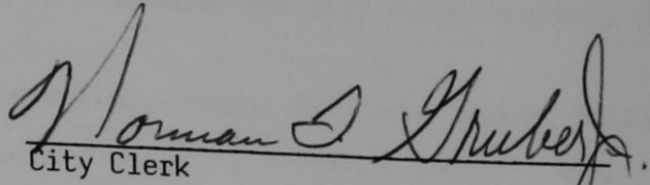
Bonnie Johnson urged the Commission to appeal the C&S Shorelines decision, discussed replacement of water pipe under the bike path, and said that police should chase criminals in order to catch them.

The meeting was then recessed to go into closed session.

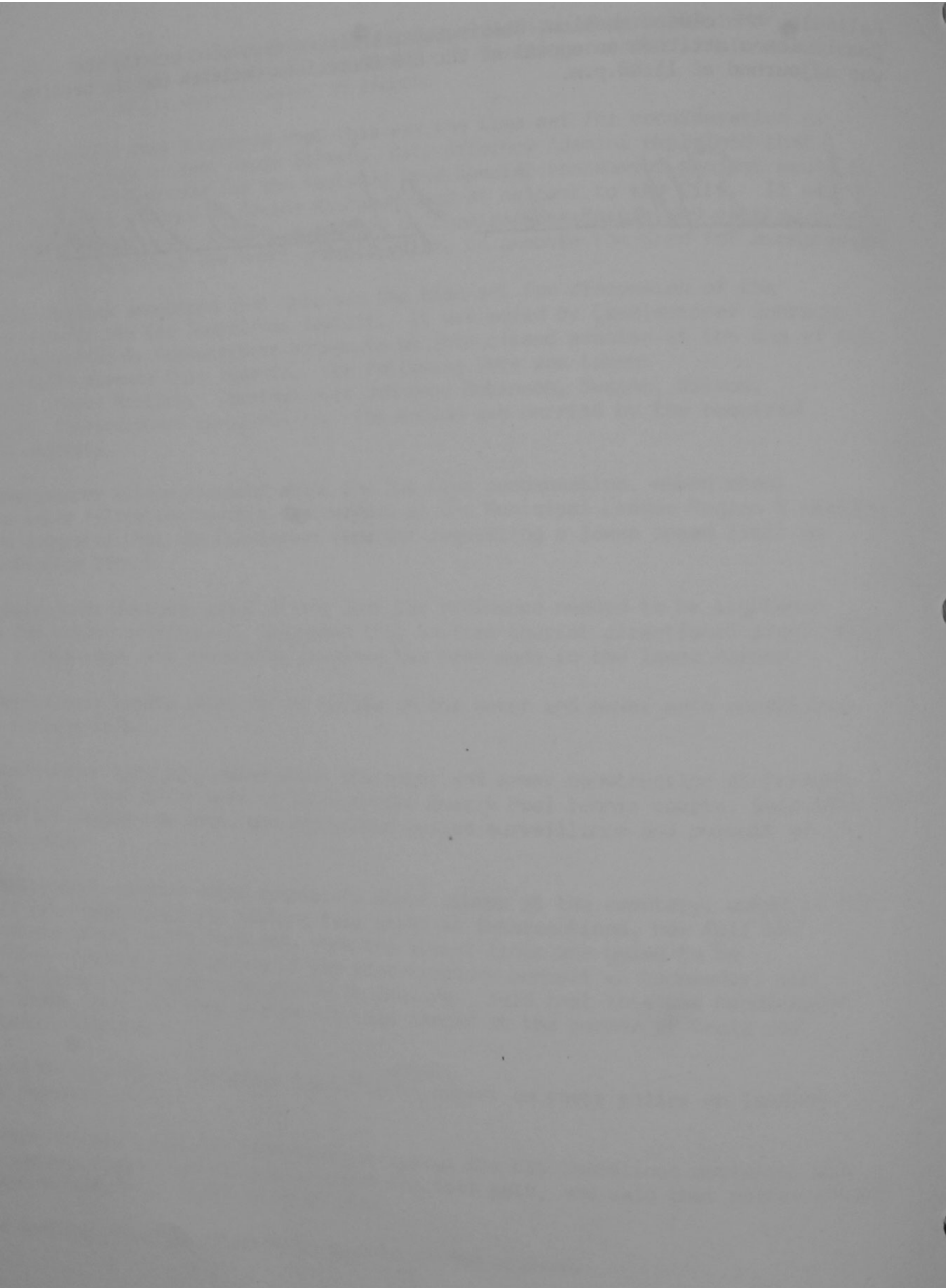
Following the closed session, Commissioner Robinson discussed briefly the Commission's attitude on appeal of the C&S Shorelines decision and the meeting was adjourned at 11:48 p.m.



Mayor



City Clerk



OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, July 30, 1979 at 7:00 P.M.

Present: Mayor Merrick. Commissioners Ling, Pesola, Robinson, Swaine, Wilson.
Absent: Commissioner Johnson.

It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to excuse the absence of Commissioner Johnson.

It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried that the minutes of the July 9th Regular and Closed Meetings be approved as presented.

Total bills payable in the amount of \$184,989.44 for the 1978-79 fiscal year and \$265,342.80 for the 1979-80 fiscal year were presented. It was moved by Commissioner Swaine, supported by Commissioner Ling and carried to pay the 1978-79 fiscal year bills with the exception of the bill to Scot Foods for \$76.02. It was then moved by Commissioner Robinson and supported by Commissioner Swaine to pay the above excluded bill to Scot Foods and to excuse Commissioner Ling from voting. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Pesola, Robinson, Swaine, Wilson.

Nay: None.

Abstention: Commissioner Ling. The motion was carried. It was then moved by Commissioner Swaine, supported by Commissioner Pesola and carried to pay the 1979-80 fiscal year bills as presented with the exception of the bill to Scot Foods in the amount of \$38.43 and the bill to William Wilson in the amount of \$725.00 and the bill to Albinson in the amount of \$5,074.75. It was then moved by Commissioner Swaine and supported by Commissioner Wilson to pay the excluded bill to Scot Foods and excuse Commissioner Ling from voting. The following vote was taken:

Ayes: Mayor Merrick. Commissioner Pesola, Robinson, Swaine, Wilson.

Nays: None.

Abstention: Commissioner Ling. The motion was carried. It was then moved by Commissioner Robinson and supported by Commissioner Swaine to pay the excluded bill to Commissioner Wilson and to excuse him from voting. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Ling, Pesola, Robinson, Swaine.

Nays: None.

Abstention: Commissioner Wilson. The motion was carried.

Mayor Merrick noted additional agenda item #30, a communication from Frank Adami.

Mayor Merrick then announced that this was the time and date set for a public hearing on proposed special assessment district on Granite Street. Four persons opposed this project. The hearing was closed. The City Engineer Etelamaki answered questions from the Commission. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried to adopt the following resolution:

WHEREAS, it appears by the affidavit of the City Clerk that due publication has been made of notice, as required by the City Charter, that it is the intention of the City Commission to make certain improvements as follows:

Curbing, paving, water taps, and sewer laterals on Granite Street from Wright Street to the Dead River

and appointing this day and time when the City Commission would meet to determine the necessity of such improvement; and

WHEREAS, it appears further by said affidavit that a like notice has been sent by mail to each owner of property subject to assessment therefore; and

WHEREAS, all suggestions and objections made to said improvements have been heard and considered;

RESOLVED, that the City Commission determines that such project and improvements are necessary and proper;

FURTHER RESOLVED, that the proportion of the costs of such improvements which shall be defrayed by special assessment upon the property especially benefited thereby and the proportion to defrayed as the general obligation of the City, if any, shall be as follows:

Property Owners \$86,400

City \$38,680

FURTHER RESOLVED, that the report of the City Manager, the plans and specifications, and the estimated costs of such improvements, are hereby approved and determined accordingly; that said special assessments may be paid in 10 installments, at a rate not exceeding 7% per annum, or the actual cost of such borrowing; and that a special assessment district to be assessed therefore is hereby designated as follows:

Curbing, paving, water taps and sewer laterals on Granite Street from Wright Street to the Dead River.

Mayor Merrick then announced that this was the time set for a public hearing on a proposed special assessment district on Wilson Street. One person opposed and one supported the project. The hearing was closed. Mr. Etelamaki again answered questions. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried to adopt a resolution approving this project. It was moved by Commissioner Ling, supported by Commissioner Robinson and carried to allow 10 years for repayment of this assessment. The following resolution was adopted:

WHEREAS, it appears by the affidavit of the City Clerk that due publication has been made of notice, as required by the City Charter, that it is the intention of the City Commission to make certain improvements as follows:

Curbing, paving, water main, sanitary sewer, water taps, and sewer laterals on Wilson Street from the west line of Homestead Addition westerly 600 feet

and appointing this day and time when the City Commission would meet to determine the necessity of such improvement; and

WHEREAS, it appears further by said affidavit that a like notice has been sent by mail to each owner of property subject to assessment therefore; and

WHEREAS, all suggestions and objections made to said improvements have been heard and considered;

RESOLVED, that the City Commission determines that such project and improvements are necessary and proper;

FURTHER RESOLVED, that the proportion of the costs of such improvements which shall be defrayed by special assessment upon the property especially benefited thereby and the proportion to be defrayed as the general obligation of the City, if any, shall be as follows:

Property Owners \$51,965

City \$38,935

FURTHER RESOLVED, that the report of the City Manager, the plans and specifications, and the estimated costs of such improvements, are hereby approved and determined accordingly; that said special assessments may be paid in ten installments, at a rate not exceeding 7% per annum, or the actual cost of such borrowing; and that a special assessment district to be assessed therefore is hereby designated as follows:

Curbing, paving, water main, sanitary sewer, water taps, and sewer laterals on Wilson Street from the west line of Homestead Addition westerly 600 feet.

Mayor Merrick then announced that this was the time set for a public hearing on the adoption of the property maintenance code. Eight persons addressed the Commission regarding the adoption of this code. The hearing was closed. It was moved by Commissioner Robinson, supported by Commissioner Pesola and carried to delay action on this ordinance until the next regular meeting.

Mayor Merrick called a five minute recess.

Following the recess Mayor Merrick announced that this was the time set for citizens who wished to address the Commission. Mike Hongisto complained about the construction project on Wilkinson Street. Wayne Wilson objected to the Granite Street special assessment district. Joe Snively asked to talk on item #4. Jack Piirala objected to the Granite Street special assessment project. Don Potvin asked if anything had been done to control rock concerts, asked what the Department heads' raises were, and complained about an order to repair his sidewalk which he said was damaged by City trees. Ken Hogg commented on NMU's student housing grant application. Peter Embly asked that there be open discussion during the agenda items on the housing grant application and on health maintenance organizations. Jeff Couper asked to comment on item #9. Bonnie Johnson complained about the Public Works Department.

The City Clerk then read a communication from Beatrice Marana and an opinion from the City Attorney regarding the proposed Bee Ordinance. Following a discussion it was moved by Commissioner Ling and supported by Commissioner Robinson to adopt the amendment to the animal control ordinance and to allow interested persons to speak during the discussion of this motion. Mr. Wooten and Mr. Snively both opposed adoption of this ordinance. The following vote was taken:
Ayes: Mayor Merrick. Commissioners Ling, Robinson, Swaine. The following ordinance
Nays: Commissioners Pesola, Wilson. The motion was carried.
was adopted:

ORDINANCE #332
AN ORDINANCE TO AMEND TITLE IV, CHAPTER 28,
SECTION 28.04 TO PROVIDE FOR THE REGULATION OF
ANIMALS, FOWL AND INSECTS

The Clerk then read a communication from Hobie Cat Fleet #288 requesting permission to serve beer during a regatta at the mouth of the Dead River. Dennis Henderson answered questions from the Commission regarding this request. City Attorney Adamini said that state statutes regulate dispensing of alcohol in public places and that the Commission should not approve the request for that reason.

A communication from the Chamber of Commerce regarding cleanup and development of the Lower Harbor was read. It was moved by Commissioner Wilson and supported by Commissioner Pesola that the City Commission appoint a Lower Harbor Citizens Advisory Committee. Following a discussion it was moved by Commissioner Robinson, supported by Commissioner Swaine and carried to table this motion until the next meeting.

Four communications from property owners in the Marquette Industrial Park requesting time extensions for development were read. It was moved by Commissioner Swaine, supported by Commissioner Merrick and carried to hold a special meeting on August 10, 1979 at 4:00 p.m. to discuss these requests for time extensions and to invite all affected property owners to attend the meeting.

A communication from Mr. and Mrs. Ray Murray complaining about storm water problems in their yard was read. Mr. and Mrs. Murray addressed the Commission explaining their problem. City Engineer Etelamaki answered questions on planned storm sewer work on Fair Avenue. Robert Dupras said that the City could put a temporary ditch on his property to aid on run-off from Fair Avenue. It was moved by Commissioner Ling, supported by Commissioner Wilson and carried that the Mayor and City Clerk be authorized to sign a license with Mr. Dupras to allow enlargement of the stream north of Fair Avenue.

A letter regarding traffic speed on Pine Street was read. Bob Leach, Jeff Couper and Mike Rublein all complained about high speed traffic on this street. It was moved by Commissioner Robinson, supported by Commissioner Wilson and carried to refer this letter to the Police Department, Parking Committee, and Engineering Department for study and report.

A communication from Dominic and Carol Sarvello regarding tree planting on West Ridge Street was read. City Engineer Etelamaki said that all trees that had been removed were on City right of way and that there had been no intention to replace these trees, especially since the pavement width had been narrowed to save as many trees as possible. It was moved by Commissioner Robinson and supported by Commissioner Wilson to include in next year's budget an amount for City tree replacement subject to a recommendation from the City Manager as to how much money should be budgeted. The following vote was taken:
Ayes: Commissioners Ling, Pesola, Robinson, Wilson.
Nays: Mayor Merrick. Commissioner Swaine. The motion was carried.

A communication from the Liquor Control Commission was read. It was moved by Commissioner Ling, supported by Commissioner Wilson and carried to approve a request from Brothers 3 of Marquette, Inc. for transfer ownership of a 1979 Class C licensed business with Dance-Entertainment Permit located at 910 Wright Ave., Marquette, MI from Alibi of Marquette, Inc.

A report and recommendation from the City Manager regarding appraisal of City property was read. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried to authorize the Mayor and City Clerk to execute a contract with Lloyd-Thomas/Coats and Burchard Company in the amount of \$19,350 for appraisal of City property.

A report and recommendation from the City Manager regarding bids for one track type loader was read. A second communication regarding this bid from Kramer Machiner Inc. was read. It was moved by Commissioner Wilson, supported by Commissioner Swaine and carried to concur with the recommendation and award the bid to the low bidder, Bark River Culvert and Equipment Co. in the amount of \$74,345 for one track type loader.

A report and recommendation from the City Manager regarding bids for treated barrier posts was read. It was moved by Commissioner Pesola, supported by Commissioner Wilson and carried to award this bid to Lake States Wood Preserving at \$1.35 per running foot.

A report and recommendation from the City Manager regarding bids for engineering services on Fair Avenue was read. It was moved by Commissioner Wilson, supported by Commissioner Swaine and carried to concur with the recommendation and award this bid to Engineering Consultants in the amount of \$9,900.

A report and recommendation from the City Manager regarding purchase of punch card voting equipment was read. City Clerk Gruber answered questions about the proposed purchase of equipment. It was moved by Commissioner Ling and supported by Commissioner Swaine to concur in the recommendation and proceed with the purchase of punch card voting equipment from Computer Election Systems as outlined. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Ling, Pesola, Swaine, Wilson.
Nay: Commissioner Robinson. The motion was carried.

A report and recommendation from the City Manager regarding bids for replacement of water main on Lake Shore Boulevard was read. A memo from the City Engineer was read. Mr. Etelamaki also answered questions regarding this proposal. It was moved by Commissioner Ling, supported by Commissioner Wilson and carried to concur with the recommendation and reject all bids for this water main construction.

A report and recommendation from the City Manager regarding a contract for bike path construction was read. It was moved by Commissioner Robinson, supported by Commissioner Ling and carried to concur with the recommendation and award the bid for construction of this bike path to Brumm Construction Co. in the amount of \$57,114.77.

A recommendation from the Parks and Recreation Advisory Board that the Arena Board and the Parks and Recreation Advisory Board be consolidated into one board was read. It was moved by Commissioner Ling, supported by Commissioner Robinson to concur

with this recommendation and consolidate the Parks and Recreation Advisory Board with the Arena Board. The following vote was taken:
Ayes: Commissioners Ling, Pesola.
Nays: Mayor Merrick. Commissioners Robinson, Swaine, Wilson. The motion was defeated. It was then moved by Mayor Merrick, supported by Commissioner Robinson and carried to defer action on this matter until a recommendation from the Arena Board is received.

A communication from the Handicapped Citizens Advisory Board and the City Council on Aging regarding barrier free access to the City Hall was read. It was moved by Mayor Merrick, supported by Commissioner Pesola and carried to put this item on the agenda for the special meeting to be held on August 10th.

A recommendation from the Planning Board regarding an amendment to the Woody Glen Planned Unit Development and approval for revised preliminary plat of Woody Glen Subdivision was read. Miriam Hilton and Harley Andrews presented the Board's opinions on this subject. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to approve the revised preliminary plat of Woody Glen Subdivision.

Mayor Merrick announced that this was the time set for discussion of Northern Michigan University's housing grant application. A communication from the Marquette Apartment Owners' Association was read. Commissioner Pesola stated that he felt he had conflict of interest in voting on this matter if there was a motion. Commissioners Swaine and Robinson also expressed concern over potential conflict of interest. Following discussion the Commission did not take any action on this matter.

Mayor Merrick then announced that this was the time set for discussion of proposed improvements to the Mt. Mesnard ski hill. A communication from the Red Eye Sling and Cable Co. regarding the cost of these improvements to the ski tow was read. Ron Heaviland answered questions about the proposed improvements. Joe Snively complained that nothing was being done to keep the hill open. It was moved by Mayor Merrick and supported by Commissioner Robinson to send this matter back to the Parks and Recreation Advisory Committee with a request for a report at the next meeting and to direct the City Manager to look into a subsidy program at Cliffs Ridge. The following vote was taken:
Ayes: Mayor Merrick. Commissioners Robinson, Swaine, Wilson.
Nays: Commissioners Ling, Pesola. The motion was carried.

Mayor Merrick then announced that this was the time set for discussion of a recommendation to increase rental parking on Main Street. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried to concur with the Parking Committee's recommendation to increase the rental parking on the Main Street lot by 19 stalls.

Mayor Merrick announced that this was the time set for discussion of traffic speeds on West Washington Street. Following the discussion, during which the Transportation Department response to a request for lower speeds on the Bypass was discussed, no action was taken.

Mayor Merrick then announced that this was the time for discussion of the possibility of holding open forum sessions once a month. Commissioner Swaine discussed these forums and the way they had worked previously. Several persons opposed non-official Commission meetings.

Mayor Merrick then announced that this was the time set for discussion of health maintenance organizations. City Manager McNabb said that there is a regional agency seeking a grant to do a feasibility study for health maintenance organizations in the region. Peter Embly supported health maintenance organizations.

A recommendation from the City Attorney was read regarding the state law which changes from criminal to civil status parking and traffic violations. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to set the regular meeting on August 13 as the time and date for a public hearing on the following two ordinances:

An Ordinance to Amend Title IV, Chapter 25, by Repealing Section 25.140 and by the Adoption of a New Section 25.140 so as to Provide for Civil Fines for Infractions of the Regulations Contained in Chapter 25.

An Ordinance to Amend Title II, Chapter 16, By Repealing Sections 16.01 through 16.07 Inclusive, by the Adoption of New Sections 16.01 through 16.07 Inclusive so as to Provide for Civil Fines for Civil Infraction Parking Violations.

Mayor Merrick noted that this was the time set for presentation of a communication from Frank Adamini, the Public Works Superintendent. It was moved by Commissioner Wilson, supported by Commissioner Pesola and carried to accept this communication and have it read at the regular meeting on August 13 due to the lateness of the hour.

Commissioner Wilson said that the lane markings on Third Street near Washington should be checked and commented on various gifts being taken to Marquette's sister city, Yokaichi, Japan.

Commissioner Swaine encouraged written communications from the Commission's constituents and asked that more of them be signed.

Commissioner Robinson said that more attractive tourist direction signs should be pursued, the speed limit on the Bypass should be lowered, commented on the search for the source of pollution on Shiras Beach, and said that the Commission could not always take the action that the citizens at the meeting requested.

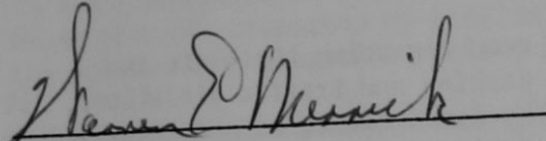
Commissioner Pesola asked if compaction tests were required on city projects and what the digging on West Ridge Street was. He noted that the Commission had taken no action on the NMU housing project.

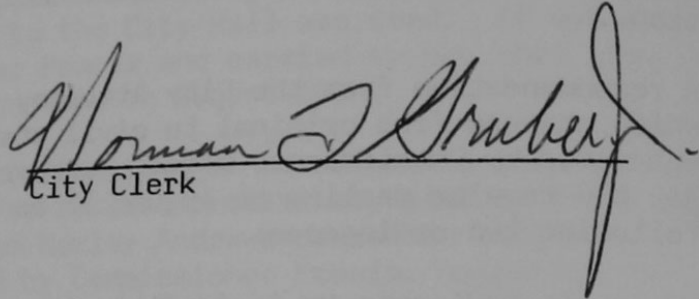
Commissioner Ling asked if the blasting damage claims near the water plant had been

Mayor Merrick thanked the Commission for staying so late.

Mike Hongisto complained about the Public Works Department. Joe Snively said that he wouldn't come to any more meetings to ask that Mt. Mesnard be kept open. Bonnie Johnson said that the ski hill should be kept open and asked about the bike path bid award.

The meeting was adjourned at 1:55 a.m.


Mayor


City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A Special Meeting of the Marquette City Commission was duly called and held on Friday, August 10, 1979 at 4:00 p.m.

Present: Mayor Merrick. Commissioners Ling, Pesola, Robinson, Swaine.
Absent: Commissioners Johnson, Wilson.

It was moved by Commissioner Swaine, supported by Commissioner Robinson and carried to excuse Commissioner Johnson as she is in the hospital and Commissioner Wilson as he is in Japan visiting Marquette's sister city.

The Clerk read the call for the special meeting to discuss requests from the property owners in the Marquette Industrial Park for time extensions and to discuss barrier free requirements in the City Hall with the City's Commission on Aging and the Handicapped Citizens' Advisory Board.

Mayor Merrick said that no other business could be conducted at a special meeting but that there would be time for the public to address the Commission at the end of the meeting.

Mayor Merrick then announced the Commission had agreed to discuss at this meeting requests from four property owners in the Marquette Industrial Park for an extension in the period during which construction was required to begin. City Manager McNabb discussed the deed restriction pertaining to this requirement and said that the intent was to prohibit speculation. It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried to allow interested property owners and other interested citizens to comment on this issue.

Al Hunt, representing North State Equipment, owner of lots 1-4, explained that he had done some site improvements but that because of economic conditions he could not afford to build at this time. Bill Evert, representing Olson Motors, owner of lots 5-11, said that he had done a great deal of site improvements and much effort had been spent to obtain Economic Development Corporation funding but that a purchaser for the proposed bond issue was not available. Mark Moore, representing North Country Builders, owner of lots 19 and 20, said that he had done some site improvements and that he could not obtain financing for his proposed building. Joseph Ghidorzi, owner of lots 23 and 24, said that he had plans to construct a building but that financing was not available. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried that the Commission discuss each of the property owners' requests separately.

Holly Greer addressed the Commission saying that the Council on Aging and the Handicapped Citizens' Advisory Board would prefer to discuss barrier free access to the City Hall at a work session rather than at a formal meeting of the Commission. Mayor Merrick agreed that this would be done.

It was moved by Mayor Merrick and supported by Commissioner Pesola to grant a twelve month extension to both time periods established in paragraph 4A of the deed restrictions

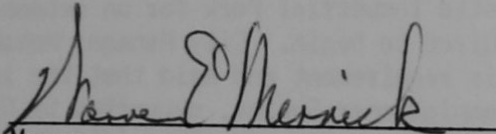
to Olson Motors. It was moved by Commissioner Swaine, supported by Commissioner Robinson and carried to amend the motion to require that all property owners who receive time extensions be required to maintain their property to control vegetation and restrict litter and erosion. The amended motion was carried.

It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to grant a twelve month extension to both time periods established in paragraph 4A of the deed restriction to North State Equipment subject to requirements for maintenance of property to control vegetation and restrict litter and erosion.

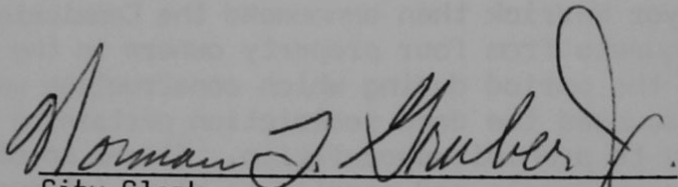
It was moved by Commissioner Robinson, supported by Commissioner Ling and carried to grant twelve month extensions to both time periods established in paragraph 4A of the deed restrictions to North Country Builders and Joseph Ghidorzi subject to requirements that they maintain their property, control vegetation, and restrict litter and erosion, and with the condition that they show due diligence in pursuit of construction during this twelve month extension.

Commissioner Pesola said that in view of the economic situation cited by these property owners the Commission should reconsider the proposed North Marquette Industrial Park and should not spend more money on condemnation.

The meeting was adjourned at 5:30 p.m.



Mayor



City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, August 13, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Ling, Pesola, Robinson, Swaine.
Absent: Commissioners Johnson, Wilson.

It was moved by Commissioner Ling, supported by Commissioner Robinson and carried to excuse the absence of Commissioner Johnson because she is ill and Commissioner Wilson as he is in Japan visiting Marquette's sister City, Yokaichi.

It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried to postpone the approval of the minutes of the two previous meetings since they had only recently been received.

Total bills payable in the amount of \$38,652.20 for the 1978-79 fiscal year and \$529,436.57 for the 1979-80 fiscal year were presented. It was moved by Commissioner Swaine, supported by Commissioner Robinson and carried to pay the 1978-79 fiscal year and 1979-80 fiscal year bills as presented with the exception of the bill to Scot Foods in the amount of \$199.79. It was then moved by Commissioner Robinson, supported by Commissioner Swaine to pay the above excluded bill to Scot Foods and excuse Commissioner Ling from voting. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Pesola, Robinson, Swaine.

Nays: None.

Abstention: Commissioner Ling. The motion was carried.

Mayor Merrick noted additional agenda item #16, a report and recommendation from the City Manager regarding bids for trophy cases.

Mayor Merrick then presented a letter of commendation to Paul Reynolds. He described how young Mr. Reynolds had saved the life of Alan Borchert during a swimming accident at the Hot Pond in the Upper Harbor. Reynold's scout master, LeRoy Process, said that this action was due to a life saving course that Reynolds received at scout camp last summer. In presenting the letter, Mayor Merrick expressed appreciation on the part of all the residents of the City for this action.

Mayor Merrick announced that this was the time set for a public hearing on two amendments to the Parking and Traffic Violations Ordinances. One person addressed the Commission saying the hearing wasn't advertised enough. The hearing was closed. It was moved by Commissioner Pesola and supported by Commissioner Robinson to adopt the ordinance to amend Title II as presented. It was then moved by Commissioner Swaine, supported by Commissioner Pesola and carried to amend paragraph 3 on page 4 to strike the word "except". Ordinance #333 was then adopted as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER
16, BY REPEALING SECTIONS 16.01 THROUGH
16.07 INCLUSIVE, BY THE ADOPTION OF NEW
SECTIONS 16.01 THROUGH 16.07 INCLUSIVE SO
AS TO PROVIDE FOR CIVIL FINES FOR CIVIL
INFRACTION PARKING VIOLATIONS.

It was then moved by Commissioner Pesola, supported by Commissioner Swaine and carried to adopt ordinance #334 as follows:

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 25,
BY REPEALING SECTION 25.140 AND BY THE
ADOPTION OF A NEW SECTION 25.140 SO AS TO
PROVIDE FOR CIVIL FINES FOR INFRACTIONS OF
THE REGULATIONS CONTAINED IN CHAPTER 25.

Mayor Merrick then announced that this was the time and date set for citizens who wished to address the Commission. Joe Snively complained about persons standing near the Commission's rostrum. Russell Kangas opposed closing the Mt. Mesnard ski hill. Mike Hongisto asked if the letter from Frank Adamini would be read at this meeting and said that City Commission meetings should not last past 11:00 p.m. Greg Van Hartesvelt complained about the location of the bike path in front of his house on Lakeshore Boulevard. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried that the City Engineer check with the consulting engineer and contractor to see if the bike path could be relocated in this area and that he inform Mr. Van Hartesvelt of the results. Don Potvin complained about the City charging property owners to replace sidewalks which he said were ruined by City owned trees. He also objected to the adoption of the proposed basic property maintenance code, and asked if the Arena rock concert problems had been discussed. Christopher Clem opposed closing Mt. Mesnard ski hill and said that Police were intruding on people's privacy. Peter Embly said all City Commission agenda materials should be available to the public at least one week before each meeting. He also supported health maintenance organizations. Frank Nelson said that cars were getting stuck at the east end of Arch Street and complained about the poor condition of East Ridge Street.

Mayor Merrick announced that this was the time set for reconsideration of an ordinance to adopt the BOCA Basic Property Maintenance Code. It was moved by Commissioner Swaine and supported by Mayor Merrick to adopt the ordinance as proposed. Housing Inspector Murray, City Attorney Adamini and City Planner Gruber discussed various aspects of the proposed code. It was moved by Commissioner Robinson and supported by Commissioner Swaine to amend the motion to alter section PM 110.2.1 to have the Zoning Board of Appeals serve as the property Maintenance Board of Appeals and to insert 14 days in the appropriate blank in section PM 111.4. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Pesola, Robinson, Swaine.

Nay: Commissioner Ling. The amendment was carried. Two persons supported and one person opposed adoption of the ordinance. The vote on the amended motion was:

Ayes: Mayor Merrick. Commissioners Pesola, Robinson, Swaine.

Nays: Commissioner Ling. The amended motion was carried. Ordinance #335 was adopted as follows:

AN ORDINANCE TO REPEAL TITLE XII, CHAPTER
81 AND ADOPT BY REFERENCE THE BOCA BASIC PROPERTY
MAINTENANCE CODE/1978 AND ALL AMENDMENTS, SUPPLE-
MENTS AND REVISIONS THERETO.

The Clerk then read a petition from property owners on Granite Street opposing the special assessment district adopted at the last meeting. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried to authorize the engineer to study the options of developing the street as proposed, of having a 24 foot wide pavement with curbs, and of having a 24 foot wide pavement without curbs. Three persons opposed all or part of the proposed project.

A communication from the Department of Transportation regarding modifications to the pedestrian traffic signals at Front and Washington Street was read. Following a discussion it was moved by Commissioner Pesola and supported by Commissioner Robinson to direct the manager to address a communication to the district traffic engineer with respect to the Headlee Amendment to determine if this was a mandated cost that should be paid by the State. The following vote was taken:
Ayes: Commissioners Ling, Pesola, Robinson.
Nays: Mayor Merrick. Commissioner Swaine. The motion was carried.

A communication from the Department of Transportation regarding an agreement to restrict stopping, standing and parking on US 41 West was read. It was moved by Commissioner Swaine, supported by Commissioner Robinson and carried to approve this contract and authorize the Mayor and City Clerk to execute it.

A communication from the County Board of Commissioners regarding the creation of a County wide transit system was read. It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried to request that the Marquette Transit Authority and their administrator evaluate this proposal and report back to the Commission.

A communication from Jamie Grant submitting her resignation from the Economic Development Corporation was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to accept her resignation with regrets and send her a letter thanking her for her service on this board.

A communication from David Allie submitting his resignation from the Harbor Committee was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to accept his resignation with regrets and send him a letter thanking him for his service on this board.

A report and recommendation from the City Manager regarding the purchase of engineering equipment was read. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried to concur with the Manager's recommendation and award the bid for this equipment to Albinson Company in the amount of \$4,874.75.

The Clerk then read a recommendation from the Lakeview Arena Advisory Board opposing consolidation with the Parks and Recreation Advisory Board. Arena Manager Lister and Parks and Recreation Director Heaviland addressed the Commission regarding the proposed consolidation. Mayor Merrick stated with the Commission's concurrence that the Arena Board should be a separate board and that the Commission should hold a work session with them soon.

A communication from the Parks and Recreation Advisory Committee was read. City Manager McNabb reported on the meeting to be held with the representatives from Cliff's Ridge

regarding a possible subsidy for Marquette children. Three people opposed closing the Mt. Mesnard Ski Hill. Parks and Recreation Advisory Committee Chairman Skip Schneider and Parks and Recreation Director Heaviland presented figures on costs and participation stating that the hill was too expensive to run. It was moved by Commissioner Ling, supported by Commissioner Swaine and Board to concur with the recommendation of the Parks and Recreation Advisory Board to close the Mt. Mesnard ski hill for this year and to continue to explore all avenues possible to reopen the hill at a future date.

Mayor Merrick announced that this was the time set for discussion of a tabled motion to create a Lower Harbor Development Committee. City Manager McNabb discussed the amount of money available and the work that could be done with it this year. Bob Manning discussed the use of the dock for large ships. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried to table the motion to create a Lower Harbor Development Committee indefinitely.

Mayor Merrick with the Commission's concurrence appointed Ellwood Mattson to the Downtown Development Authority to fill the unexpired term of Wallace Steinhoff, said term expiring January 12, 1980 and the reappointment of Mel Rossway to the Hospital Finance Authority, said term expiring July 1, 1984.

Mayor Merrick then announced that this was the time set for discussion of Northern Michigan University's use of the Lakeview Arena. Commissioner Pesola discussed changes and problems at the Arena. Mayor Merrick directed the Arena Manager and Advisory Board to meet with representatives of Northern Michigan University to discuss proposals for expansion of the Arena.

A report and recommendation from the City Manager regarding bids for trophy cases was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried to award this bid to Peterson Counter Tops in the amount of \$5,487.00.

Commissioner Ling said that the Quarry Pond tennis courts are now in good condition and that people attending a wedding at St. Johns church were ticketed for parking in a loading zone.

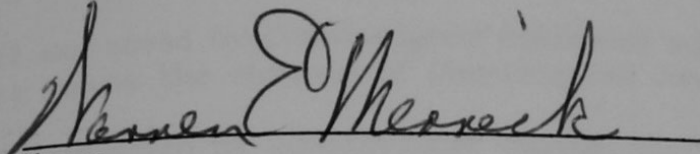
Commissioner Pesola asked about the digging on West Ridge Street. City Engineer Etelamaki said that the water pipes that froze last winter were being lowered.

Commissioner Robinson asked for a report on pollution at Shiras Beach, asked when the landscaping at the water plant would be started, complimented the crew working on the new park at the mouth of the Dead River and said that the street renaming hadn't been accomplished. It was moved by Commissioner Robinson, supported by Commissioner Ling and carried to refer the street renaming to the Planning Board for recommendation. She also discussed house number changes. City Attorney Adamini and Assistant Manager Svanda commented on enforcement of the new house number ordinance.

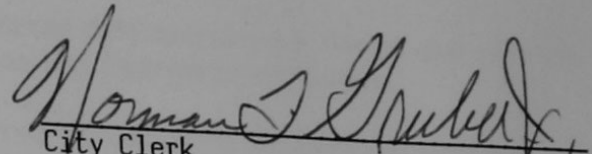
Mayor Merrick thanked Skip Schneider and the Parks and Recreation Advisory Board for their work.

Joe Snively objected to the closing of the ski hill. Sam Elder asked if anyone had looked into a community wide effort to develop the Lower Harbor park and Peter Embly talked about health maintenance organizations and television coverage of Commission meetings.

The meetings were adjourned at 11:00 p.m.



Mayor



City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, August 27, 1979 at 7:00 p.m.

Present: Mayor Merrick. Commissioners Ling, Pesola, Robinson, Swaine.
Absent: Commissioners Johnson, Wilson.

It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried to excuse the absence of Commissioner Johnson and Commissioner Wilson.

It was moved by Commissioner Swaine, supported by Commissioner Ling and carried that the minutes of the July 30th Regular, August 10th Special, and August 13th Regular Commission meetings be approved as presented.

Total bills payable in the amount of \$236,741.44 were presented. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried to pay these bills with the exception of the bill to Scot Foods in the amount of \$156.86. It was then moved by Commissioner Swaine and supported by Commissioner Pesola to pay the bill to Scot Foods and excuse Commissioner Ling from voting. The following vote was taken:

Ayes: Mayor Merrick. Commissioners Pesola, Robinson, Swaine.

Nay: None.

Abstention: Commissioner Ling. The motion was carried.

Mayor Merrick announced the addition of the following agenda items:

Item 13, a communication from the City Attorney.

Item 14, a discussion of a bike path on U.S. 41 West.

Mayor Merrick then introduced Bonnie Whitehouse the coordinator of the Marquette Beautiful Home Contest. Mrs. Whitehouse said that these awards were intended to draw attention to the beauty and charm of Marquette. She said that only houses that had been nominated for the awards had been considered and then only if the property owners concurred. She then introduced the following winners:

3rd Place: Mr. and Mrs. Lowell Stenglein of 433 W. Ohio
2nd Place: Mr. and Mrs. Roy Heath of 303 Jonathan Carver
1st Place: Mr. and Mrs. Andrew Barr of 511 E. Prospect

Mayor Merrick extended the Commission's congratulations to the winners and thanked Mrs. Whitehouse for her work in coordinating these awards.

Mayor Merrick then announced that this was the time set for citizens who wished to address the Commission. Mike Hongisto complained about Public Works Director Frank Adamini. Bill Helwig introduced Peter Boo who is representing the Helwig family in establishing a roller rink in Marquette. Mr. Boo discussed the positive aspects of roller rinks. David Allie complained about the poor condition of the house at 1305 Russell Street. Peter LaVoy complained about dogs running loose on Presque Isle. Bonnie Johnson asked about late delivery of absentee ballots, snow

plowing for next winter, an old truck being used by the Public Works Department, and bike path construction. Marty Paulson asked to speak on item #6.

The Clerk read a communication from the Liquor Control Commission regarding a new SDM license for Craig Peck at 1109 Lincoln Avenue. This communication was filed.

The Clerk read a second communication from the Liquor Control Commission regarding a new SDM license for Jack's Foods, Inc. at 200 S. Third Street. This communication was also filed.

A communication from Richard L. Goad requesting approval of a 24 hour liquor license was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to approve the request for a 24 hour liquor license for St. Christopher's Home and School Club at the Marquette National Guard Armory on October 6, 1979.

A report and recommendation from the City Manager regarding opposition to water filtration requirements was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried to join Ishpeming and other U.P. cities in their efforts to avoid requirements for water filtration and to authorize the sending of the letters as requested. City Manager McNabb said that at the Health Department's direction the City would be mailing letters to all its water customers stating that the City did not comply with filtration requirements. He said the letter would also state that the City's drinking water was safe. He said that support for this statement comes from the fact that the water was tested daily.

A recommendation from the Planning Board regarding approval of the preliminary plat of Malandrone Acres was read. City Planner Gruber answered questions about this proposed subdivision. Marty Paulson asked that Norwood Street be required to be built. Ray Beauchamp and Dee Roth opposed construction of Norwood Street. City Attorney Adamini discussed the option for special assessment or street vacation. Planning Board Chairman Ryan presented the Board's recommendations. Board Member Elder also discussed these recommendations. It was moved by Commissioner Swaine and supported by Mayor Merrick to approve the preliminary plat of Malandrone Acres as recommended by the Planning Board including the waiver of sidewalk requirements, waiving the curbing and paving requirements for Norwood Street, and including a requirement for a 20 foot drainage easement and a requirement that the north half of Norwood Street right of way be included in the plat. The following vote was taken: Ayes: Mayor Merrick. Commissioners Ling, Pesola, Swaine. Nay: Commissioner Robinson. The motion was carried.

Following a recess the Clerk read a communication from the Transportation Department regarding the transfer of Harlow Lane to City control. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried to adopt the following resolution:

WHEREAS, the State Transportation Commission has adopted a resolution transferring the following described service road known as Harlow Lane: commencing at a point on the centerline of Washington Street in the City of Marquette, said point being 1,056 feet west of the east line of Section 21, T48N, R25W, Marquette County, thence northerly to the centerline of the eastbound lane of US-41 and M-28 (0.10 miles, approximate) to the City of Marquette;

NOW THEREFORE BE IT RESOLVED, that the City of Marquette hereby accepts transfer of jurisdiction for said road effective August 15, 1979.

A recommendation from the City Engineer regarding approval of the Highway Maintenance Contract was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to table consideration of this contract until the Commission could receive copies for consideration.

A recommendation from the City Engineer regarding applications for the proposed Whetstone and Badger Creek drainage districts was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried to approve these two drainage districts and authorize the Mayor and City Clerk to execute these applications.

A report from the Police Department regarding traffic on Pine Street was read. It was moved by Commissioner Pesola, supported by Commissioner Robinson and carried to accept this report and concur in its recommendations that no changes be made at this time but that the Pine-Fair intersection be continued to be studied.

Mayor Merrick then appointed with the Commission's concurrence, Robert Orr to the Local Officers Compensation Board for a three year term; Marian Stordahl, Moira Reynolds, and Dorothy Heideman to the Marquette Transity Authority for three year terms; Robert Manning to the Harbor Committee for a three year term, and Roger Bennetts to the Harbor Committee to fill the unexpired term of David Allie; and Lloyd Bloom to the Parks and Recreation Advisory Board to fill the unexpired term of William Ostwald.

Mayor Merrick announced that this was the time set for discussion of sidewalk repairs. Don Potvin complained about property owners being required to pay for sidewalk repairs. Each of the Commissioners discussed this in turn. It was moved by Commissioner Swaine and supported by Mayor Merrick to ask the Planning Board for a recommendation for an overall sidewalk policy, the Attorney for any problems he forseees with sidewalks and their maintenance, and the Engineer for a report on the amount of sidewalks which need replacement. The following vote was taken:
Ayes: Mayor Merrick. Commissioners Ling, Pesola, Swaine.
Nays: Commissioner Robinson. The motion was carried.

A communication from the City Attorney regarding a tax appeal by U.P. Generating was read. City Attorney Adamini discussed the status of this appeal to the tax tribunal. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to authorize the Attorney to represent the City in this matter.

Mayor Merrick then announced that this was the time set for discussion of a bike path along U.S. 41 West. Commissioner Robinson read portions of letters from Sally May and the Transportation Department regarding the possibility of non-motorized facility construction in connection with the rebuilding of U.S. 41 West. It was moved by Commissioner Robinson, supported by Commissioner Swaine and carried that the City Commission act to support development of a non-motorized transportation facility as part of the U.S. 41/M-28 reconstruction on the west side of the City.

Commissioner Ling asked if the parking spaces on Baraga Avenue could be lined and said the rock concerts attract the kind of visitors the City doesn't need.

Commissioner Pesola said that dangerous locations on Mt. Marquette should be posted for safety reasons, thanked the Attorney for his report on the Soo Line condemnation, complimented the Police Department for their professionalism, said the Commission should act on the letter from Frank Adamini and asked the Mayor to hold a meeting at which time the Commission could formally set the wages of the Manager and Attorney. It was moved by Mayor Merrick, supported by Commissioner Swaine and carried that the City Manager's salary for the 1979-80 fiscal year be increased by 8%.

Commissioner Robinson said that large trees should be planted at the new water plant to replace the ones that were removed, asked if the electrical service wires could be placed underground at the water plant, asked if the bike path would be built high enough for proper drainage and discussed the location of the bike path west of Lakeshore Blvd., said that small chunks of concrete should not be placed along Lakeshore Boulevard since they only wash away, asked the City Engineer to look into the possibility of getting large pieces of rock to place there instead, asked what happens to the sod and topsoil left over from bike path construction, said that the paint on picnic rocks should be cleaned off, and said that City personnel did a good job working on the recent rock concert.

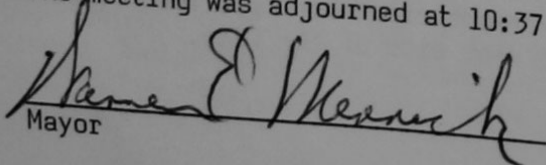
Commissioner Swaine said that planting more small trees is better than planting a few big trees and defended the past system of setting the Manager's and Attorney's salaries saying that he felt it was done openly in the past.

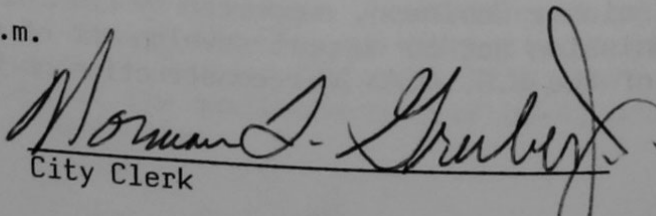
Mayor Merrick said that he and the Manager would be communicating with Mr. Duerfeldt to express the concern and feeling for him following his accident in Japan and with the Mayor of Yokaichi to express Marquette's desire to continue the Sister City relationship.

City Manager McNabb said that the new park at the mouth of the Dead River would be dedicated on Thursday, asked if the Administrative Staff should meet with the NMU Staff on the Arena and said that the Commission should have a work session to hear presentations on the lower harbor plan and the Downtown Development plan. It was agreed that this work session would be held on Tuesday, September 4, 1979 at 7:00 p.m.

Mike Hongisto complained about the Commission's public comment rules and asked about the highway maintenance contract. Colleen Greet said that workers at the Arena should be careful how they frisk people. Don Potvin said the Commission should have a meeting on the Arena that would be open to the public. Bonnie Johnson complained about rock concerts.

The meeting was adjourned at 10:37 p.m.


Mayor


City Clerk