



OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A Special Meeting of the Marquette City Commission was duly called and held on Wednesday, January 9, 1980 at 7:30 a.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Merrick, Pesola, Swaine.

Absent: None.

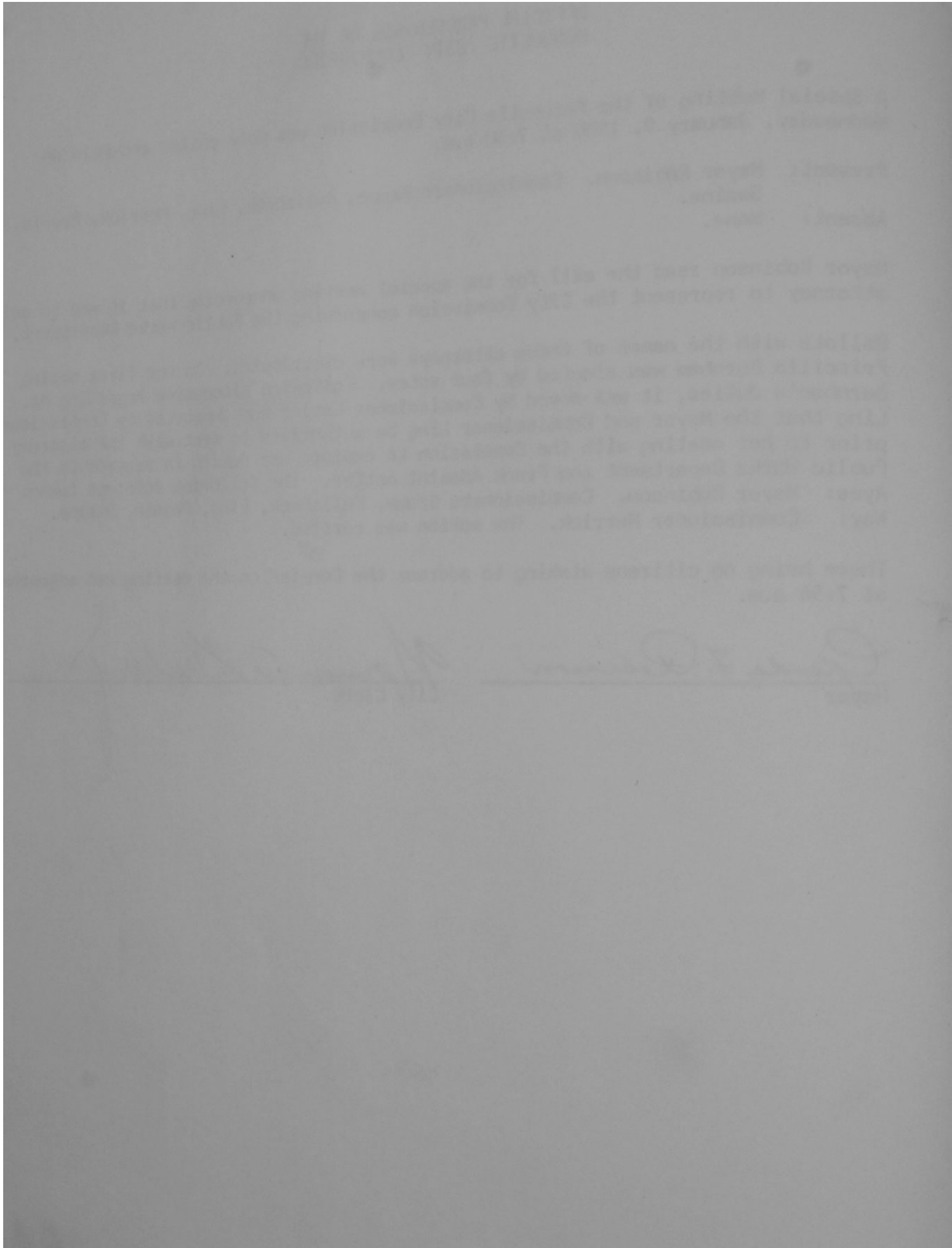
Mayor Robinson read the call for the special meeting announcing that it was to select the attorney to represent the City Commission concerning the Public Works Department.

Ballots with the names of three attorneys were distributed. On the first ballot Priscilla Burnham was elected by four votes. Following discussion regarding Ms. Burnham's duties, it was moved by Commissioner Swaine and supported by Commissioner Ling that the Mayor and Commissioner Ling be authorized to meet with the attorney prior to her meeting with the Commission to explore her duties in regards to the Public Works Department and Frank Adamini matter. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Nay: Commissioner Merrick. The motion was carried.

There being no citizens wishing to address the Commission the meeting was adjourned at 7:54 a.m.

Glenda F. Robinson
Mayor

Norman J. Gruber Jr.
City Clerk



OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, January 14, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Merrick, Pesola, Swaine.
Absent: None.

It was moved by Commissioner Ling, supported by Commissioner Brumm and carried unanimously to approve the minutes of the January 9th Special Meeting as presented. Following a brief discussion it was moved by Commissioner Merrick, supported by Commissioner Ling and carried unanimously to defer action on the December 31, 1979 meeting until the next regular Commission meeting.

Total bills payable in the amount of \$688,853.84 were presented. It was moved by Commissioner Swaine and supported by Commissioner Kulisheck to pay the bills as presented with the exception of the bill to Scot Foods Inc. in the amount of \$543.16. City Attorney Smith discussed the Commission's desire to withhold payment of a 10% contract retention to Darin and Armstrong Inc. saying that he felt this action would result in a lawsuit against the City. It was moved by Commissioner Ling and supported by Commissioner Kulisheck to amend the motion to withhold the payment to Darin and Armstrong in the amount of \$121,478.58. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola.

Nays: Commissioners Merrick, Swaine. The amendment was carried. The amended motion was then carried unanimously. It was then moved by Commissioner Pesola and 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 Robinson. Commissioners Brumm, Kulisheck, Merrick, Pesola, Swaine.

Nays: None.

Abstention: Commissioner Ling. The motion was carried.

Mayor Robinson then noted the following requests for changes in the agenda: Commissioner Brumm's request that item 6 be deleted, and new items submitted by Mayor Robinson numbered 8 - discussion of labor negotiations, 9 - report from Special Attorney Burnham, and 10 - presentation of a report from the Oversight Committee and a request from Commissioner Merrick regarding a proclamation on Children's Dental Health Week.

Mayor Robinson then announced that this was the time set for citizens wishing to address the Commission. Bonnie Johnson complained about the City Manager making long distance phone calls to Attorney Ferrell Jardis who represents Frank Adamini. David Allie complained about rocks in the sand being put on the City streets.

The City Clerk then read a communication from James Scullion submitting his resignation from the Lower Harbor Fund Raising Committee. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to accept his resignation with regrets and send him a letter of thanks.

The Clerk then read a letter from Thomas Gagnon submitting his resignation from the Zoning Board of Appeals. It was moved by Commissioner Pesola, supported by Commissioner Merrick and carried unanimously to accept his resignation with regrets and send him a letter of thanks for his service on this board.

The Clerk then read a report from City Attorney Smith regarding canine cleanup ordinances. Commissioner Brumm said the City needed such an ordinance.

A report and recommendation from the City Manager regarding a parking fine increase was read. It was moved by Commissioner Pesola and supported by Commissioner Swaine to direct the City Administration to prepare an amendment to the City Code to inact the fine increase. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Merrick, Pesola, Swaine.
Nay: Commissioner Brumm. The motion was carried.

The Clerk then read a report from the City Manager regarding the park construction west of Snowberry Heights. Commissioner Brumm complained about accounting procedures used by the City. It was moved by Commissioner Merrick and supported by Commissioner Ling to ask the City Auditors, Ernst and Whinney, to address this issue and explain the auditing process used in the park to the City Commission. It was moved by Commissioner Swaine, supported by Commissioner Merrick and carried to amend this motion to ask the auditors to be prepared to discuss the audit of the City General and Special funds. The amended motion was carried unanimously.

Mayor Robinson then called a 10 minute recess at 8:38 p.m.

Following the recess Mayor Robinson noted that the Commission was asking persons interested in serving on City Boards or Committees to contact the City Manager's Office or a City Commissioner.

Mayor Robinson then discussed the process of labor negotiations and the City Commission's representation in these negotiations. Following a discussion regarding the possibility of hiring a professional negotiator and of having the same wage rates at the Board of Light and Power as in the regular City departments, it was moved by Commissioner Kulisheck and supported by Commissioner Ling to adopt a resolution appointing the representative to the negotiating team. The following vote was taken:

Ayes: Mayor Robinson. Commissioner Kulisheck, Ling, Merrick, Pesola, Swaine.
Nays: Commissioner Brumm. The following resolution was adopted:

WHEREAS, the City of Marquette will begin negotiations with its four labor unions for labor contracts, and

WHEREAS, it is the desire of the City Commission to delegate the responsibility for labor negotiations to the administrative staff and one member of the City Commission,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission hereby delegates its responsibility and authorizes Commissioner Warren Merrick and the administrative staff of the City to renegotiate labor contracts that expire on June 30, 1980.

Mayor Robinson then announced that this was the time set for a report from Special Attorney Burnham. Ms. Burnham presented a resolution intended to protect members of the Oversight Committee from liability. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to adopt the following resolution:

The City Commission, by action taken on January 14, 1980, hereby agrees that, retroactive to October 15, 1979, the City will indemnify you and hold you harmless against any or all direct financial losses which shall or may result from any actions taken by you, individually or collectively, in the good faith performance of your official duties and responsibilities as members of the Citizens' Oversight Committee, effective as of October 15, 1979.

Ms. Burnham then asked for discussion from the Commission as to what her duties as Special Attorney would be. She was asked to attend all Commission meetings at which the agenda indicated the Public Works matter would be discussed. She then said that she would represent the City Commission as a body and not the City Commissioners as individuals and asked for direction regarding Commissioner Brumm's request for release of materials by the Oversight Committee. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to direct her to continue her investigation of the legality of the release of these materials. She then indicated that the Oversight Committee has indicated its intention to release an interim report and that Mr. Adamini's Attorney, Mr. Jardis, had been contacted regarding this release and that he had requested that the report be made in a closed meeting under the Open Meetings Act. She said that she felt this was a lawful request and that information presented in a closed meeting should be kept confidential unless Mr. Jardis requests otherwise. Oversight Committee Chairman Barrington addressed the Commission regarding the closed meeting and the Freedom of Information Act requests. He presented nine copies of the Committee's interim report to the Commission. Mr. Jardis addressed the Commission formally requesting a closed meeting for the discussion of this report. Ms. Burnham said in her opinion a closed meeting was mandatory since it was requested by Mr. Adamini's representative. It was moved by Commissioner Ling and supported by Commissioner Pesola to hold a closed meeting to discuss the interim report at the end of the regular agenda for this meeting. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Merrick, Pesola, Swaine.
Nay: Commissioner Brumm. The motion was carried.

Mayor Robinson then read the following proclamation:

WHEREAS, the future, is to a large measure, dependent on the good health of our children and youth, the citizens of tomorrow; and

WHEREAS, good health, physical and mental, can be achieved through good health habits, learned early,

NOW THEREFORE, I, Glenda Robinson, Mayor of the City of Marquette, do hereby proclaim the week of February 3 through 9, 1980 as Children's Dental Health Week in Marquette and urge that all citizens and all community organizations join in the observance.

Commissioner Swaine announced that there would be a public hearing in Commission Chambers at 7:00 p.m. on January 21st regarding the wastewater treatment plant outfall problem.

Mayor Robinson said that the East Marquette County Solid Waste Authority would be meeting with the Marquette County Planning Commission in February and that the City Commission would be represented at that meeting. She also suggested that Commissioners attend the meeting on Friday, January 18th regarding economic development in the Marquette County area.

Bonnie Johnson asked if there were three signatures on the Oversight Committee interim report.

The meeting was recessed at 9:58 p.m. to go into closed session.

The open meeting was reconvened at 11:35 p.m. with all members of the Commission present. It was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously that the Oversight Committee's interim report be released in its entirety, immediately. Mr. Jardis addressed the Commission saying that he had asked that he be given time to consult with his client prior to stating if he had objections to the release of this report but that since he was not given the time he had requested, he was not objecting to the release of that report. Mayor Robinson said that the Commission was releasing the report immediately to avoid any implication of whitewash or coverup.

The meeting was adjourned at 11:40 p.m.

Glenda F. Robinson
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 Monday, January 28, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: Commissioner Merrick.

It was moved by Commissioner Ling, supported by Commissioner Brumm and carried that the minutes of the December 31, 1979 meeting be accepted as corrected. It was then moved by Commissioner Kulisheck, supported by Commissioner Ling and carried that the minutes of January 14, 1980 be accepted as presented.

Total bills payable in the amount of \$33,734.15 were presented. It was moved by Commissioner Swaine and supported by Commissioner Kulisheck that the bills be paid as presented with the exception of the bill to Brumm Construction in the amount of \$60.00. Following a discussion during which the City Attorney commented on a suggested conflict of interest in regards to his opinion as to the withholding of a 5% retainage from Darin and Armstrong, it was moved by Commissioner Ling and supported by Commissioner Pesola to delete the payment to Darin and Armstrong Inc. in the amount of \$121,478.58 from the bills to be paid. The following vote on the amendment was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola.

Nays: Mayor Robinson. Commissioner Swaine. The amendment was carried. The motion to pay the bills was then carried. It was then moved by Commissioner Swaine and supported by Commissioner Pesola to pay the above excluded bill to Brumm Construction and excuse Commissioner Brumm from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Brumm. The motion was carried.

Mayor Robinson announced the following additions to the agenda: item 17, a recommendation from the City Planner; and item 18, a communication from the Liquor Control Commission. Item 10 was deleted at Commissioner Brumm's request. Commissioner Pesola questioned how the order of agenda items was arrived at. At the City Attorney's request, item 19, a report on a circuit court action was also added.

Mayor Robinson announced that this was the time set for citizens wishing to address the Commission. Gary Gutzman said that a water department superintendent is not needed if there were enough foremen. Mike Hongisto said there was coverup of the Public Works controversy. Marcelle Malandrone asked for permission to speak after Raymond Greet. Victor Melchiori complained about garbage pickup at the apartment complex he works at. Bonnie Johnson asked permission to speak on item 11. Wilbert Pearson complained about the Oversight Committee's investigation and the petition from citizens on the agenda.

Mayor Robinson then announced that this was the time set for the formal presentation to the City of gifts from Marquette's Sister City, Yokaichi, Japan. Delegation Chairman, Pryse Duerfeldt gave a verbal report of the development of the Sister City relationship and of the exchange visits between the two cities. William Wilson presented Yokaichi's gifts to the Commission and citizens and introduced other members of the delegation

who displayed the personal gifts they had received. Mr. Duerfeldt urged the City Commission and citizens to make every effort to treat the expected visitors from Yokaichi this summer with the same respect and generosity that Marquette's delegation had received.

A communication from the Hiawatha Music Cooperative was then read. It was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried to grant a 24-hour liquor license to the Hiawatha Music Cooperative for the Marquette Armory on February 15, 1980.

The Clerk then read a communication from Commissioner Merrick submitting his resignation from the Commission. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to accept this resignation with regrets and thank Mr. Merrick for his service and dedication to the City. City Attorney Smith commented on the anti-nepotism section in the City Charter. Mayor Robinson read a statement of thanks and commendation to Mr. Merrick for his interest in and work for the citizens of Marquette.

The Clerk then read a communication from William Greer presenting the Commission with a petition calling for compliance with the rules of parliamentary procedure. A communication from the Chamber of Commerce Board of Directors supporting the petition was also read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to commend Mayor Robinson on her knowledge and even-handed application of Robert's Rules of Order.

Mayor Robinson called a 10 minute recess at 8:25 p.m.

Following the recess Commissioner Pesola asked if Mrs. Greer wanted to address the Commission. With the Commission's concurrence Mrs. Greer addressed the Commission commenting on the petition and the reasons that it had been submitted.

A communication from Raymond Greet requesting permission to address the Commission was read. Mr. Greet addressed the Commission saying that a light pole in front of his house had been there when he purchased the house and that the Water Department employees, when he worked there, had worked hard and did not drink on the job. Commissioner Pesola commended Mr. Greet as a dedicated City employee and said morale among City employees was high. Mrs. Malandrone addressed the Commission complaining about being plowed in. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that a letter of apology be sent to Mrs. Malandrone regarding this matter and that it be made part of the record.

A report and recommendation from the City Manager regarding the parking meter ordinance was read. It was moved by Commissioner Ling, supported by Commissioner Brumm and carried unanimously that the next regular meeting be set as the time and date for a public hearing on this ordinance.

A report and recommendation from the City Manager regarding the sanitary landfill license was read. It was moved by Commissioner Pesola, supported by Mayor Robinson and carried unanimously to authorize the restrictive covenant for the City Landfill to be signed by the Mayor and City Clerk, and to notify the state that the required bond is to be paid under protest.

A report and recommendation from the City Manager regarding bids for rehabilitation of a private residence was read. It was moved by Commissioner Swaine, supported by Commissioner Brumm and carried unanimously to concur with the recommendation and award this bid to R. G. Remodeling in the amount of \$11,605.

A report from the City Manager regarding Small Cities Program progress assessment was read. This report was filed.

A report from the City Manager on telephone calls made to Attorney Jardis in Escanaba was read. Commissioner Pesola asked for Mr. Jardis' policy on charging long distance phone calls. Mr. Jardis did not respond to the question. Bonnie Johnson complained about long distance phone calls.

A report from the City Attorney regarding the issuance of formal legal opinions was read. It was moved by Commissioner Ling and supported by Commissioner Pesola that the Commission finds that the City Attorney's comments agree with the current practice and that the Commission encourage him to follow the guidelines he has outlined. Following a discussion it was moved by Commissioner Kulisheck, supported by Commissioner Pesola to table this motion until such time as more precise guidelines can be developed. The following vote was taken:

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

Nays: Commissioners Brumm, Ling. The motion to table was carried.

The Clerk then read a recommendation from the Marquette Transit Authority regarding the final draft of a letter of understanding for a County Wide Transit System. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously that the City Commission approve the letter of agreement in its submitted form.

A recommendation from the Planning Board regarding changes for truck access in the Lower Harbor Park was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously that the Commission concur with the Planning Board's recommendation and with the suggested changes to allow larger trucks access to the dock area.

Mayor Robinson then announced that Commissioner Kulisheck had agreed to serve as former Commissioner Merrick's replacement on the labor negotiating team. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to adopt the following resolution:

WHEREAS, the City of Marquette will begin negotiations with its four labor unions for labor contracts, and

WHEREAS, it is the desire of the City Commission to delegate the responsibility for labor negotiations to the administrative staff and one member of the City Commission,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission hereby delegates its responsibility and authorizes Commissioner Robert Kulisheck and the administrative staff of the City to renegotiate labor contracts that expire on June 30, 1980.

Commissioner Pesola suggested a meeting to discuss negotiating strategy. Following a discussion it was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to hold a closed meeting to discuss labor negotiation strategy on Monday, February 4th following the public hearing on Fair Avenue which is scheduled for 7:00 p.m. in the City Commission Chambers and to also have a work session with the City Auditors on Thursday, February 7th at 7:00 a.m.

Mayor Robinson then made the following appointments with the Commission's concurrence:

Downtown Development Authority:

Dr. Robert Berube to fill unexpired term of Terry Szczepanski to expire 1-12-82.

Marquette Fair Housing Hearing Board:

John Ashby, 3 year term
Carol Stevens, 3 year term
Gordon Ingram, 2 year term
Edith McCowen, 3 year term
Nancie Hatch, 2 year term

Board of Zoning Appeals:

John Weting to fill unexpired term of Tom Gagnon to expire 2-15-81.
James Mansfield, reappointment to 3 year term
Priscilla Burnham, reappointment to 3 year term

Lower Harbor Fund Raising Committee:

Charles Coffey

Board of Review:

Howard McKie, reappointment for 3 year term
William E. Herron, to fill the unexpired term of Mr. Carter to expire 2-28-81.
Norman Potochnik for a 3 year term

Planning Board:

Skip Schneider for 3 years

Economic Development Corporation:

Sue Cook for 6 year term

Board of Canvassers:

Toni Smith for 4 year term

Parks and Recreation Board:

Lloyd Bloom, reappointment for 3 year term
Kathryn Snively to a 3 year term

Harbor Committee:

Thomas Knauss, reappointment for 3 year term

Mayor Robinson announced that this was the time set for discussion of the Oversight Committee's Interim Report at Commissioner Brumm's request. The Clerk read a communication from Dale Liljeroos. Following a lengthy discussion it was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to direct the City Manager to write a memo to the effect that City employees not accept or solicit gifts of liquor or other gratuities in return for other services and ask businessmen and other citizens not to offer such gifts. Personnel Superintendent Lyle Smith and City Manager McNabb commented on a proposal to rehire Mr. Liljeroos. It was moved by Commissioner Ling, supported by Commissioner Brumm and carried unanimously that it is the sense of the City Commission that the City Manager carry out recommendation 3 on page 5 of the Oversight Committee's Interim Report on the matter relating to Dale Liljeroos. Following more discussion it was moved by Commissioner Brumm and supported by Commissioner Pesola that the City Manager be suspended for condoning the practice of plowing people in until the final report of the Oversight Committee is submitted.

Mayor Robinson called a 10 minute recess at 11:00 p.m. so that City Attorney Smith could research a point of order regarding discussion of this motion.

After the recess the following vote was taken:

Ayes: Commissioner Brumm.

Nays: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine. The motion was defeated.

A recommendation from the City Planner regarding the City's interest in the final plat of Kammen Subdivision #2 was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously that the Mayor and City Clerk be authorized to sign the plat on behalf of the City as a proprietor.

A communication from the Liquor Control Commission regarding ownership of a liquor license was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that a request from Ruth V. Pleaugh to drop Lawrence Pleaugh as partner on 1979 12 months resort Class C licensed business, located at 922 Washington Street, Marquette, MI 49855, Marquette County be approved.

Mayor Robinson then announced that this was the time set for a report from City Attorney Smith regarding conflict of interest on pending litigation with Sales Up Inc. Mr. Smith said that because one of his law partners was representing the other party in this litigation he would not be able to represent the City. Following a brief discussion it was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that special attorney Priscilla Burnham be asked to represent the City in this area if she has no conflict of interest.

Mayor Robinson asked how the Commission should proceed on filling the vacancy created by Mr. Merrick's resignation. It was moved by Commissioner Kulisheck and supported by Commissioner Swaine that the Commissioners submit names to Mayor Robinson and she in turn refer the names to each Commissioner for comment. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Swaine.
Nays: Commissioners Ling, Pesola. The motion was carried.

Commissioner Swaine commended former Commissioner Merrick for his service and thanked Mr. Greet for his comments saying there were many hard working City employees.

Commissioner Pesola asked for an update on the Soo Line condemnation suit including what the City had spent so far, and said that under the Charter, the Commission is the sole judge of the qualifications of its members. Following a lengthy discussion it was moved by Commissioner Kulisheck, supported by Commissioner Swaine and carried unanimously that because of the controversy over the nepotism clause in the City Charter, the Commission ask the City Attorney to provide the Commission with his legal opinion as to the validity of the nepotism clause and its application to Mr. Merrick and to Mr. Brumm.

Commissioner Ling asked for a report on how many warrants had been issued and fines levied and paid under the house numbering ordinance. He also suggested that an anti-nepotism disclaimer be added to the City employment application and said the Oversight Committee's study was based on complaints from City employees, not about City employees.

Commissioner Kulisheck reminded people of the public hearing on Fair Avenue on February 4th and listed several concerns of citizens in that area.

Commissioner Brumm said he had received a copy of a letter from Mrs. Haynes regarding the City's acquisition of City right-of-way for McClellan Avenue.

Rick Colvin said the Marquette Township Board had a problem with the Open Meetings Act in appointing an elective position at a Closed Meeting and requested that the Marquette Township Planning Commission be contacted regarding improvements to Fair Avenue. Joanne Greet complained about the City administration. Bonnie Johnson complained about the Public Works Department and the City Manager.

The meeting was adjourned at 12:13 a.m.

Glenda F. Robinson
Mayor

Norman J. Gruber, Jr.
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, February 11, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

It was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously that the minutes of the January 28th meeting be approved as presented. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that the minutes of the closed meetings of January 14th and February 4th be approved as presented.

Total bills payable in the amount of \$568,516.33 were presented. A communication from Darin and Armstrong regarding payment of their bill for water plant construction was read. It was moved by Commissioner Swaine, supported by Commissioner Ling and carried unanimously to pay the bills as presented with the exception of the payment to Scot Foods in the amount of \$262.82 and the bill to Darin and Armstrong in the amount of \$121,478.58. It was then moved by Commissioner Kulisheck and supported by Commissioner Brumm to pay the excluded bill to Scot Foods and excuse Commissioner Ling from voting. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Pesola, Swaine.

Nay: None.

Abstention: Commissioner Ling. The motion was carried. It was then moved by Commissioner Swaine and supported by Commissioner Brumm to pay the above excluded bill to Darin and Armstrong in the amount of \$121,478.58. After discussion during which the City Attorney commented on the legality of withholding this payment the following vote was taken:

Ayes: Mayor Robinson. Commissioner Swaine.

Nays: Commissioners Brumm, Kulisheck, Ling, Pesola. The motion was defeated. It was then moved by Commissioner Brumm, supported by Commissioner Kulisheck and carried unanimously that the City Attorney make every effort to get the Attorneys of the parties involved together within the next two weeks as a sign of the City's good faith in this matter.

Mayor Robinson added the following items to the agenda: item 13 at Attorney Smith's request, a report on land transfer at the Medical Center; item 14 at Commissioner Ling's request, a resolution regarding an Olympic Training Site; item 15 at Commissioner Kulisheck's request, a communication from City Employees; and item 16 at Commissioner Brumm's request, a discussion of the letter to Mrs. Malandrone.

Mayor Robinson then announced that this was the time set for a public hearing on an amendment to the Parking Ordinance. The Clerk read the ordinance. There being no citizens to address the Commission, the hearing was closed. It was moved by Commissioner Swaine and supported by Commissioner Ling to adopt the ordinance as presented. The following vote was taken:

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

Nays: Commissioner Brumm. Ordinance #338 was adopted as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 16
OF THE CODE OF THE CITY OF MARQUETTE BY AMEND-
ING SECTION 16.06 TO SET FINES FOR PARKING
METER VIOLATION TICKETS.

Mayor Robinson announced that this was the time set for citizens wishing to address the Commission. Joseph Snively said that the Commission should recognize the success of the NMU Hockey team. Tony Grudnowski said the Commission should deny the rezoning requested in agenda item 8. Wilbert Pearson complained about the Board of Zoning Appeal's approval of a duplex on Russell Street. Marion Poisson asked permission to speak on agenda item 8.

The Clerk read a report from the City Manager regarding structure numbers. Commissioner Ling asked about dismissal of cases through this ordinance. Attorney Smith said that if compliance was achieved the case was dropped and there would be no fine.

A report and recommendation from the City Manager regarding confirmation of the Public Works Superintendent was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to accept the following list of City Employees as being subject to confirmation by the Commission:

Clerk/Planner	Public Works Superintendent
Treasurer	Water & Wastewater Plant Superintendent
Assessor	Parks & Recreation Superintendent
Police Chief	City Engineer
Fire Chief	Arena Manager
Accountant	Assistant City Manager

It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the Assistant City Manager be added to the list. It was then moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the Commission confirm the appointment of Eric Paavolainen as Public Works Superintendent. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the City Commission confirm the appointment of Alan Smetana as the Arena Manager.

A report from the City Manager regarding recommendations from the Oversight Committee was read. It was moved by Commissioner Kulisheck and supported by Commissioner Swaine to accept this report and file it. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine.
Nays: Commissioner Brumm. The motion was carried.

The Clerk read a report from the City Attorney regarding the Soo Line lawsuit. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to table this matter until disposition of the Soo Line's motion for summary judgement.

A second report from the City Attorney regarding the nepotism clause in the City Charter and former Commissioner Merrick and Commissioner Brumm was read. Following discussion no action was taken.

A recommendation from the Harbor Committee regarding proposed 1980 slip rates was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that this matter be tabled until the next regular Commission meeting.

A communication from Marion Poisson appealing the denial of a rezoning by the Planning Board was read. Mrs. Poisson addressed the Commission regarding her appeal. City Planner Gruber explained the difference between Mrs. Poisson's rezoning petition and her variance request. It was moved by Commissioner Kulisheck, supported by Commissioner Pesola and carried unanimously to set a hearing on this petition for rezoning for the next regular meeting of the City Commission.

Mayor Robinson called a 10 minute recess at 8:40 p.m. The meeting was reconvened at 8:50 p.m.

Mayor Robinson announced that this was the time set for discussion of the need for water filtration in the City of Marquette. A communication from Department of State Health Director Rizen was read. Following a discussion during which City Manager McNabb and Attorney Smith commented on various facets of the Safe Drinking Water Act, it was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously that the City Commission formally object to the administrative decision and appeal that decision and that the City conduct the tests required by the Health Department in order to show qualifications for a variance.

Mayor Robinson said there were no appointments to be made to boards or commissions at this meeting.

Mayor Robinson then announced that this was the time set for discussion of the Pete Greet letter. Commissioner Brumm asked what the cost of defending the Gochanour lawsuit was and discussed the use of a sewer thawing hose in thawing a water main and the ground water infiltration of sanitary sewers on Presque Isle and Pioneer Road.

Mayor Robinson announced this was the time set for discussion of the Haynes Letter. Commissioner Brumm said Leonard Haynes should be allowed to address the Commission on this matter. Mr. Haynes said that his parents felt they had been threatened by the City and the Medical Center into selling their property. City Planner Gruber discussed his comments to the Haynes and his letter written to the Medical Center.

Mayor Robinson announced that this was the time set for a report from the City Attorney on the Medical Center land transfer. Attorney Smith discussed the negotiations pertaining to this matter especially regarding the waiver of future assessments by the City. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously that the City Commission limit the abatement of assessments on the Medical Center property to curbing, paving, water, sanitary sewer, and sidewalks.

It was moved by Commissioner Ling, supported by Commissioner Pesola and carried to adopt the following resolution:

WHEREAS, the City Commission is extremely interested in the economic advancement of the City of Marquette and the surrounding area,

WHEREAS, designation of N.M.U./Marquette as an Olympic Training Site would greatly benefit the economic future of the Marquette area,

WHEREAS, N.M.U. has been invited to give a presentation on the advantages of Marquette as an Olympic Training Site at the U.S. Olympic Committee meeting in Colorado Springs, Co. on April 10th and 11th 1980,

WHEREAS, Congressman Bob Davis represents the 11th Congressional District of Michigan, of which Marquette and N.M.U. are a central and vital part,

BE IT RESOLVED, THEREFORE, that the City Commission of Marquette requests our Congressman, Bob Davis, to assist in presenting the case for designation of NMU/Marquette as an Olympic Training Site at the U.S. Olympic Committee meeting in Colorado Springs on April 10th - 11th, 1980.

The Clerk then read a communication from City Employees regarding actions of the City Commission and charges made against the City Manager. No action was taken.

Mayor Robinson announced that this was the time set for discussion of the letter of apology written to Mrs. Malandrone. It was moved by Commissioner Brumm and supported by Commissioner Kulisheck that the Mayor write a letter to Mrs. Malandrone to replace the letter written by the City Clerk. The following vote was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.

Nay: Mayor Robinson. The motion was carried.

Commissioner Pesola said that he was glad to see City employees showing an interest in City government.

Mayor Robinson said she would prepare a proclamation recognizing the NMU Hockey team and asked for a report from the Police Chief on a letter from President Jamrich regarding an unsafe pedestrian crossing over Presque Isle Avenue at Waldo Street.

Wilbert Pearson complained about the Board of Light and Power steam plant expansion and about elected officials. Alfred Gochanour complained about public discussion of his lawsuit by the City Commission. Joanne Greet said Mr. Gochanour was railroaded out of City employment as were several employees at the Public Works Department. Mike Hongisto complained about the proposed Industrial Park. Bonnie Johnson said former Commissioner Johnson should receive a letter of apology for being plowed in, complained about the City Planner and City Manager, and asked how often the City Manager visited the Public Works Department. Mike Hongisto complained about the City Clerk.

The meeting was adjourned at 11:05 p.m.

Glenda F. Robinson
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 Monday, February 25, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

It was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to accept the minutes of February 11, 1980 as presented.

Total bills payable in the amount of \$350,510.92 were presented. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to pay the bills as presented with the exception of the bills to Darin and Armstrong in the amount of \$121,478.58 and Scot Foods in the amount of \$321.03. It was then moved by Commissioner Pesola, supported by Commissioner Brumm to pay the above excluded bill to Scot Foods and allow Commissioner Ling to abstain from voting. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Pesola, Swaine.
Nays: None.

Abstention: Commissioner Ling. The motion was carried.

There were no additional agenda items.

City Manager McNabb introduced the new Public Works Superintendent Eric Paavalainen and the new Arena Manager Alan Smetana to the Commission.

Mayor Robinson announced this was the time set for a public hearing on a rezoning at 717 N. Third Street (3-Z-2-80). A petition supporting the rezoning was read. Four persons opposed the rezoning and two supported it. The hearing was closed. Additional information was provided by Planning Board Chairman Ryan, City Planner Gruber, Police Chief Johnson, City Engineer Etelamaki and City Attorney Smith. It was moved by Commissioner Brumm and supported by Commissioner Swaine to rezone the rear 50 feet more or less of lot 40 Adam's Addition #1 from RG, general residential to BC, community business. The following vote was taken:

Ayes: Commissioners Brumm, Ling, Pesola, Swaine.
Nays: Mayor Robinson. Commissioner Kulisheck. The motion was carried.

Mayor Robinson announced that this was the time set for a public hearing on Special Assessment Roll #478. There being no citizens wishing to address the Commission, the hearing was closed. It was moved by Commissioner Brumm, supported by Commissioner Kulisheck and carried unanimously 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, of the filing with the City Clerk of the special assessment roll for the following improvement:

Curbing on Wilkinson Avenue from Wright Street to Center Street and on Norwood Street from Wilkinson Street to Longyear Avenue

and appointing this day and time when the City Commission and Assessor would meet to review said special assessment roll and the assessments therein; and

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

WHEREAS, all suggestions and objections made to said special assessment roll and the assessments therein, have been heard and considered; and

WHEREAS, said special assessment roll and the assessments therein having been reviewed by the Commission and the Assessor and all needful corrections of the same having been made;

RESOLVED, that said special assessment roll, to-wit: Special Assessment Roll #478 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments may be paid in five equal annual installments at the time fixed for the payment of regular city taxes, together with interest on such installments at the rate of 8% per annum from the date of confirmation of said special assessment roll.

Mayor Robinson announced that this was the time set for citizens to address the Commission. Donald Nystrom complained about a bill for snow removal at his business on Baraga Avenue. He was asked to meet with the City Engineer to discuss this bill. Lloyd Fairbanks, Chairman of the Lower Harbor Fund Raising Committee thanked the Commission for supporting a coastal zone grant application and reported on committee activities. Diane Vakilizad, representing the American Federation of State, County and Municipal Employees asked permission to speak on item 8. Joe Snively complimented various city officials for their work especially in the area of recreation and senior citizen services. Vic Melchiori complained about garbage pickup and sewer blockage at an apartment building on Longyear. Sanitation workers DePetro and Young responded to his questions on garbage pickup and the City Manager was directed to look into the sewer blockage.

Mayor Robinson announced that more than the allotted 20 minutes had been used for citizen comment. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to suspend the rule for the 20 minute limit for citizen comment and to allow five more citizens to address the Commission for not more than two minutes each. Wilbert Pearson said Marquette Township water rates should be left as is, business taxes should be raised instead of residential and that the budget should be submitted early. Joseph Johnson opposed a launching ramp fee increase and asked permission to talk on item 10. Amy Froiland and Henrietta Watson asked to speak on item 16. Don Potvin and Philip White asked to speak on item 9.

Mayor Robinson called a 10 minute recess at 8:40 p.m.

Following the recess it was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that item 7 be heard at this time before item 4.

Marquette Township Attorney Savu addressed the Commission regarding a report on township water rates. It was moved by Commissioner Kulisheck, supported by Commissioner Swaine and carried unanimously to hold a work session on Monday, March 3, 1980 to discuss the Marquette Township water rates and to direct the Manager to furnish the Township with materials supplied to the Commission regarding this matter.

A communication from the Marquette Township Fire Department regarding a 24-hour liquor license was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to approve a 24-hour liquor license for the Marquette Township Fire Department at the Marquette National Guard Armory on the 22nd of March 1980.

A communication from Ernest Longtine regarding senior citizens tax relief was read. Following a lengthy discussion it was moved by Commissioner Brumm and supported by Commissioner Pesola to direct the City Assessor not to raise the valuations over what they were last year. It was moved by Commissioner Kulisheck and supported by Commissioner Swaine to table this motion pending receipt of an Attorney's opinion regarding its legality. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Kulisheck, Swaine.

Nays: Commissioners Brumm, Ling, Pesola. The motion to table was not carried. It was then moved by Commissioner Brumm and supported by Commissioner Swaine to suspend the rules to allow members of the audience to address the Commission. The following vote was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.

Nays: Mayor Robinson. The motion to suspend the rules was carried. It was then moved by Commissioner Ling, supported by Commissioner Brumm and carried unanimously to recognize Mr. Potvin for three minutes. Mr. Potvin addressed the Commission regarding property taxes. The following vote was then taken:

Ayes: Commissioners Brumm, Ling, Pesola.

Nays: Mayor Robinson. Commissioners Kulisheck, Swaine. The motion of direction to the Assessor was not carried. It was then moved by Commissioner Swaine, supported by Commissioner Kulisheck and carried unanimously that the Mayor make arrangements for the Commission to meet with the City Assessor before budget time to discuss the proposed valuations.

A communication from Citizens to Save the Superior Shoreline regarding pollution at Shiras Beach was read. It was moved by Commissioner Ling and supported by Commissioner Brumm to place this letter on file and to urge City employees to accelerate their efforts to solve the problem. It was then moved by Commissioner Kulisheck, supported by Commissioner Swaine and carried unanimously to amend the motion to require the City to consult with various engineering firms to get bids for a study of this problem. The amended motion was then carried unanimously.

Mayor Robinson noted that item 7 had been rescheduled for a work session.

A communication from a group of City employees regarding a union election was read. Diane Vakilizad addressed the Commission regarding this proposed election. City Manager McNabb responded to her comments. It was moved by Commissioner Pesola and supported by Commissioner Brumm that the Commission indicate that they are willing to go directly to a consent election regarding this matter. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola.

Nays: Commissioner Swaine. The motion was carried.

Mayor Robinson called a 10 minute recess at 10:22 p.m.

Following the recess the Clerk read a recommendation from the Multi Modal Transportation Facility Task Force. Communications from the City Planning Board, the Marquette Transit Authority, and the Marquette Bus Service were also read. Philip White, Don Potvin, and Frank Watson opposed this facility. Task Force Chairman David McClintock discussed the recommendation and comments regarding it. It was moved by Commissioner Swaine, supported by Commissioner Kulisheck and carried unanimously that the Commission go on record as recommending the former A&P building site at Third and Spring Street as the first priority and the City owned parking lots (or if it becomes feasible, the Downtown Development Authority's parking ramp) at Main Street east or west of Third Street as the second priority for the location of a multi modal transportation terminal; and that the Commission remain willing to discuss and consider alternative sites recommended by the Department of Transportation architects should either site become unavailable, unworkable, or uneconomical. Mr. McClintock and Peg Braamse addressed the Commission briefly regarding this matter.

Two recommendations from the Harbor Committee regarding 1980 rates were read. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to concur with the Harbor Committee's recommendation and set the transient moorage fees as follows:

Boats less than 20 feet in length:	\$ 3.25
Boats 20 feet and over but less than 30 feet in length:	6.25
Boats 30 feet and over but less than 40 feet in length:	9.25
Boats 40 feet and over but less than 50 feet in length:	12.25
Boats 50 feet and over but less than 60 feet in length:	15.50
Boats 60 feet and over in length:	20.75

It was then moved by Commissioner Ling to adopt the slip rental rates as proposed and leave the season launch pass at \$20.00 and the daily launch pass at \$1.00. The motion died for lack of support. Joseph Johnson and Harbor Committee Chairman Knauss addressed the Commission regarding these proposed fees. It was moved by Commissioner Pesola to set the season launch pass at \$15.00 with the senior citizen season launch pass at \$5.00 and the daily pass at \$1.00. This motion died for lack of support. It was moved by Commissioner Ling and supported by Commissioner Pesola to adopt the slip rates as recommended by the Harbor Committee. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine.
Nay: Commissioner Brumm. The following rates were adopted:

24'	\$165.00
32'	251.00
42'	380.00
60'	595.00

It was then moved by Commissioner Ling and supported by Commissioner Kulisheck to set the season launch pass at \$20.00 and the daily launch pass at \$1.00. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Swaine.
Nays: Commissioners Brumm, Pesola. The motion was carried.

A communication from the Board of Light and Power regarding short term borrowing authorization was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to adopt a resolution authorizing short term borrowing not to exceed \$4,500,000.00 for the purchase of the 1980-81 coal supply.

A communication from the Handicapped Citizens Advisory Board regarding a barrier free multi purpose community center was read. It was moved by Commissioner Pesola, supported by Commissioner Brumm and carried to table this item.

A recommendation from the Planning Board regarding a new street name was read. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to set the next regular meeting on March 10th as the time and date for a public hearing on naming the street north of Fair Avenue and immediately west of the Dead River Spur, Spur Street.

A recommendation from the Assistant City Engineer regarding additions to the local street system was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to adopt resolutions adding Harlow Street west of Wilkinson Avenue, Hawley Street between Wilkinson Avenue and County Road 550, Ridge Street in the area near former Westwood Road and Union Street between Wilkinson Avenue and Van Evera Avenue to the Local Street System of the City.

A report from the Assistant City Engineer regarding streets which do not meet the Uniform Criteria for Major Streets was read. Following a discussion it was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to table this matter until the next meeting and to direct the City Engineer to ask for an extension of the deadline.

A communication from Marquette Township Manager Timmons regarding the Fair Avenue Project was read. Following a discussion it was moved by Commissioner Pesola and supported by Commissioner Ling to adopt alternate #2 which calls for reconstruction of Fair Avenue from Lincoln to 300 feet west of McClellan Avenue at a 44 foot width tapering to 40 feet at the west end. Henrietta Watson complained that traffic counts had not been taken. David Timmons answered questions regarding his letter. It was moved by Commissioner Pesola, supported by Commissioner Brumm and carried unanimously to table this motion until a special meeting on March 3rd. Amy Froiland and Henrietta Watson addressed the Commission. It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried unanimously to hold a special meeting at 7:00 p.m. on March 3, 1980 to discuss the Fair Avenue Project with a work session following on the Marquette Township water rates and the budget.

A communication from the Police Department regarding a traffic signal at Pine and Hewitt was read. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to table this matter until the special meeting on March 3rd.

Mayor Robinson with the Commission's concurrence reappointed Robert Stow and Miriam Hilton to three year terms on the Planning Board ending February 15, 1983.

City Attorney Smith reported that the court has denied the motion for summary judgement in the Soo Line condemnation suit. He then requested a closed session at the next regular meeting to discuss possible settlement of the blasting damage lawsuit.

Mayor Robinson ordered the following proclamations spread on the record:

WHEREAS, the American Association of University Women has long been working for equity for women and will be especially focusing on that issue the week of March 16-23, and

WHEREAS, this is an effort to help the public understand better the issue of equity and the need to remedy the injustice that women face, and

WHEREAS, until women are guaranteed equal treatment under the law in the Constitution, inequitable treatment will continue,

THEREFORE be it resolved, that I, Glenda Robinson, Mayor of the City of Marquette, do hereby proclaim the week of March 16-23 Action for Equity Week and urge that residents of this city become familiar during the week of March 15 with the issue of equal rights for women.

WHEREAS, the week of March 9th-16th is National Observance of Music in Our Schools Week, and

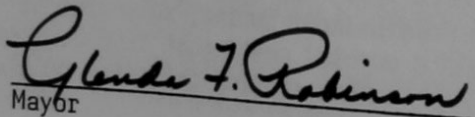
WHEREAS, making music is an integral part of life in this community and important to all of us,

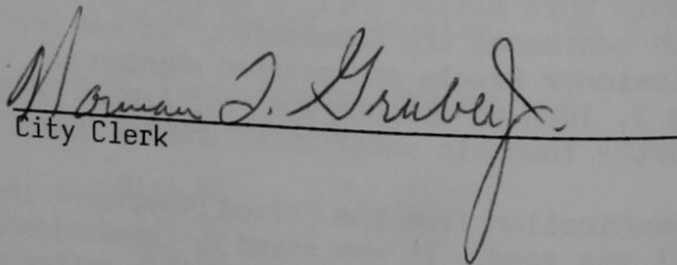
THEREFORE I, Glenda Robinson, Mayor of the City of Marquette, do hereby proclaim March 13th as MUSIC COUNTS IN MARQUETTE DAY.

Commissioner Brumm requested that the Commission discuss the appointment of a Commissioner to replace former Commissioner Merrick at the special meeting on March 3rd.

Mayor Robinson said that the Commission had received a proposed amendment to the Safe Drinking Water Act which should be reviewed by the City Attorney.

There being no citizens to address the Commission the meeting was adjourned at 12:57 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 Monday, March 3, 1980 at 7:00 p.m. in the City Commission Chambers, City Hall.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

The Clerk read the call for the Special Meeting which stated that it was for discussion of the Fair Avenue project, discussion of the proposed traffic signal at the corner of Pine and Hewitt and discussion of appointment or election a replacement for former Commissioner Merrick.

City Engineer Etelamaki discussed the Fair Avenue project as proposed. Five people opposed the project as proposed. Representatives of Marquette Township and the Marquette School Board commented on the project. Following a discussion it was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to make the Fair Avenue pavement 40 feet wide from Lincoln to the City limits. City Engineer Etelamaki asked what the Commission's pleasure regarding the proposed shift in alignment between Lincoln and the railroad tracks was. The Commission agreed that the alignment should be shifted to the south as proposed.

Mayor Robinson called a 10 minute recess at 8:22 p.m.

Following the recess the Clerk read a communication from the Police Department regarding a flashing traffic signal at the Pine-Hewitt intersection. It was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to concur in this recommendation and have the flashing signal installed.

A communication from the City Clerk regarding a schedule for a possible election to fill the vacancy on the Commission created by former Commissioner Merrick's resignation was read. Following a lengthy discussion it was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously that the Commission set a deadline of March 20 for the Oversight Committee to issue their report so that the Commission can go forward with filling the vacancy on the Commission. It was then moved by Commissioner Kulisheck, supported by Commissioner Pesola and carried unanimously to set a special meeting for Monday, March 24th to discuss the Oversight Committee's report and to ask the Oversight Committee to attend the meeting.

Mayor Robinson announced that the special meeting would be adjourned to a work session to meet with the City Assessor and to discuss the upcoming budget. She also said that the meeting with the Marquette Township officials had been postponed until 4:00 p.m. on Thursday, March 6, 1980.

Mike Hongisto addressed the Commission saying that the vacancy should be filled by election but if by appointment it should be filled by appointing one of the candidates who wasn't elected in the previous election.

Don Potvin complained about the City's assessment procedure. Walter Phillips Amy Froiland thanked the Commission for their action on Fair Avenue. Commissioner Pesola said the meeting asked why the meeting wasn't being televised.

on March 24th should be televised.

Commissioner Brumm asked how the Open Meetings Act is affected in a situation involving a felony indictment. Mayor Robinson said that she would ask City Special Attorney Burnham if the special meeting on March 24th must be a Closed Meeting.

The meeting was adjourned at 9:11 p.m.

Glenda F. Robinson
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 Monday, March 10, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

It was moved by Commissioner Kulisheck, supported by Commissioner Swaine and carried unanimously to approve the minutes of February 25th and March 3rd meetings.

Total bills payable in the amount of \$393,650.01 were presented. It was moved by Commissioner Brumm, supported by Commissioner Pesola and carried unanimously that the Superintendent of Public Works be directed to conduct his business in a City vehicle with a City decal on the side. It was then moved by Commissioner Swaine, supported by Commissioner Kulisheck and carried unanimously to pay the bills as presented with the exception of the one to Darin & Armstrong in the amount of \$121,478.58 and the one to Scot Foods in the amount of \$101.36. It was moved by Commissioner Swaine and supported by Commissioner Brumm to pay the above excluded bill to Scot Foods and to excuse Commissioner Ling from voting. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Pesola, Swaine.
Nays: None.
Abstention: Commissioner Ling. The motion was carried.

Mayor Robinson noted additional agenda items #16, a proposed lease with Iron Range Cable TV and #17, a communication from the Michigan Department of Public Health. It was moved by Commissioner Brumm, supported by Commissioner Swaine and carried unanimously to move item #15, a closed meeting to last place on the agenda.

Mayor Robinson announced that this was the time set for a public hearing on the adoption of a name for Spur Street. There were no persons to address the Commission. The hearing was closed. It was moved by Commissioner Pesola, supported by Commissioner Brumm and carried unanimously to name the street north of Fair Avenue and immediately west of the Dead River, Spur Street and to amend the Official Street Name and Number Map to so indicate.

Mayor Robinson announced that this was the time and date set for a public hearing on single lot assessments. One letter from Clifford Anderson requesting a 10 year repayment period was read. The hearing was closed. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to adopt the following resolution:

WHEREAS, it appears by the affidavit of the City Clerk that due notification has been made as required by the City Code of the filing with the City Clerk of the special assessment roll for the following improvement:

Single lot assessments for sidewalk repairs in various parts of the City and appointing this day and time when the City Commission and Assessor would meet to review said special assessment roll and the assessments therein; and

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

WHEREAS, all suggestions and objections made to said special assessment roll and the assessments therein, have been heard and considered; and

WHEREAS, said special assessment roll and the assessments therein having been reviewed by the Commission and the Assessor and all needful corrections of the same having been made;

RESOLVED, that said special assessment roll, to-wit: Special Assessment Roll #479 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments less than \$1,000 may be paid in one annual installment at the time fixed for the payment of regular city taxes, together with interest on such installments at the rate of 8% per annum from the date of confirmation of said special assessment roll, and that such assessment greater than \$1,000 may be paid in ten equal annual installments at the time fixed for the payment of regular city taxes, together with interest on such installments at the rate of 8% per annum from the date of confirmation of said special assessment roll.

Mayor Robinson announced that this was the time set for citizens wishing to address the Commission. Phil White representing the Third Street Business Association presented a letter requesting a study of current 1-way traffic situation on Third Street. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that this letter be referred to the parking study committee with a request for a report. David Allie complained about sidewalk plowing, the Lakeview Arena, and the City Attorney and said the City should give a tax break to people putting in solar heat. Mike Hongisto said that all Commission meetings, special meetings and work sessions should be televised and that the City should work with other governments against raising property valuations. It was moved by Commissioner Brumm and supported by Commissioner Pesola that all special meetings and work sessions of the Commission be televised. John Major addressed the Commission regarding costs and problems of televising all meetings. It was then moved by Commissioner Kulisheck and supported by Commissioner Swaine to amend the motion to require that the City Commission decide at the time it calls for a work session or special meeting whether that meeting should be televised or not. The following vote was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.

Nays: Mayor Robinson. The amendment was carried. The vote on the amended motion requiring the televising of regular meetings and calling for the Commission to decide on televising special meetings and work sessions was:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.

Nays: Mayor Robinson. The amended motion was carried.

Mayor Robinson announced that this was the time set for an oral report from members of the Board of Light and Power. Board Members Lloyd Steinhoff and Leonard Angeli addressed the Commission on the status of the Board's current expansion project and answered questions regarding load growth, the use of the peaking turbine and permits for construction of Shiras #3 unit. Mayor Robinson thanked them for coming to update the Commission and citizens.

A communication from the Golden K Kiwanis Club was read. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to approve a 24-hour liquor license for the Kiwanis Club of Marquette Area Golden K at the Marquette Armory on Friday, May 9, 1980.

A communication from the County Clerk regarding appointment to the Tax Allocation Board was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that City Manager McNabb be appointed to represent the City on the Marquette County Tax Allocation Board for 1980.

A communication from the Marquette Maritime Museum Committee was read. William Wilson addressed the Commission regarding the request for a grant application. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the City Commission direct the administration to apply for the proposed 50-50 matching grant in the total amount of \$10,000 from the National Trust for Historic Preservation.

A report and recommendation from the City Manager regarding bids for City Hall office division was read. Following a brief discussion it was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to award the bid for this work to Ted's Paint and Drywall Service of Ishpeming in the amount of \$7,292.00.

A recommendation from the Parking Study Committee regarding changes in the Spring Street parking lot was read. It was moved by Commissioner Kulisheck, supported by Commissioner Brumm and carried unanimously to accept this recommendation and proceed with the removal of parking meters and the installation of two hour parking stalls and additional rental parking stalls.

A communication from the Assistant City Engineer regarding non-conforming major streets was read. It was moved by Commissioner Pesola, supported by Commissioner Brumm and carried unanimously to hold a public hearing on all proposals for changes to major streets which were directed at conformity with the major street criteria.

A recommendation from the Board of Zoning Appeals regarding an amendment to the Property Maintenance Code was read. City Planner Gruber answered questions regarding the proposed amendment. It was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to send this amendment back to the Board of Zoning Appeals with a transcript of this portion of the meeting asking them to reconsider the proposed amendment.

Mayor Robinson called a 10 minute recess at 9:48 p.m.

Following the recess a communication from Commissioner Pesola regarding political activity was read. Each of the Commissioners and City Attorney Smith commented on their interpretations of the Code provisions regulating political activities as they apply to a letter from City employees.

Mayor Robinson read a memo from the City Manager regarding the current policy for changing burned out street lights and traffic signal lights. It was moved by Commissioner Ling and supported by Commissioner Pesola to continue the present policy of not calling out a night crew for changing a burned out street light and only calling out a night crew to change a burned out traffic signal light where there is a clear

and present danger to public safety. It was moved by Commissioner Swaine to amend the motion to allow the Police to call out a night crew to replace burned out street lights or traffic signal lights where there is clear and present danger to public safety. This motion died for lack of support. It was then moved by Commissioner Kulisheck, supported by Commissioner Swaine and carried unanimously to amend the motion to permit people making the decision to use their discretion in the case of burned out street lights and to require that the night crew be called out to replace burned out traffic signal lights. The amended motion to require replacement of traffic signal lights and give discretion in the replacement of burned out street lights was carried unanimously.

Mayor Robinson then read the following proclamation:

WHEREAS, there are an estimated 265,000 mentally retarded people in Michigan; and throughout the United States more than six million individuals are believed to be mentally retarded; and

WHEREAS, mental retardation disables ten times as many children and adults as polio did before research provided the Salk vaccine; and

WHEREAS, more is being learned about treatment for and prevention of mental retardation every day, but additional research and additional funds are needed; and

WHEREAS, on March 27, 28, and 29, 1980 the members of the Michigan State Council, Knights of Columbus, will embark on a drive to raise funds for mentally retarded children and citizens in Michigan;

NOW THEREFORE, I, Glenda Robinson, Mayor of the City of Marquette, do hereby declare March 27, 28, and 29, 1980 as Knights of Columbus Mentally Retarded Children Days in Michigan, and urge all citizens to support continued treatment of the mentally retarded through gifts and donations to the Michigan Council, Knights of Columbus.

A recommendation from the City Engineer regarding the Whetstone and Badger Creek Drainage District was read. City Engineer Etelamaki answered questions regarding this district. Following a discussion it was moved by Commissioner Swaine, supported by Commissioner Pesola and carried unanimously to authorize the expenditure of up to \$15,000 for this study with the money to be turned over to the County and invested in an interest bearing account with the interest accruing to the City, and that the Commission indicate that this action is taken in the interest of public health, convenience and welfare, and that the City acknowledge responsibility for a portion of the costs of this proposed district, and that the City Engineer attempt to get a portion of the \$15,000 deposited by the affected property owners.

A recommendation from the City Attorney regarding a proposed lease to Iron Range Cable TV was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to refer this lease to the City Manager and City Attorney to come up with a dollar rate on the lease and also for approval of the lease by the City Manager.

A communication from the Michigan Department of Public Health regarding an order that the City comply with the Safe Drinking Water Act was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to refer this letter

to the City Manager and City Attorney for recommendation. City Attorney Smith said that in accordance with previous Commission action he would refile the City's request for a hearing on this order. Commissioner Swaine suggested that Mayor Robinson write State legislators in support of Senator Mack's amendment to this act.

Commissioner Pesola inquired into a statement from City Engineer Etelamaki that the proposed one-way street pattern study could not be done this year. He also asked the status of recreation fee schedules, and if the City could factor assessments by neighborhood.

Commissioner Ling asked who selected the color of the new wastewater treatment plant, what the present status of the Public Works and Sewer and Water departments is, and how investments of surplus fund balances are handled.

Commissioner Kulisheck said that the Assessor had attempted to factor assessments by subdivision but that there were not enough sales to give accurate factors.

Commissioner Brumm said assessments should not go up due to lack of sales and asked if the cross country ski trail groomer is being used.

Mayor Robinson said that she had credited the wrong radio station with broadcasting Commission meetings and thanked WDMJ for their many years of broadcasting meetings. She also noted a meeting at the County Courthouse on Friday, March 14th on property assessments.

Mike Hongisto complained about property assessments. Paul Churchville commented on Commission meetings and activities. Bonnie Johnson complained about the water plant, the City Manager, and City politics.

It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to go into a closed session to discuss the Soo Line lawsuit and a blasting damage lawsuit.

The meeting was recessed at 10:51 to go into a closed session. The meeting was reconvened at 11:45 p.m. and adjourned immediately.

Glenda F. Robinson
Mayor

Norman J. Gruber Jr.
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A Special Meeting of the Marquette City Commission was duly called and held on Monday, March 24, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

Mayor Robinson announced the order of the meeting as being a request for a 24-hour liquor license, a resolution in support of a grant application, discussion of the Oversight Committee report and discussion of filling the vacancy on the Commission. She also said that the City Manager had requested that discussion of the Oversight Committee report as it related to him be held in a closed meeting.

The Clerk read a communication from the Michigan Waterfowl Association requesting a 24-hour liquor license. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to approve a 24-hour liquor license for the Michigan Waterfowl Association on March 28, 1980 at the Marquette National Guard Armory.

The City Clerk then read a proposed resolution of support for a grant application. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to adopt the following resolution:

WHEREAS, the construction of the addition to the Shiras Steam Plant will eliminate the present access and parking for the nearby public beach area; and,

WHEREAS, this is a negative impact upon a coastal recreation resource; and,

WHEREAS, funds are available from the Coastal Energy Impact Program on a 100% funding basis to reduce this unavoidable recreational loss,

NOW THEREFORE BE IT RESOLVED, that the Marquette City Commission supports the Coastal Energy Impact Program for the purpose of constructing an access, parking lot, restroom facilities, and landscaping improvements to this public beach area.

It was moved by Commissioner Ling, supported by Commissioner Brumm and carried unanimously to write the Board of Light and Power informing them that they should not close off access to any portion of the beach until alternate access is provided.

Mayor Robinson announced that this was the time set for citizens wishing to address the Commission. Mike Hongisto asked several questions about the Oversight Committee report. Patricia Blake read a letter concerning the drainage problem at the corner of Bluff and Morgan Streets. Joe Snively made comments supporting the City administration. Attorney Terrell Jardis representing Frank Adamini made a lengthy comment regarding the Oversight Committee report. There was a discussion regarding whether citizens should be encouraged to speak before or after the Oversight Committee has commented on their report. Joe Snively said that some Commissioners had already commented on the report.

Mayor Robinson, with the Commissioner's concurrence, asked that further citizen comments on the report be withheld until the Committee has made their presentation. Special Attorney Burnham said that the Commission was required to go into closed session to discuss disciplining, dismissal, etc. if the person being discussed so requests. Oversight Committee Chairman Barrington commented on the Committee's activities and their report. He also directed comments to the public regarding the necessity for electing qualified people to the Commission. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to accept the Oversight Committee report and to give the Committee the Commission's thanks for their efforts and to discharge them from their obligation for this investigation.

Commissioner Brumm said that he wanted all of the Oversight Committee's materials handed over to the Commission. Mr. Barrington said all materials except those that people had asked confidentiality for would be turned over. It was moved by Commissioner Pesola and supported by Commissioner Brumm that the Commission accept all of the files of the Oversight Committee and honor all of the Committee's obligations including those of confidentiality. It was then moved by Commissioner Kulisheck, supported by Commissioner Pesola and carried unanimously to amend this motion to indicate that the Committee should not turn over information that they had obtained under a promise of confidentiality. The amended motion accepting all files except those where confidentiality was promised was passed unanimously. Special Attorney Burnham commented on the eventual release of this information to the public.

Mayor Robinson said that further citizen comments could be made at this time. Bonnie Johnson made several comments regarding the report. Mike Hongisto said Commissioner Brumm had betrayed the trust of the Oversight Committee in releasing their report. Gary Benner commented on City employees' fear of reprisals.

It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously that the Commission go into closed session at the request of the City Manager to discuss the implementation of recommendation #1 of the Oversight Committee found on page 18 of their report. The meeting was recessed at 9:18 to go into closed meeting.

The open meeting was reconvened at 11:23 p.m.

Mayor Robinson said each Commissioner would be allowed to speak on recommendation #1 in alphabetical order. It was moved by Commissioner Brumm, and supported by Commissioner Ling that the City Manager be fired. After discussion by each of the Commissioners the following vote was taken:

Ayes: Commissioners Brumm, Ling, Pesola.

Nays: Mayor Robinson. Commissioners Kulisheck, Swaine.

It was then moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to table further discussion of the Oversight Committee report until the next regular meeting of the Commission.

It was then moved by Commissioner Swaine and supported by Commissioner Brumm that the Commission direct the City Clerk to prepare for a special election to fill the vacancy created by Commissioner Merrick's resignation and that the Clerk be directed to schedule it for the same day as the Presidential Primary election to conserve expenses. The following vote was taken:

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

The meeting was adjourned at 11:57 P.M.

Glenda F. Robinson
Mayor

Norman J. Gruber Jr.
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, March 31, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine.
Absent: Commissioner Brumm.

It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to excuse Commissioner Brumm as he is out of the City.

It was moved by Commissioner Swaine, supported by Commissioner Pesola and carried unanimously to approve the minutes of the March 10th Regular, and March 24th Special Meetings as presented.

Total bills payable in the amount of \$435,723.27 were presented. The City Manager discussed the payment of the bill to Darin and Armstron saying that it included additional payments besides the amount previously withheld by the Commission. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to pay the bills as presented with the exception of the ones to Scot Foods in the amount of \$293.40 and Darin and Armstrong in the amount of \$135,641.76. It was then moved by Commissioner Pesola and supported Commissioner Swaine to pay the above excluded bill to Scot Foods and allow Commissioner Ling to abstain from voting. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Pesola, Swaine.
Nays: None.

Abstention: Commissioner Ling. The motion was carried. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to authorize payment to Darin and Armstrong in the amount of \$135,641.36 with the City Attorney to determine when the check will be issued.

Additional agenda items #17, consideration of a letter to the Mayor of Minneapolis, Minnesota; and #18, consideration of a resolution supporting the NMU Hockey Team were announced.

Mayor Robinson announced that this was the time and date set for a public hearing on proposed changes to various major streets. City Engineer Etelamaki discussed the changes briefly. Mayor Robinson said that comments would be taken on each portion of street separately. Mike Hongisto said that parking should not be removed from several of these sections of streets because that would be inconvenient. Bill Lasich, Mike Rublein, Chris Paveglio and Vivian Lasich said that removal of parking on Pine Street would cause the traffic to speed up. Ray Beauchamp suggested this whole item be referred to the Parking Committee for comment. Cliff Frenn said that the parking on Main Street would be very hard to replace since this parking is heavily used. The hearing was closed. It was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to refer this matter to the Parking Committee for recommendation with all references to Pine Street to be deleted.

There were no citizens wishing to address the Commission during the time set aside for that purpose.

Mayor Robinson read a letter of commendation to Firefighter Stephen K. Swenor recognizing his actions in saving a woman's life at a fire on March 22, 1980. She said that Mr. Swenor was unable to attend the meeting because of illness.

A communication from Jane Ryan submitting her resignation from the Planning Board was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to accept her resignation with regrets and send her a letter of thanks for her service.

A communication from the Hiawatha Non-Profit Music Cooperative was read. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to approve a 24-hour liquor license for the Hiawatha Non-Profit Music Cooperative at the Marquette Armory on April 18, 1980.

A communication from the Downtown Development Authority regarding a grant application for study in the lower harbor was read. Following a brief discussion, it was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to adopt the following resolution:

WHEREAS, the waterfront of Marquette Harbor between the ore dock and the Lower Harbor Park is in transition between its former industrial use and its uncertain future use; and,

WHEREAS, the Marquette Lower Harbor Study, the Downtown Development Plan and the Central Business District portion of the City's Master Plan all call for the conversion of this area to light commercial and public open space use; and,

WHEREAS, grant monies are available through the Coastal Zone Management program for projects of this character; and,

WHEREAS, the Downtown Development Authority is supporting a grant application for a planning and feasibility study and has offered the services of its Director as match for this grant;

NOW THEREFORE BE IT RESOLVED, that the Marquette City Commission supports the application for a \$20,000 grant from the Coastal Zone Management program for the purpose of studying the feasibility of and planning for the redevelopment of this waterfront area.

A communication from the Marquette Police Officers' Association supporting large patrol vehicles was read. No action was taken.

A communication from Bob Brumm regarding use of City tennis courts for high school matches was read. Parks and Recreation Superintendent Ron Heaviland commented on City policy that the high school have access to City courts in return for city use of high school courts during the summer. The Commission agreed the scheduled events should take precedence, that these events should

be posted, and that a letter explaining this should be sent to Mr. Brumm with copies of that letter and his letter sent to the Parks and Recreation Advisory Committee.

A report and recommendation from the City Manager regarding confirmation of the appointment of Paul Seglund as Superintendent of the Water and Wastewater Plants was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to refer this matter to the City Manager for review of the recommendations in the Touche-Ross report. City Manager McNabb commented on the Commission's prior implementation of the Touche-Ross report.

A report from the City Manager regarding a communication from Mr. Charles Blake which complained about a drainage problem at the corner of Morgan and Bluff Street was read. Mrs. Blake answered questions regarding this report. No action was taken.

Mayor Robinson announced that this was the time set for reconsideration of a proposed property lease to Iron Range Cable TV. City Manager McNabb said the cost of this lease should be \$100 per year and that the time period for removal of improvements should be 90 days. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to authorize the Mayor and City Clerk to execute this lease as proposed.

Mayor Robinson called a 10 minute recess at 8:14 p.m.

Following the recess Mayor Robinson announced that this was the time set for a report from the City Attorney. City Attorney Smith reported on legal activities in relation to the State Health Department's orders for a water filtration plant. He said that the denial of the variance request was being appealed as well as the order to build the plant. Assistant Manager Svanda reported on obtaining bids for a water quality study.

Mayor Robinson announced that this was the time set for consideration of a resolution concerning Presque Isle Park. It was moved by Commissioner Ling, supported by Commissioner Pesola to adopt a resolution regarding partial closure of Presque Isle Park to auto traffic. Following a lengthy discussion during which it was agreed that a proposed schedule for such closures should be recommended to the Commission so that public input could be sought, the following vote was taken:
Ayes: Commissioners Kulisheck, Ling, Pesola, Swaine.
Nays: Mayor Robinson. The following resolution was adopted:

RESOLVED: that the Director of Parks and Recreation be directed to draw up a schedule whereby motor vehicle traffic around Presque Isle would be banned for limited, specified periods so that walkers, joggers, or cyclists could circuit the park during those period unimpeded by motor vehicles.

Mayor Robinson then announced that this was the time set for consideration of a resolution regarding the use of public buildings. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to adopt the following resolution:

RESOLVED: No management, Supervisory or Administrative employee shall permit the use of any City owned building, park or facility for the purpose of showing, exhibiting or projecting pornographic motion pictures.

FURTHER, any Management, Supervisory or Administrative employee who shall knowingly suffer such exhibition, projection, or showing through design or neglect, shall be subject to immediate dismissal without prejudice.

It was agreed that the definition of pornography in the City pornography ordinance would apply.

Mayor Robinson announced that this was the time set for consideration of a resolution regarding cemetery matters. It was moved by Commissioner Ling and supported by Commissioner Pesola to adopt a resolution providing for City snowplowing in Holy Cross cemetery. Following a discussion it was moved by Commissioner Swaine and supported by Commissioner Kulisheck to table this motion pending a report on the cost of the snowplowing and the history of payments for easements at Holy Cross cemetery. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Kulisheck, Pesola, Swaine.
Nays: Commissioner Ling. The motion to table was carried. It was agreed that this report would be presented before the end of budget review.

Mayor Robinson with the Commission's concurrence made the following re-appointments:

Dr. Emil Vajda to the Elections Board for a four year term ending April 11, 1984.

Mr. Roger Bennetts to the Harbor Committee for a three year term expiring March 11, 1983.

Mayor Robinson announced that discussion of the Oversight Committee report would be postponed until 9:30 p.m. when representatives of the Oversight Committee were due to arrive.

Commissioner Kulisheck presented a letter that he suggested Mayor Robinson send to the Mayor of Minneapolis regarding actions by the Minneapolis Police Department against Marquette residents following the NMU hockey game there on March 22nd. There being no objections, Mayor Robinson agreed to send the letter.

It was then moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously to adopt the following resolution:

WHEREAS, the Northern Michigan University Hockey Wildcats advanced to the 1980 playoffs of the National Collegiate Athletic Association--a spectacular achievement having been established as a team only four years ago; and,

WHEREAS, the Hockey Wildcats, under Coach Rick Comley, defeated the University of Minnesota, the 1979 NCAA champs, and Cornell University, to meet the University of North Dakota in final championship play; and,

WHEREAS, the Hockey Wildcats were the first CCHA team to be atop the national standings, and to reach NCAA final championship play; and,

WHEREAS, two Wildcats, Defenseman Tom Laidlaw and Goal Tender Steve Weeks, CCHA Player-of-the-Year, have been chosen for the NCAA All-Tournament Team, and Forward Bill Joyce is the Nation's top collegiate hockey scorer; and,

WHEREAS, the Hockey Wildcats have won more games during the 1979-80 season than any other collegiate team, helping Coach Comley gain the honor of CCHA "Coach of the Year", now therefore be it

RESOLVED, that the City Commission commend the NMU Hockey Wildcats, their coaches and staff for providing Marquette and the Upper Peninsula with national recognition, an outstanding season of hockey, and a season of great memories all of us will cherish for years to come.

Commissioner Ling was delegated to present this resolution to the hockey team at the upcoming banquet.

Commissioner Pesola congratulated Firefighter Swenor, thanked the Police Department for their letter and asked for a report on pollution sampling near the Arena.

Commissioner Ling inquired as to when the winter parking ban on the east side of Front Street would be removed.

Mayor Robinson asked if the winter parking ban could be left on until the streets had been swept and cleaned. She also scheduled a work session on the Granite and Wilson Street special assessment districts for 7:00 p.m. on Monday, April 7, 1980.

Mayor Robinson called a 10 minute recess at 9:32 p.m.

Following the recess Mayor Robinson announced that this was the time set for discussion of the Oversight Committee report. The Commission agreed to go through the report and discuss it in order. In discussing section 1, the Commission agreed that dynamite belonging to private citizens should not be stored in City buildings, that there should be better accounting for the time of individual contractors employed by the City who may also be working for other persons, that City equipment should be only used for manufacturer's recommended uses, and that a record of the loan of City equipment should be maintained. A communication from Robert Lawrence regarding copper pipe installed in his home as part of a lawn water meter installation was read. The City Commission and the Oversight Committee both apologized to Mr. Lawrence stating that there obviously was nothing wrong with this installation since the meter installation fee had been paid at the time of installation. Commissioners Ling and Pesola expressed the belief that there was substance to some of the charges that the Oversight Committee has dismissed. In discussing section 2, the Commission agreed with the first recommendation that all profits from salvage should be deposited with the City Treasurer; also agreed to the Manager's suggested addition to the second recommendation

that there be a requirement that surplus materials be given to another City department if it can be used there; and asked for clarification of the third recommendation that the problem of employees working on their private vehicles on City time be investigated. There was little comment on section 3. In discussing section 4 it was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously that the City Commission as a body and individually agree that any employee or individual including the City detectives and the Oversight Committee who gave information to the Oversight Committee will be protected from reprisals by the Commission or its members. It was also stated that employees should not perform any unsafe act even if ordered to do so by their supervisor. In discussing section 5 the City Manager proposed an arrangement for responsibility for engineering and construction projects. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to terminate discussion of section 5 and the remainder of the report with discussion to be continued at a special meeting held following the work session on April 7, 1980. The Commission agreed that this special work session and the special meeting would be televised.

Mike Hongisto said the Public Works Department should not do construction, that the Industrial Park lost the City money and that his questions to the Oversight Committee should be answered. Joanne Greet said her husband didn't say more to the Oversight Committee because he wasn't asked the right questions and that the City Manager should be fired. Bonnie Johnson said the Oversight Committee asked her what Adamini had on McNabb and said the City Manager should be fired.

The meeting was adjourned at 11:37 p.m.

Glenda F. Robinson
Mayor

Mona J. Gruber
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A Special Meeting of the Marquette City Commission was duly called and held on Monday, April 7, 1980 at 8:25 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

The Clerk read the call for the Special Meeting saying that it was for the purpose of continuing discussion of the Oversight Committee report.

Mayor Robinson announced that discussion would start where it had left off on Section V, item 2.

City Manager McNabb said that it was proposed that the City Engineer would be responsible for all construction projects in excess of \$5,000. The Commission agreed with this. In discussion of Item 3 the Commission agreed that City Departments should have a plan for upgrading employee training. In discussion of Item 4, the Commission agreed to discuss at budget time possible economic solutions to employee communications as opposed to grievance procedures. In discussing Item 5, City Manager McNabb reported that the draft of the new employment manual is ready for review. On Item 6, City Manager McNabb reported that a receipt system for loaned out materials and equipment had been implemented. There was much discussion regarding the release of the Oversight Committee's information. In discussing Item 7 City Manager McNabb reported on efforts to upgrade the working conditions in several buildings.

Mayor Robinson asked Oversight Committee Chairman Barrington to discuss Section VI. Mr. Barrington discussed the proposals for a Charter Amendment regarding conflict of interest. The Commission agreed to have a work session on this recommendation after adoption of the budget. Some Commissioners felt that it was necessary to also discuss the three recommendations on page 18. It was moved by Commissioner Swaine that the Commission reject recommendation 2 on page 18. The motion died for lack of support.

Mayor Robinson announced that this was the time for citizens wishing to address the Commission. Alfred Gochanour asked for money back he had paid for a water line and also asked that he be reinstated in his former job. Christopher Clem made many comments regarding social and economic welfare. Mike Hongisto criticized Mayor Robinson and Commissioners Kulisheck and Swaine and the Oversight Committee. Commissioner Kulisheck said Mr. Hongisto's accusations were unjustified. Bonnie Johnson criticized Commissioner Kulisheck for not voting to fire the City Manager and criticized the Oversight Committee. Oversight Committee Chairman Barrington said that the only name the Committee has released was that of Mr. Greet who had agreed beforehand that his name would not be kept secret. Joanne Greet agreed with Mr. Barrington and asked that several employees who had been fired be rehired. Cliff Schmalzigan said the Oversight Committee material should be released, agreed with Mr. Hongisto, and said Commissioner Brumm shouldn't resign. Don Potvin said the Commission should fire the City Manager.

Commissioner Pesola asked about sand cleanup on City streets.

Commissioner Kulisheck said the Board of Review should be more open to the public.

The meeting was adjourned at 11:42 p.m.

Glenda F. Robinson
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 Monday, April 14, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to approve the minutes of the March 31st Regular and April 7th Special meetings.

Total bills payable in the amount of \$392,436.10 were presented. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to pay the bills as presented with the exception of the one to Scot Foods in the amount of \$293.25. It was moved by Commissioner Pesola and supported by Commissioner Brumm to pay the above excluded bill to Scot Foods and allow Commissioner Ling to abstain from voting. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Pesola, Swaine.

Nays: None.

Abstention: Commissioner Ling. The motion was carried.

Mayor Robinson noted that this was the time set to add any additional items to the agenda. Commissioner Pesola requested item #15, two resolutions from Commissioner Ling, be added. It was moved by Commissioner Brumm, supported by Commissioner Kulisheck and carried unanimously to place as #1 on the agenda consideration of the resignations of City Manager McNabb and Commissioner Brumm and to place this item before the time set for citizens to speak. Item #16, a communication from Barbara Hubbard was added. Mayor Robinson noted a communication received from Marquette Maintenance Masters would be placed early on the next regular meeting agenda.

Mayor Robinson noted that this was the time set for reconsideration of the Oversight Committee Report as it dealt with the resignations of City Manager McNabb and Commissioner Brumm. It was then moved by Commissioner Brumm and supported by Commissioner Ling to request the resignation of City Manager McNabb effective immediately with severance pay to continue until July 1, 1980 and that upon receiving Mr. McNabb's resignation, Commissioner Brumm would agree to resign his office as Commissioner unconditionally and would not run for the City Commission again for a period of two years seven months (the duration of his present term). Mr. Barrington, representing the Oversight Committee, reported on events dealing with both resignations. Following a discussion and brief statements from Commissioners the following vote was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola.
Nays: Mayor Robinson. Commissioner Swaine. The motion was carried. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that upon the resignation of Mr. McNabb, Mr. David Svanda be appointed as Acting City Manager until such time as a permanent appointment can be made. Mr. Barrington addressed the citizens of Marquette regarding the controversy and the Oversight Committee report.

Mayor Robinson noted this was the time set for citizens wishing to address the Commission. Holly Greer commented on action taken regarding Mr. McNabb. Richard Mick complained about sand runoff on Wilson Street. Wilbert Pearson commended Commissioner Brumm and commented on the Public Works Department. John Major thanked the Commission for the telethon donation and informed the Commission that it may not be possible to televise all the budget work sessions. Mike Hongisto commended Commissioner Brumm, commented on safekeeping of the Oversight Committee materials until a court ruling, and asked about budget hearings. Joe Snively, Bonnie Johnson, and Ken Wanberg commented on action taken regarding Mr. McNabb.

Mayor Robinson then called a 10 minute recess.

Following the recess, a communication from Toni Smith submitting her resignation from the Board of Canvassers was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to accept her letter of resignation and send her a letter of thanks.

A communication from Superior Taxi requesting a general rate increase was read. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to set April 28, 1980 as the time and date for a public hearing on this proposed rate increase.

Mayor Robinson then announced that this was the time set for discussion of the Granite Street project. Two communications were read. City Engineer, Mike Etelamaki answered questions and briefly outlined the various construction options. Five persons addressed the Commission regarding this project. City Engineer Etelamaki answered questions. Following discussion it was moved by Commissioner Brumm and supported by Commissioner Pesola to adopt Option D for Granite Street construction. The following vote was taken:

Ayes: Commissioner Ling.

Nays: Mayor Robinson. Commissioners Brumm, Kulisheck, Pesola, Swaine. The motion was defeated. It was then moved by Commissioner Ling to adopt Option A. The motion died for lack of support. It was moved by Commissioner Ling and supported by Mayor Robinson to adopt option B. The following vote was taken:

Ayes: Mayor Robinson.

Nays: Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine. The motion was defeated. It was the consensus of the Commission to maintain existing Granite Street as it is.

Acting City Clerk Svanda announced that this was the time for consideration of the Wilson Street project. City Engineer Etelamaki outlined the project and answered questions. Richard Mick addressed the Commission regarding this project. It was the consensus of the Commission that the Engineer proceed with diligence on this matter.

A communication from the City Engineer regarding a Coastal Management Project agreement for bikepath design was read. It was moved by Commissioner Pesola, supported by Commissioner Brumm and carried unanimously to authorize the execution of the agreement and to accept the Gourdie, Fraser and Associate's proposal.

A communication from the Marquette Transit Authority regarding a proposed resolution of intent to provide Marquette Transit Authority operating funds for the next five years was read. MTA Administrator Robert Niemi answered questions regarding the multi-modal facility and the proposed grant. It was moved by Commissioner Pesola and supported by Commissioner Swaine to adopt the resolution of intent as presented. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine.
Nay: Commissioner Brumm. The motion was carried.

A communication from the Parks and Recreation Advisory Committee regarding proposed user fees was read. It was moved by Commissioner Pesola and supported by Commissioner Brumm to table this item for the budget hearing. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola.
Nays: Commissioner Swaine. The motion was carried. It was then moved by Commissioner Ling, supported by Commissioner Kulisheck and carried to suspend the rules to allow persons to comment on this item. No one wished to address the Commission.

A report and recommendation from the City Manager regarding the scheduling of HUD Small Cities Program Public Hearings. It was moved by Commissioner Pesola, supported by Commissioner Brumm and carried unanimously to set April 28th and May 12th as dates for public hearings on the HUD Small Cities Program.

A report and recommendation from the City Manager regarding engineering proposals project 2 was read. City Engineer Etelamaki and Assistant City Manager Svanda answered questions on the project. Mike Pond answered questions from the Commission. Following a discussion it was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to direct Acting City Manager Svanda to begin negotiations to arrive at an acceptable price for necessary services to get the source of pollution cleared up.

Mayor Robinson reported on a meeting with the Health Department regarding the water filtration plant. City Attorney Smith reported on a hearing for a permanent variance set for April 24th and proposed adjournment of the hearing for 60 days and to then enter into an exemption agreement which would allow the City to ultimately contest the question of what kind of water treatment is necessary, if any. Following a discussion, it was then moved by Commissioner Ling, supported by Commissioner Brumm and carried unanimously to adjourn the hearing on April 24th and negotiate with the State Health Department under the provisions of the Attorney's recommendation.

City Attorney Smith reported on the Medical Center dispute, proposing as a compromise that the City place a ceiling of \$3,000 on any possible special assessment for the drainage district with the Medical Center to assume risks for possible lighting special assessments. Following a discussion it was moved by Commissioner Kulisheck, supported by Commissioner Pesola and carried unanimously to support this recommendation as presented.

Mayor Robinson then made the following proclamation:

WHEREAS, ten years ago on EARTH DAY, April 22, 1970, the Nation experienced one of the most remarkable events of recent times as millions of people across America celebrated the first EARTH DAY by participating in teaching, neighborhood cleanups, bill signings, and scores of other activities to demonstrate their concern for the environment and to learn more about nature, ecology, and broader environmental concerns,

WHEREAS, the past decade has witnessed a multitude of citizen initiatives aimed at improving the quality of life in our homes, workplaces, and communities,

WHEREAS, we must continue to work to maintain a clean and healthy world in the Eighties,

WHEREAS, it is appropriate to celebrate the resourcefulness of our citizens working together for a world we all can live with,

THEREFORE, in observing the tenth anniversary of EARTH DAY, let us rededicate ourselves to our great goal--freeing the people of this earth from disease, pollution, and the spread of toxic and hazardous substances; from the lack of basic necessities; and from the destruction of our common natural and cultural heritage. Let us rededicate ourselves to the creation and maintenance of safe and healthy surroundings, and to the wise husbanding of the natural and human resources that are a foundation of our well-being. Let us recommit our efforts to find alternative energy and alternative transportation means, to protect and nourish our soil and trees; to foster job creation, and to educate ourselves and our children to our responsibilities as stewards of our common natural heritage.

NOW THEREFORE, I, Glenda Robinson, Mayor, do hereby proclaim Sunday, April 20, 1980, as "EARTH DAY '80" in the City of Marquette.

A communication from Commissioner Brumm regarding a job description for the City Engineer was then read. Following a discussion, it was moved by Commissioner Kulisheck, supported by Commissioner Ling and carried unanimously to endorse the intent of Commissioner Brumm's proposal and give the Manager, Engineer, Personnel Director, and Attorney authority to review it and implement it in the City Code.

Commissioner Ling read a resolution regarding the formation of a Public Works Advisory Board. Commissioner Brumm supported the resolution for discussion. It was moved by Commissioner Kulisheck, supported by Mayor Robinson and carried unanimously to table this resolution for further consideration at the next regular meeting.

A communication from Commissioner Brumm requesting discussion of the entire Al Gochanour situation was read. Mr. Gochanour addressed the Commission. Following a lengthy discussion it was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously to request from the City Attorney research and appraisal as to the legal aspects of the case and the legal implications in the change of status.

Commissioner Ling then read a resolution regarding the formation of an Investment Advisory Board. It was moved by Commissioner Brumm and supported by Commissioner Ling to adopt this resolution. Following discussion it was moved by Commissioner Kulisheck and supported by Commissioner Ling to table this resolution until further discussion at the next regular meeting. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine.
Nays: Commissioner Brumm. The motion was carried.

A letter from Barbara Hubbard submitting her resignation from the Downtown Development Authority was read. It was moved by Commissioner Pesola, supported by Commissioner Ling **and carried unanimously** to accept her resignation and send her a letter of thanks.

Commissioner Ling requested a recommendation regarding the closing of Presque Isle for vehicular traffic for the next regular meeting and said some action should be taken on sand pickup.

Commissioner Pesola noted complaints he had received on sand pickup, requested the Public Works Superintendent be present at City Commission Meetings, and said details should be worked out regarding the Acting City Manager.

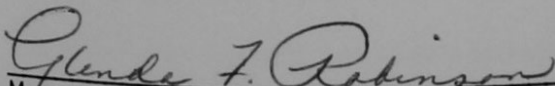
Mayor Robinson noted she had received calls on sand pickup, said a spring cleanup program was being organized, and outlined the tentative budget hearing schedule.

Commissioner Pesola requested an update on sand removal from the Acting City Manager and complimented the Police Chief on the annual report and said it should be extended to the other departments.

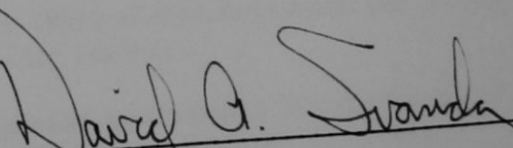
Mayor Robinson noted that this was the time for citizens to address the Commission. Joanne Greet commented on the constructive atmosphere at the Commission meeting, complimented Commissioner Brumm, and stated Dave Svanda should be given a chance at the position of City Manager. Peter Embly commented on economic impact statements. Joe Beerman commented on the Fire Department budget.

Mayor Robinson questioned the legality of appointing an Acting City Manager at the present time and urged City employees and citizens to work together during this time of transition.

The meeting was adjourned.



Mayor



Acting City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A special meeting of the Marquette City Commission was duly called and held on Thursday, April 17, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

Acting City Clerk Svanda read the call for the special meeting stating that the meeting was being held for the purpose of accepting City Manager McNabb's resignation.

Mayor Robinson noted that this was the time set for citizens wishing to address the Commission. Twenty four persons addressed the Commission. Seventeen of these people objected to the way this matter was handled. One person felt the Oversight Committee report did not substantiate its recommendations, one person stated a single issue should not decide an election, four persons felt the controversy should be settled by the City Commission, and one persons said it should have been settled a year ago.

It was moved by Commissioner Ling and supported by Commissioner Pesola to table this matter until the regular meeting on April 28, 1980. The following vote was taken:

Ayes: Commissioners Ling, Pesola.

Nays: Mayor Robinson. Commissioners Brumm, Kulisheck, Swaine. The motion to table was defeated. It was then moved by Commissioner Brumm and supported by Commissioner Kulisheck to accept the resignation of T. R. McNabb. The following vote was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola.

Nays: Mayor Robinson. Commissioner Swaine. The motion was carried.

It was moved by Commissioner Ling and supported by Commissioner Kulisheck to receive the resignation of Commissioner Brumm and act on it at the next regular meeting as set forth by the City Charter. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Kulisheck, Pesola.

Nays: Commissioners Ling, Swaine.

Abstention: Commissioner Brumm. The motion was carried.

It was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously to appoint David Svanda as Acting City Manager.

It was then moved by Commissioner Ling and supported by Commissioner Pesola to not hold the scheduled work session on the budget. The following vote was taken:

Ayes: Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.

Nays: Mayor Robinson. The motion was carried.

It was then moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to meet in a work session following the closed meeting to deal with salary and conditions of the Acting City Manager.

It was the consensus of the Commission to open this time for citizen comment. Greg Mingay asked when the Parks and Recreation budget hearing would be held. Joe Snively stated he had come to attend the Parks and Recreation budget hearing. William Greer

expressed gratitude to Mr. McNabb for 15 years of service to the City. Bill Sved asked why the acceptance or rejection of the City Manager's resignation could not be tabled.

It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to go into closed session to discuss the blasting damage at the new water plant. Following the closed session, it was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to adjourn the meeting. The meeting was adjourned at 9:10 p.m.

Glenda F. Robinson
Mayor

David A. Svander
Acting City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A Special Meeting of the Marquette City Commission was duly called and held on Monday, April 21, 1980 in the City Commission Chambers at 7:00 p.m.

Present: Mayor Robinson. Commissioners Brumm, Kulisheck, Ling, Pesola, Swaine.
Absent: None.

The Clerk read the call for the special meeting which stated it was for the purpose of accepting the 1980-81 Tentative Budget and setting a public hearing for its adoption.

Mayor Robinson said she also would like to make a proclamation.

It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the Commission receive the 1980-81 Tentative Budget and set the regular meeting on May 12, 1980 as the time and date for a public hearing on this budget.

Mayor Robinson then read the following proclamation:

WHEREAS, music is an important part of almost everyone's life, and

WHEREAS, the Marquette Community Concert Association is beginning its 33rd year of bringing good music to this area, and

WHEREAS, about sixty volunteers are giving much of their time of bringing this about, and

WHEREAS, their efforts bring pleasure to over nine hundred people in this area,

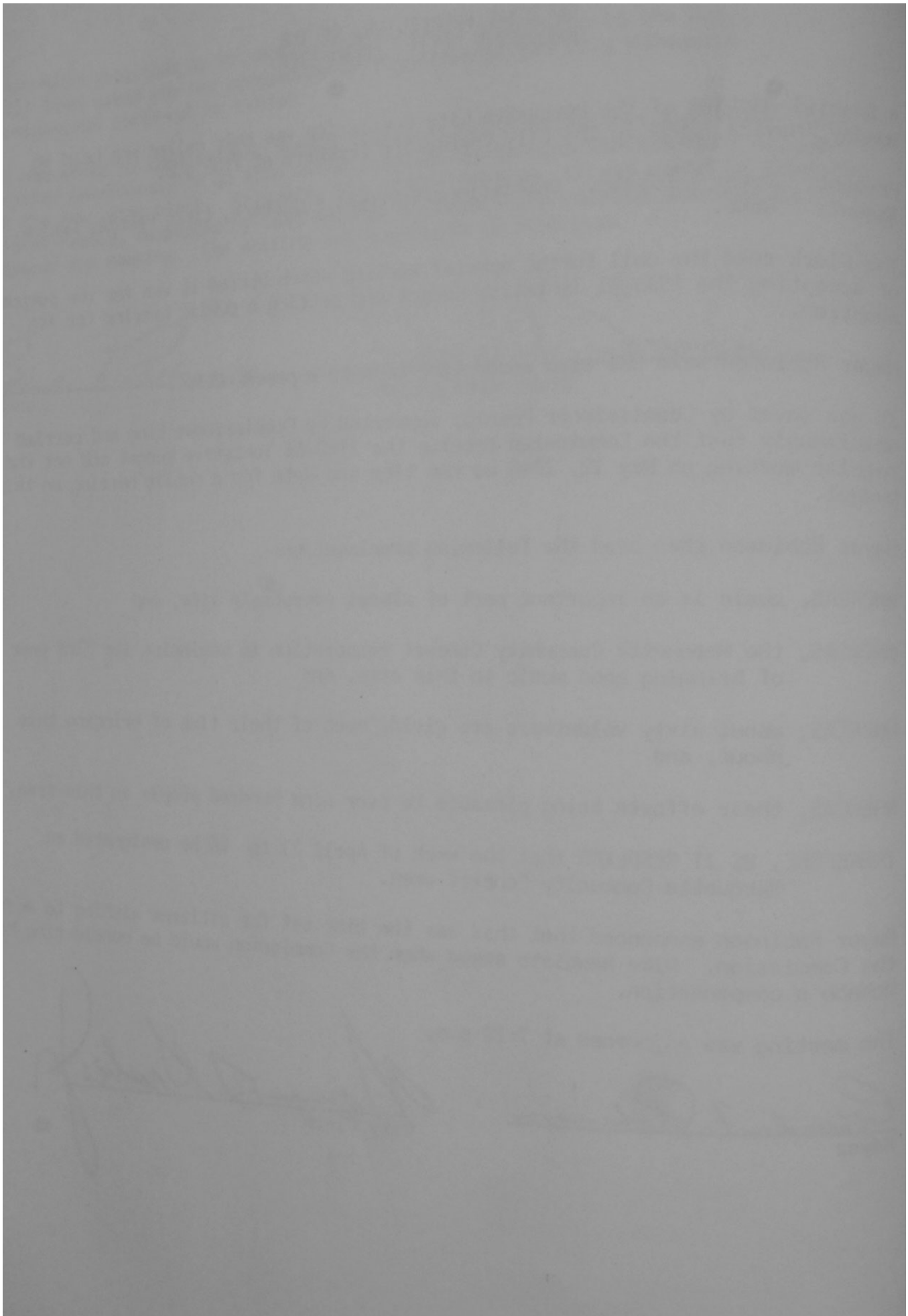
THEREFORE, BE IT RESOLVED that the week of April 21 to 26 be designated as Marquette Community Concert week.

Mayor Robinson announced that this was the time set for citizens wishing to address the Commission. Mike Hongisto asked when the Commission would be considering Mr. McNabb's compensation.

The meeting was adjourned at 7:10 p.m.

Glenda F. Robinson
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 Monday, April 28, 1980 at 7:00 p.m.

Present: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola, Swaine.
Absent: Commissioner Brumm.

It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to excuse Commissioner Brumm as he is out of town.

Total bills payable in the amount of \$226,366.77 were presented. It was moved by Commissioner Swaine, supported by Commissioner Kulisheck and carried unanimously that the bills be paid as presented with the exception of the bill to Scot Foods in the amount of \$326.35. It was moved by Commissioner Swaine and supported by Commissioner Kulisheck to pay the above excluded bill to Scot Foods and excuse Commissioner Ling from voting. The following vote was taken:
Ayes: Mayor Robinson. Commissioners Kulisheck, Pesola, Swaine.
Nay: None.
Abstention: Commissioner Ling. The motion was carried.

Mayor Robinson announced that this was the time set for a public hearing on a proposed taxi rate increase. David Savolainen representing Superior Taxi Company supported the rate increase request. The hearing was closed. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the following rates be approved effective May 1, 1980:

1. \$1.10/start plus \$.10 per 1/10 mile.
2. \$1.00/mile after the first mile.
3. Waiting time \$.25/minute.
4. Demand-response delivery service, \$3.50.
5. General delivery service, \$2.50.

Mayor Robinson then announced that this was the time set for a public hearing on the Small Cities Program grant application. Acting City Manager Svanda presented the program and introduced program engineer John Dott and Housing Rehabilitation Specialist Nancy Carlson. Miss Carlson answered questions regarding housing rehabilitation. City Attorney Smith commented on condemnation of Soo Line property. There being no citizens to address the Commission, the hearing was closed.

Mayor Robinson announced that this was the time set for citizens wishing to address the Commission. The following people opposed the Arena expansion contract and said the Commission shouldn't accept Commissioner Brumm's resignation: Don Potvin, Wilbert Pearson, Mike Hongisto. The following people opposed accepting Commissioner Brumm's resignation: Helen Johnson, Helen Kauppila, S. James Smith and Helen Johnson.

Mrs. Johnson asked to speak on the Granite Street item. Mr. Smith asked why the other section of Granite Street wasn't being paved. Stan Baranowski and Robert Hampton asked to speak on item 10.

Mayor Robinson announced this was the time set for the Commission to accept Commissioner Brumm's resignation. It was moved by Commissioner Kulisheck and supported by Mayor Robinson to accept Commissioner Brumm's resignation dated April 17, 1980. It was moved by Commissioner Ling and supported by Commissioner Pesola to table action on this motion. The following vote was taken:

Ayes: Commissioners Ling, Pesola.

Nays: Mayor Robinson. Commissioners Kulisheck, Swaine. The motion to table was defeated. The following vote was then taken:

Ayes: Mayor Robinson. Commissioner Kulisheck.

Nays: Commissioners Ling, Pesola, Swaine. The motion to accept Commissioner Brumm's resignation was defeated.

Mayor Robinson then announced this was the time set to consider appointment of a new City Manager. It was moved by Commissioner Pesola and supported by Commissioner Ling that the City Commission appoint David Svanda as the City Manager with an annual salary of \$30,000 with an evaluation of his job to be done in six months and again at the end of a year. The following vote was taken:

Ayes: Mayor Robinson. Commissioners Kulisheck, Ling, Pesola.

Nays: Commissioner Swaine. The motion was carried.

A communication from the Liquor Control Commission was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to approve a request from the Edgewater Restaurant and Hotel Co. for transfer ownership of a 1979 12-months resort class C licensed business, located at R1, U.S. 41, S., Marquette, from Northwoods Restaurant and Motel Co.

A communication from the Liquor Control Commission was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to approve a request from Douglas Christensen for a new dance permit in conjunction with 1979 Class C license located at 113 S. Front Street.

Mayor Robinson noted that she had received a request to table the item from Joseph Ghidorzi. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to table this item until the next meeting.

The City Clerk read two petitions regarding improvements to Granite Street. Helen Johnson addressed the Commission supporting the petitions. S. James Smith asked that other sections of Granite Street be paved. City Manager Svanda said that no money had been budgeted for storm sewer work on this project. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to set the meeting on May 12, 1980 as the time and date for a public hearing on paving and curbing of Granite Street north of Wright. The City Engineer was directed to report on the other section of Granite Street at the next meeting.

The City Clerk read a communication from Richard Bur asking permission to address the Commission. Mr. Bur addressed the Commission asking approval of an increase to \$8.00 a month in the Iron Range Cable TV rates and

renewal of Iron Range's franchise to allow rebuilding of the cable system. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to set May 12, 1980 as the time and date for a public hearing on this proposed rate change. The City Manager was directed to gather information on the renewal of Iron Range's franchise.

Mayor Robinson called a 10 minute recess at 8:28 p.m.

Following the recess a communication from the Marquette Figure Skating Club was read. Stan Baranowski, club President, asked the Commission for a continuation of the 50% subsidy for ice time at the arena. Robert Hampton said that figure skaters were paying an extra 10% due to the City's surcharge on instructor's fees. Ed LaMere said that figure skating clubs should join junior hockey. Mike Hongisto opposed a subsidy for non-residents.

A communication from William Carr regarding construction at the water treatment plant was read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to receive this communication and place it on file.

A communication from the Downtown Development Authority requesting a two mil tax levy was read. Downtown Development Authority Chairman Ed Dembowski addressed the Commission. It was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously to set May 12, 1980 as the time and date for a public hearing on this request.

Mayor Robinson noted a request that a report from the Transit Authority be tabled. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to table this item as requested.

Mayor Robinson announced that this was the time set for consideration of Alfred Gochanour's request for reinstatement. City Attorney Smith discussed the open meetings act. Mr. Gochanour addressed the Commission regarding his request. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that Mr. Gochanour's matter be referred to the City Manager for disposition and a report to the Commission.

A recommendation from the Arena Advisory Committee was read. Mike Rublein representing the Arena Advisory Board addressed the Commission. Following a lengthy discussion it was moved by Commissioner Pesola, supported by Commissioner Ling and carried unanimously that the City Commission concur with the unanimous Arena Advisory Board recommendation as presented with the addition of, but not limited to, a termination clause in the proposed contract.

A recommendation from the Board of Zoning Appeals regarding an amendment to the Property Maintenance Code was read. It was moved by Commissioner Pesola and supported by Commissioner Ling to set May 27th as the time and date for a public hearing on this proposed ordinance amendment with a copy of the amendment sent to all persons who were served notices for compliance with this section of the Code. It was moved by Mayor Robinson, supported by Commissioner Swaine and carried unanimously to amend the motion to ask the Planning Board for their recommendation on this proposed amendment. The amended motion was carried unanimously.

Mayor Robinson announced this was the time set for discussion of formation of an Investment Advisory Board. A communication from the City Accountant and one from A. P. Wendt were read. It was moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously to adopt the following resolution:

RESOLVED: that there be created a board known as the Investment Advisory Board this board to consist of three members to be named from citizens at large plus the City Accountant and the City Treasurer. Their responsibility shall be to meet regularly but not less than once each month to review investments and make recommendations on the surplus funds of the City.

Mayor Robinson called a five minute recess at 10:30 p.m.

Following the recess Mayor Robinson announced that this was the time set for consideration of a resolution establishing a Public Works Advisory Board. It was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously to adopt the following resolution:

RESOLVED: that there be created a board to be known as the Public Works Advisory Board. This board to consist of three members to be named from citizens at large plus the City Engineer, the Director of Public Works, and the Water and Wastewater Plant Superintendent. Their responsibility shall be to meet regularly, not less than once each month, to review operations, make recommendations to the Commission with regard to capital outlay, equipment purchases, work priorities, personnel requirements and such other activities at the Public Works, Engineering, and Water and Sewer departments as they may deem appropriate.

Mayor Robinson announced that this was the time set to discuss the City Engineer's job description. It was moved by Commissioner Pesola, supported by Commissioner Kulisheck and carried unanimously to agree with the following job description for the City Engineer:

General Duties:

Coordinate the planning, design, construction, operations and maintenance activities of the Engineering Department, Water Department, Sewer Department and Public Works Department.

Specific Duties:

1. Supervise the planning, design and contract administration of all city construction projects utilizing contracted forces.
2. Supervise the planning, design and construction of municipal improvements performed by any and all city department forces.
3. Supervise, direct and control the scheduling of city work crews, equipment utilization, material useage and general work performance of the City Water, Sewer and Public Works Departments for all operations and maintenance activities.

4. The Public Works Superintendent, the Water and Wastewater Plants Superintendents and the Sewer Department Foremen all to report directly to the City Engineer.
5. The City Engineer to report directly to the City Manager.

It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously that the City Commission confirm the appointment of Paul Seglund for Superintendent of the Water and Wastewater Treatment plants.

A communication from the City Manager regarding the appointment of the City independent auditor was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously that the firm of Ernst and Whinney be retained as the auditor for the City's 1979-80 fiscal year. It was then moved by Commissioner Ling, supported by Commissioner Pesola and carried unanimously that with sufficient time in advance of next year's close, we seek proposals for another accounting firm in the Marquette area.

A report and recommendation from the City Manager regarding professional environmental engineering services was read. It was moved by Commissioner Ling, supported by Commissioner Kulisheck and carried unanimously that the firms of Ayres, Lewis, Norris and May/Engineering Consultants be retained for an amount not to exceed \$30,000 to complete a study of the Shiras Beach pollution problem.

A report and recommendation from the Acting City Manager regarding an appointment to the Marquette County Tax Allocation Board was read. It was moved by Commissioner Pesola, supported by Commissioner Swaine and carried unanimously to appoint City Manager Svanda as the representative of the City Commission on the Marquette County Tax Allocation Board.

A recommendation from the Parks and Recreation Superintendent was read. It was moved by Commissioner Ling and supported by Commissioner Pesola to concur with the recommendation of the Parks and Recreation Superintendent on a schedule of closing Presque Isle Park from 7:00 a.m. to 1:00 p.m. on Tuesday and Thursday beginning on May 6, 1980. The following vote was taken:
Ayes: Commissioners Kulisheck, Ling, Pesola, Swaine.
Nays: Mayor Robinson. The motion was carried.

Mayor Robinson announced this was the time set to consider T. R. McNabb's severance benefits. It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously to adopt the following resolution:

RESOLVED, that former City Manager T. R. McNabb be allowed to remain on the City's payroll through June 30, 1980.

FURTHER RESOLVED, that his life insurance and hospital insurance be paid through July 31, 1980.

FURTHER RESOLVED, that he be accorded the opportunity to purchase one year and eight months service credit with the city paying its share but not to exceed approximately \$998.00.

AND FURTHER RESOLVED, that that portion of the fringe package as relates to vacation and sick leave not be included in this terminal pay arrangement. Should Mr. McNabb secure employment prior to June 30, 1980 all pay and benefits exclusive of pension cited above shall terminate effective upon his accession to the payroll of the new employer.

It was then moved by Commissioner Swaine, supported by Commissioner Pesola and carried unanimously to adopt the following resolution:

WHEREAS, Act No. 176, P.A. of 1972, permits members of the Municipal Employees' Retirement System to be credited with the period of their military service upon approval of the local governing body; and

WHEREAS, Thomas R. McNabb served 1 year and 8 months in compulsory military service, and has deposited in the Municipal Employees' Retirement System the contributions and compound interest as provided by Act No. 176, and has furnished a copy of his military discharge papers; and

WHEREAS, the City of Marquette, Michigan is aware that the total increase in unfunded accrued liabilities is \$73.00 per year for 27 years (including provision for 6% annual interest on unpaid balance).

THEREFORE BE IT RESOLVED, that the Municipal Employees' Retirement System is hereby requested to grant Thomas R. McNabb such military service credit as provided by Act No. 176.

Mayor Robinson then made the following appointments with the Commission's concurrence:

Dave Svanda to the Wastewater Treatment Board.

Pat Frenn to the Downtown Development Authority for the term ending January 12, 1983.

Ann Stephenson & Paul Marin to the Board of Canvassers for terms ending on January 1, 1983 and January 1, 1984 respectively.

Harold Herlich reappointed to the Fire-Police Pension Board for a term ending May 10, 1984.

Mayor Robinson then read the following proclamations:

WHEREAS, the small business community constitutes the single most important segment of our free enterprise system; and,

WHEREAS, it accounts for forty-eight percent of our gross national product, more than half of the American labor force, and continues to be the major source of inventions and new jobs; and,

WHEREAS, Small business is truly the backbone of the American economy,

NOW, THEREFORE, I, Glenda Robinson, Mayor of the City of Marquette do hereby proclaim the week beginning May 11, 1980 as Small Business Week, and I urgently call on every citizen to join me in this very special tribute.

and,

WHEREAS, Ducks Unlimited was founded in 1937 to help restore and rehabilitate prime waterfowl breeding grounds in Canada where over 70% of North America's waterfowl are hatched; and,

WHEREAS, Ducks Unlimited has raised over 100 million dollars since 1937 with almost 80¢ of every dollar being used in habitat restoration and rehabilitation; and,

WHEREAS, this money has been used in over 1,500 wetland projects containing over three million acres; and,

WHEREAS, Marquette area sportsmen have contributed to this outstanding wildlife conservation effort through the activities of the Marquette County Ducks Unlimited Chapter; and,

WHEREAS, the Marquette County Ducks Unlimited Chapter will be having its third annual banquet on Tuesday, May 6, 1980;

NOW THEREFORE, I, Glenda F. Robinson, Mayor of the City of Marquette do hereby proclaim the week of May 4 to 10, 1980 as Ducks Unlimited Week in Marquette and urge interested Marquette citizens to support the Marquette County Ducks Unlimited Chapter.

Mayor Robinson agreed to designate a formal business opinion leader.

Commissioner Kulisheck asked why the City's tax records aren't into the County yet.

It was moved by Commissioner Ling, supported by Commissioner Swaine and carried unanimously that the pay of the City Manager designate be made retroactive to his accession to the office of Acting City Manager and that the Mayor and one additional Commissioner of her choosing meet with the City Manager designate to form an appropriate employment agreement with a fringe and perquisite package commensurate with the position.

Commissioner Pesola complimented the new City Manager on his appointment and his new weekly report. He said the Fire Department also did a yearly report and suggested a hiring freeze effective July 1, 1980 so that two new police patrol cars could be bought.

Mayor Robinson noted a communication from Mr. and Mrs. Braamse which had not been read and a change of County Intergovernmental relations meeting dates.

The City Manager said that apparently the A & P store site would be available to the City for a transit facility.

The meeting was adjourned at 11:30 p.m.

Glennda F. Robinson
Mayor

Norman J. Grubeck
City Clerk