OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 13, 1982 in Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.

Absent: None.

It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried unanimously to approve the minutes of the August 30 meeting as presented.

Total bills payable in the amount of $289,253.86 were presented. It was moved by Commissioner Johnson, supported by Commissioner Mazzuchi, and carried unanimously to pay the bills as presented.

During the time set for announcing additional agenda items, Commissioner Kulisheck asked any of the Commissioners who had voted for the City Manager's salary increase at the last meeting to place that item on the agenda for reconsideration at this meeting. No Commissioner wished to do so. Mayor Ling said that he wished to set aside time for discussion of the peace movement and mentioned the success of the Logging Congress held last week at the Arena. City Manager Svanda asked that Item 10, a settlement agreement with the Soo Line Railroad, and Item 11, change orders for the Arena Expansion Project, be added.

Mayor Ling announced that this was the time and date set for a public hearing on the Mining Journal Alley Paving special assessment district. A report and recommendation from the City Manager regarding the adoption of assessment roll #486 was read. There were no persons wishing to address the Commission, therefore, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Stow, 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:
>
> > paving of the alley located in lot 10, block 3, of Harlow's Addition No. 2 and on lots 1 and 2, block 14 of the 36-Acre Plat between Third and Fourth Streets.
>
> 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 appear 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 therin having been reviewed by the Commission and the Assessor and all the needful corrections of the same having been made;

RESOLVED, that said special assessment roll, to-wit: Special Assessment Roll 486 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments may be paid in five (5) equal annual installments at the time fixed for the payment of regular city taxes, together with interest on such installments at the rate of 11% per annum from the date of confirmation of said special assessment roll.

A report and recommendation from the City Manager regarding bids for the paving of the Mining Journal alley was then read. It was moved by Commissioner Mazzuchi, supported by Commissioner Stow, and carried unanimously to award the bid for paving to Custom Asphalt Paving of Negaunee in the amount of $12,014.55.

Mayor Ling announced that this was the time set for citizens wishing to address the Commission. Peter Embley asked to speak on Items 4 and 9; supported health maintenance organizations; and said the City should own the cable television system. Bill Pesola offered to answer questions on Item 4.

A communication from Robert Masuga regarding a name for the softball field at the Tourist Park was read. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to grant the request of the Marquette Industrial Softball League, and name the softball field at the Tourist Park, Everett Setter Field, in honor of Mr. Setter who has been instrumental in the development of this field.

A communication from the Michigan Department of Transporation regarding improvements to the Soo Line Railroad crossing on South Front Street was read. Mayor Ling said that the City was grateful to the Michigan Department of Transportation and the Public Works Department who worked to get this crossing fixed as rapidly as possible.

A communication from Marquette Cablevision regarding their opposition to Senate Bill 2172, which would deregulate cable television, was read. Peter Embley addressed the Commission saying that the City should make money by owning the cable television system.

A recommendation from the Planning Board regarding a rezoning of Marquette General Hospital was read. It was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried unanimously to set the regular meeting on September 27 as the time and date for public hearing on an amendment to the Hospital's Planned Unit Development zoning district.

A report and recommendation from the City Manager regarding proposed articles of incorporation for a Downtown Parking Authority was read. Following a lengthy discussion regarding several of the technical details in the proposed articles, it was moved by Commissioner Stow and supported by Commissioner Johnson to adopt the proposed articles of incorporation for a Downtown Parking Authority as presented. The following vote was taken:
Ayes: Mayor Ling. Commissioners Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Nay: Commissioner Busch. The motion was carried.

A report and recommendation from the City Manager regarding bids for soft drinks for the Arena was read. It was moved by Commissioner Kulisheck, supported by Commissioner Busch, and carried unanimously to award the bid to H.W. Elson Bottling Company of Marquette for the unit prices bid and to refer the proposal to provide a scoreboard to the Lakeview Arena Advisory Board for their consideration of this scoreboard's adequacy.

A report and recommendation from the City Manager regarding fencing bids for the Williams Park Tennis Courts was read. It was moved by Commissioner Rublein, supported by Commissioner Busch, and carried unanimously to concur in the recommendation and award this bid to Burkman Supply, Inc. of Marquette in the amount of $3,900.00.

A report and recommendation from the City Manager regarding the cable television franchise award schedule was read. Following a brief discussion regarding the schedule, it was moved by Commissioner Stow, supported by Mayor Ling, and carried unanimously to adopt the following schedule:

Week of September 20, 1982: Receive analysis from Consultant, distribute to the Commission, the two companies involved, and make publicly available at City Hall and Peter White Library.

Special Commission Meeting September 29, 1982: Formally review RFP's and the RFP analysis with Consultant present; view final presentations by the two companies which submitted RFP's (not to exceed one half hour per company); receive public comment.

Commission Meeting October 12, 1982: Review final analysis from Consultant. Determine which company will receive the franchise.

Commission Meeting October 25, 1982: Conduct a Public Hearing on the Award of the Franchise. Award the Franchise.

A recommendation from the City Attorney regarding a settlement with the Soo Line Railroad for the McClellan Street crossing was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried unanimously to go into closed session to discuss this matter of litigation at the end of the regular agenda.

Mayor Ling announced that this was the time set to consider change orders #3, #5, #6, and #7 for the Lakeview Arena Expansion Project. City Manager Svanda reported on each of the proposed change orders. It was moved by Commissioner Kulisheck, supported by Commissioner Mazzuchi, and carried unanimously to approve change orders #3, #5, #6, and #7 for the Lakeview Arena Expansion Project.

Mayor Ling then recognized Mary Kueber, who discussed the designation of World Peace Day and World Peace Weeks. It was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried unanimously that the City Commission of Marquette join with all people of good will in recognizing the weeks between September 7 and September 21, 1982 as World Peace Weeks.

Commissioner Rublein said that the Logging Congress had been a big success and noted that almost $60,000,000 worth of equipment had been on display during the Congress.

Commissioner Mazzuchi thanked the people who live near the Arena for their tolerance of the large crowds and parking congestion in that area during the Logging Congress.

Commissioner Kulisheck complimented the Arena Manager and City Staff for the Logging Congress and noted that he had received several serious complaints about stray dogs.

Commissioner Johnson commended everyone for the Logging Congress, especially the people manning the City booth at the Congress, and the Police Department for their traffic control efforts. She asked if concrete curb was being replaced with asphalt curb on Fisher Street and noted complaints about the bumps along the curb line there. She also asked if concrete curb installation was being inspected; noted complaints about bicyclists on sidewalks being dangerous to pedestrians; said the City Commission should meet with the Public Works Department heads and Advisory Board in a work session to discuss snow removal for the coming winter; and commented on Michigan Municipal League training conferences.

City Manager Svanda asked for one of the Commissioners to sit on the Steering Committee for the Energy Conservation Project. Commissioner Kulisheck volunteered to do this.

Peter Embley addressed the Commission saying that they should keep a video tape record of all Commission meetings.

The meeting was recessed to closed session at 8:40 p.m.

The open meeting was reconvened at 8:57 p.m. It was moved by Commissioner Mazzuchi, supported by Commissioner Stow, and carried unanimously to direct the City Manager and Attorney to negotiate a settlement agreement with the Soo Line Railroad for the acquisition of right-of-way for the crossing on McClellan Street.

The meeting was adjourned at 8:58 p.m.

Mayor
Robert Ling

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 27, 1982 in Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi Rublein, Stow.
Absent: None.

It was moved by Commissioner Stow, supported by Commissioner Rublein, and carried unanimously to approve the minutes of the regular and closed meetings of September 13, 1982.

Total bills payable in the amount of $324,693.05 were presented. It was moved by Commissioner Johnson, supported by Commissioner Mazzuchi, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $2,336.59 and to Commissioner Kulisheck in the amount of $83.22. It was then moved by Commissioner Johnson and supported by Commissioner Mazzuchi to pay the above excluded bill to Scot Food and allow Mayor Ling to abstain from voting. The following vote was taken:
Ayes: Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Nays: None:
Abstention: Mayor Ling. The motion was carried.
It was then moved by Commissioner Johnson and supported by Mayor Ling to pay the above excluded bill to Commissioner Kulisheck. The following vote was taken:
Ayes: Mayor Ling. Commissioners Busch, Johnson, Mazzuchi, Rublein, Stow.
Nays: None
Absention: Commissioner Kulisheck. The motion was carried.

During the time set for announcing additional agenda items, Mayor Ling added to the agenda Item 14, a communication regarding sidewalk snowplowing; Item 15, a communication regarding the County Road 553 watermain; and Item 16, a discussion of the City Attorney's salary.

Mayor Ling then read the following proclamation:

PROCLAMATION HONORING ALPHA DELTA KAPPA
INTERNATIONAL HONORARY SOCIETY FOR
WOMEN EDUCATORS

WHEREAS: Alpha Delta Kappa recognizes women who have proven themselves to be strong, efficient professional teachers, and

WHEREAS: They have built a strong organization to promote excellence in education, and

WHEREAS: They have striven to promote high standards of education, and

WHEREAS: They have assisted in the strengthening of status of the teaching profession, and

WHEREAS: They have sponsored scholarships and have acted in support of countless worthwhile community projects, and

WHEREAS: They have contributed to world understanding, good will and peace through an international united fellowship of women educators, and

WHEREAS: This distinguished organization will celebrate their Founders Day in our city on October 9 with chapters from the Upper Peninsula and Wisconsin in attendance

Be it therefore resolved that: I, ROBERT M. LING, Mayor of the city of Marquette, do hereby proclaim and designate that October 9, 1982 be recognized as Alpha Delta Kappa Day in Marquette and request that all Marquette citizens take notice of this fine organization and their contributions to the well being of us all.

Mayor Ling then announced that this was the time and date set for public hearing on an amendment to Marquette General Hospital's Planned Unit Development. Assistant Hospital Administrator Bill Nemacheck supported the Hospital's request for rezoning. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously that the Planned Unit Development for Marquette General Hospital be amended to allow the construction of three additional floors above the previously approved linear accelerator building with the provision that there be no more than two mid-block crosswalks on College Avenue between the Hospital and the parking lot.

Mayor Ling announced that this was the time set for citizens wishing to address the Commission. Peter Embley asked to speak on Item 4.

A communication from the Joan Curto Halfway House regarding a resolution recognizing their non-profit status was read. It was moved by Commissioner Kulisheck, supported by Commissioner Mazzuchi, and carried unanimously to adopt the following resolution:

WHEREAS: The Joan Curto Halfway House, 326 N. Front Street, Marquette Michigan has been in existence from 1977 as the Northern Michigan Halfway House for Women, Inc. - Joan W. Curto Home, and since November of 1977 has been incorporated as a non-profit corporation pursuant to the provisions of Act 284 Public Acts of 1972 as amended, and Act 327, Public Acts of 1931, Section 122; and

WHEREAS: The Joan Curto Halfway House intends to sponsor a weekly Bingo game to be held within the City limits of Marquette; and

WHEREAS: Act 382 of the Public Acts of 1972 as amended, and its rules, requires that as a pre-requisite to the granting of a Bingo license, a resolution be passed by the local unit of government acknowledging the proposed licensee as a recognized non-profit corporation in the community;

NOW THEREFORE BE IT RESOLVED that the Marquette City Commission does hereby acknowledge the Joan Curto Halfway House as a recognized non-profit organization in Marquette.

Materials from Carl Tausch regarding the arrangements for public access regulation to Madison, Wisconsin's cable television system was presented. Peter Embley addressed the Commission saying that the public didn't know what this item was about. Mayor Ling said that he had expected that Mr. Tausch would be present at the meeting to discuss why he had presented this material to the Commission.

A communication from the Public Works Advisory Board regarding four objectives from the Board's long-range plan was read. Board Member Joe LaBreque addressed the Commission and supported these objectives. Following a discussion, it was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried unanimously that the Public Works Advisory Board and Staff present the Commission with a plan and cost estimate for limited and reasonable snowplowing on sidewalks this winter.

A communication from Donald R. Toti requesting paving of the alley south of Washington Street and between Fourth and Fifth Streets was read. The City Manager was directed to ask him to circulate a petition to other affected property owners to determine their support of this project.

A report and recommendation from the City Manager regarding change orders for the Marquette Transportation Center was read. It was moved by Commissioner Stow, supported by Commissioner Busch, and carried unanimously to approve change orders #13, #15, and #17 for the Marquette Transportation Center as recommended and to authorize Mayor Ling to sign them.

A report and recommendation from the City Manager regarding repairs to the boiler at the Marquette Transportation Center was read. It was moved by Commissioner Mazzuchi, supported by Commissioner Stow, and carried unanimously to approve the recommended change in the contract with Dressler & Son, Inc. to make the required repairs for the additional amount of $1,262.00.

A report and recommendation from the City Manager regarding an amendment to the contract for engineering services on the Small Cities Project was read. It was moved by Commissioner Johnson, supported by Commissioner Mazzuchi, and carried unanimously to approve the contract amendment and to authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager regarding the Arch Street sewer and paving project was read. It was moved by Commissioner Mazzuchi, supported by Commissioner Stow, and carried unanimously to proceed with this project and to issue a change order to A. Lindberg and Sons for the Small Cities Program Contract; to authorize the Mayor and City Clerk to execute this change order; and to appropriate $9,200.00 from the current year budget contingency fund for this purpose.

A report and recommendation from the City Manager regarding bids for a snowplow truck was read. It was moved by Commissioner Kulisheck, supported by Commissioner Busch, and carried unanimously to accept the recommendation and award the Bid for this truck to Wenberg Sales, Inc. for a 1983 Oshkosh P-2323-6 Truck in the amount of $94,300.00 with a downpayment to be $18,860.00.

A report and recommendation from the City Manager regarding bids for a Tandem Axle Truck with a material spreader was read. It was moved by Commissioner Johnson, supported by Commissioner Mazzuchi, and carried unanimously to concur in the recommendation and award the bid to Totten Evert Ford for a 1982 Ford LT 9000 for the price of $65,989.00 with a downpayment of $13,198.00.

Mayor Ling then made the following appointments with the Commission's concurrence to the newly formed Downtown Parking Authority: Robert Berube for a five-year term to expire on January 1, 1987; Joseph Constance for a four-year term to expire on January 1, 1986; Ellwood Mattson for a three-year term to expire on January 1, 1985; Ron Perkins for a two-year term to expire on January 1, 1984; and Roger Livingston for a one-year term to expire January 1, 1983. He also appointed Neil Jandron to the Public Works Advisory Board for a term to expire on June 9, 1983; reappointed Clarice DePetro to the Council on Aging for a term to expire September 30, 1985; and appointed Lee Luff to the Lakeview Arena Advisory Board for a term to expire on August 13, 1985.

A communication from Paul Marin regarding sidewalk snowplowing was read. Mayor Ling noted that this issue had been considered earlier in the meeting.

A communication from Public Works Director Etelamaki regarding the purchase of materials for the County Road 553 watermain project was read. It was moved by Commissioner Kulisheck, supported by Commissioner Mazzuchi, and carried unanimously to concur in the recommendation to waive the formal bidding procedure and to authorize the purchase of watermain materials from Etna Supply Company of Wyoming, Michigan in the amount of $26,265.61.

Mayor Ling then discussed the salary of the City Attorney saying that the Commission had agreed to get the Attorney the same average salary increases as other City Administrators. It was moved by Mayor Ling, supported by Commissioner Mazzuchi, and carried unanimously to authorize the increase of City Attorney Martin's salary by 9% effective by July 1, 1982.

Commissioner Stow said that he was pleased by the U.P. Industrial Expo at the Arena last weekend and commended all parties involved.

Commissioner Rublein said that there would be a Williams Park work bee on Saturday afternoon at 12:30 for all people who wish to help in this project.

Commissioner Mazzuchi said that he and Commissioner Kulisheck had attended the Michigan Municipal League Convention and found it a very worthwhile experience. Commissioner Kulisheck concurred in these comments and said that he had prepared a memo about the City's standing in regard to antitrust legislation.

Commissioner Johnson commended the Arena Staff and Al Smetana for thier work on the Industrial Expo; said that there was a pothole at the corner of Sixth and Hewitt Streets; asked the City Manager to report on the ENCOTECH Study and the Solid Waste Disposal Plan; noted her receipt of a letter from Mr. and Mrs. John regarding the very nice appearance of the City; said that she had received many complaints about dogs and cats running loose and asked if the fines should be raised; and noted complaints about the cost of turning on water in spring that had been turned off for the winter. She asked if these charges could be changed.

City Manager Svanda said that the preliminary final report on the water quality indicated that the City's raw water supply has very good quality, but that the City should stay alert to keep it that way. He also discussed the proposed County Solid Waste Plan.

Mayor Ling noted the passing of former Mayor James Beckman; congratulated the Arena Staff for the excellent performance at the U. P. Industrial Expo, the logging Congress, and the Harvest Festival on three successive weekends, and noted that most of the industrial firms represented at the Industrial Expo were not from Marquette, and this indicated how much there was to do in the field of economic development in Marquette.

Linda Potter said that the students in the audience were from a Planning Practice and Theory Class taught by Dr. Joyal at Northern Michigan University.

Ann Collins said that welfare people should be used to shovel sidewalks.

Mr. Bernard said that sidewalks should be plowed by the City and indicated how it could be done. Wayne Phillips, representing Wenberg Sales, thanked the City for buying a snowplow truck from his firm and said that he would do anything he could to assist the City in the use of this truck. Joe LaBrecque said that he had been before many public bodies and said that this one had a good appearance.

The meeting was adjourned at 8:45 p.m.

Mayor
Robert Ling

Norman L. 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 Wednesday, September 29, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Absent: None.

Mayor Ling announced that the purpose of this special meeting was to hold a public hearing and receive presentations regarding the proposals for a cable television franchise in the City. There were no additional items to be added to the agenda. He set forth the ground rules for this meeting and asked that no one speak on matters other than the cable television franchise. Several communications regarding the franchise were read. Mayor Ling then announced that this was the time set for public hearing on the award of the cable television franchise.

Fran Vassau, Carl Tausch, Pastor Paulomaki, Peter Embly, Victor Melchiori, Rod Pihowski, Gregory Bell, Bob Ganzer, and Bob Luke all addressed the Commission with comments regarding the franchise. The hearing was closed.

Mayor Ling announced that this was the time set for presentation by Cox Cable Television.

Mr. Bruce Bennett presented Cox's position regarding the award of the cable television franchise and answered questions from the Commissioners.

There was a ten-minute recess at 8:35 p.m.

Following the recess, Mayor Ling announced that this was the time set for the presentation by Marquette Cablevision.

William Pesola made introductory comments and introduced Bill Jackson, who discussed Marquette Cablevision's proposal. A video tape regarding their proposed franchise was shown, following which Mr. Jackson and Mr. Pesola answered questions from the Commissioners.

Mayor Ling then asked Mr. Bennett if Cox had any comments in response to the presentation by Marquette Cablevision. Mr. Bennett said no, but answered several further questions from Commissioners.

Mayor Ling then announced that this was the time set for a report by David Rice of Community Telecommunications Services, the City's consultant. Mr. Rice reported on their analysis of the two franchise proposals in terms of advantages and disadvantages to the City.

Following his presentation, each of the Commissioners made comments and asked questions of the parties involved.

Following this discussion, Mayor Ling announced that this was the time set for citizens wishing to address the Commission. Peter Embly addressed the Commission saying that he felt they were acting improperly if they did not have the Board of Light and Power start a cooperative cable television system.

The meeting was adjourned at 11:07 p.m.

Mayor
Robert Ling

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Tuesday, October 12, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Absent: None.

It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to approve the minutes of the September 27, 1982 meeting as presented and waive the reading thereof.

Total bills payable in the amount of $288,704.72 were presented. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $95.13. It was then moved by Commissioner Johnson and supported by Commissioner Mazzuchi to pay the above excluded bill to Scot Food and excuse Mayor Ling from voting. The following vote was taken:
Ayes: Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Nays: None.
Abstention: Mayor Ling. The motion was carried.

During the time set for announcing additional agenda items, City Manager Svanda noted a communication from the Board of Light and Power regarding a rate arbitration request, a communication from Robert O. Berube regarding a temporary budget for the Downtown Parking Authority, and several communications regarding the cable television franchise. City Clerk Gruber noted the receipt of a petition of Don Toti and other property owners regarding paving of the alley between Fourth and Fifth Streets south of Washington Street.

During the time set for citizens wishing to address the Commission, Peter Embley delivered the summons to Mayor Ling, Commissioners Johnson, Kulisheck, Mazzuchi, and Stow to appear in small claims court regarding an alleged violation of his rights created by the Commission's activities on the cable television franchise. Don Paulosky informed the City Commission on progress of the Luge Run being built at the Kaufman Ski Hill. He introduced U.S. Luge Association President James Moriarity, who gave a brief description of the run and thanked all of the people who are helping to complete work on this run before the winter. Jack Leadbetter, Dee Roth, and Carl Tausch asked to speak on Item 3. Mr. Tausch also asked to speak on Item 1. Sara Cloutier spoke in opposition to Project ELF and presented a resolution of opposition, which she requested that the Commission adopt. Mayor Ling placed this item on the agenda for the October 25 Commission meeting.

A communication from U.P. Citizens for the Freeze was read. Michaeleen supported a nuclear weapons freeze and asked people to vote for it on the November 2 ballot. Several Commissioners said that this proposal required careful consideration by the voters. Greg Seppanen said that a nuclear arms

freeze was verifiable and that the advisory vote on the ballot did not propose to commit the U.S. to a freeze without verification. Carl Tausch supported a freeze and said that it was difficult because of the secrecy involved with nuclear weapons.

A communication from the Full Gospel Businessmen's Fellowship International regarding the cable television franchise was read. Communications from Gregory B. Bell, Director of Communications in Evangelism, and Bishop Mark F. Schmidt, both of the Diocese of Marquette supporting Marquette Cablevision were also read.

Mayor Ling announced that this was the time set for consideration of the cable television franchise. Peter Embley said that if the Commission didn't set up a cooperative cable television system, it was not protecting the interests of the County residents. Carl Tausch asked why so much time had been spent on a franchise and why the City consultants' voice had been used for Cox Cable Television ads. He also asked if more work would be done to insure funds for public access. David Rice, representing Community Telecommunications Services, the City's consultant, said that his comments, which were made at the public hearing on September 27, had been used in the Cox Cable Television ads without his knowledge or consent. Jack Leadbetter, Ken Persitz, and Joe Johnson all supported Marquette Cablevision. Dee Roth asked several questions that were critical of the Cox proposal. Tom Roy supported Cox Cable Television. The City Clerk then read a letter from Commissioner Kulisheck that had been printed in the Mining Journal regarding several issues about the cable television franchise award. Responses to this letter from Marquette Cablevision and Cox Cable Communications were also read. A communication from Bob Moore supporting Marquette Cablevision was also read. Mayor Ling called a ten-minute recess at 8:30 p.m.

Following the recess, Mayor Ling said that speakers from each company would alternate in making comments to the Commission. Peter O'Dovero, the President of Marquette Cablevision, said that they would build an operating system even if Cox were to take legal action in response to losing the franchise. Bruce Bennett, representing Cox Cable Television, said that they stand behind the letter to Commissioner Kulisheck and offered to answer any questions. Several Commissioners asked questions regarding the Cox proposal. Robert Brebner, Vice-President of Marquette Cablevision, said that they should the bid based on the bidding procedures used by the City. Charles Carlson, Secretary-Treasurer of Marquette Cablevision, said they were the low bidder and could perform according to the franchise. David Higley, representing Marquette Cablevision, said that they could perform according to the franchise and made comments about the organization and financing of Marquette Cablevision. William Jackson made comments on free enterprise and its effect on the cable television franchise award. Commissioners then asked questions of the various parties and made comments at length. Mayor Ling called a ten-minute recess at 10:40 p.m.

Following the recess, Commissioner Kulisheck asked several more questions of Cox Cable Television. It was then moved by Commissioner Busch and supported by Commissioner Ling to accept the Marquette Cablevision proposal for the City's Cable Television Franchise and to direct that an ordinance awarding the franchise to Marquette Cablevision be prepared for Commission consideration.

The following vote was taken:
Ayes: Mayor Ling. Commissioners Busch, Johnson, Mazzuchi, Rublein, Stow.
Nays: Commissioner Kulisheck. The motion was carried.

Mayor Ling announced that the remainder of the agenda would be considered at a special meeting to be held in the future.

There were no citizens wishing to address the Commission. It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried unanimously that the remainder of the agenda would be considered at a Special Meeting to be held in City Commission Chambers of City Hall on October 18, 1982 at 7:00 p.m.

The meeting was adjourned at 11:20 p.m.

Mayor
Robert Ling

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A special meeting of the Marquette City Commission was duly called and held on Monday, October 18, 1982 at 7:00 p.m. im Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Absent: None.

Mayor Ling announced that the purpose for this special meeting was to complete the agenda from the October 12 meeting which had not been completed at that time. There were no additional agenda items to be added.

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

A report from the Community Development Specialist regarding Community Energy Management Program progress was read. Commissioner Kulisheck described this program and how it would function to help citizens conserve energy. He said that a thermogram would be taken of the front of each building in town and that volunteers would be trained within each neighborhood to help people understand where heat is being lost from their houses. Community Development Specialist Dan Smith addressed the Commission regarding the timetable for this program. He introduced assistants Bonnie Pentoney and Jennifer Rindge who will be working on this program. Mayor Ling then, with the Commission's concurrence, appointed the following people to the Community Energy Management Program Steering Committee: Mr. John Weting, Mr. Terry Szczepanski, Dr. Robert Kulisheck, Dr. Richard Allenstein, Mr. Lee Luff, Mr. Neil Pritchard, Mr. Will Kilpela, Mr. Robert Schact, and Dr. David Carlson.

A report and recommendation from the City Manager regarding the sidewalk snow removal plan for this winter was read. Administrative Assistant Waters answered questions regarding this plan as did Public Works Superintendent Steve Lawry. Commissioner Johnson said that more areas should be added to the route that will be cleared of snow. Following a lengthy discussion, it was moved by Commissioner Mazzuchi, supported by Commissioner Kulisheck, and carried unanimously to adopt option 3 for snow removal on a six mile long route and to request bids for singular or large contracts, with the City reserving the right to do the work as resources permit. It was then moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to take bids on the six-mile route with alternative bids for the 2.2 mile addition and the six-mile addition to this route. Ray Nevala addressed the Commission regarding snowplowing procedures on sidewalks. Letters from Mary Beth Little and Margaret A. Day regarding sidewalk snowplowing were read.

A report and recommendation from the City Manager regarding a lease with AMCAB for space in the Marquette Transportation Center was read. It was moved by Commissioner Mazzuchi, supported by Commissioner Kulisheck, and carried unanimously to concur in the recommendation, to approve the lease, and to authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager regarding a Northern Michigan University walkway easement on Sugarloaf Avenue was read. Following a discussion during which the Commission considered the location of the walkway easement and the realignment of the Wright/Tracy/Sugarloaf intersection, it was moved by Commissioner Busch and supported by Commissioner Kulisheck to comply with NMU's request for a walkway easement and to authorize the Mayor and City Clerk to execute it. Public Works Director Etelamaki answered questions regarding the proposed walkway. The following vote was taken:
Ayes: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein.
Nays: Commissioner Stow.
The motion was carried.

A report and recommendation from the City Manager regarding change order #4 for the Lakeview Arena Expansion Project was read. Arena Manager Al Smetana answered questions regarding this change order. It was moved by Commissioner Busch, supported by Commissioner Mazzuchi, and carried unanimously to approve change order #4 for the Lakeview Arena Expansion Project and to authorize the Mayor to execute it.

A report and recommendation from the City Manager regarding an amendment to the Engineering Services Agreement for River Park Complex was read. It was moved by Commissioner Mazzuchi, supported by Commissioner Kulisheck, and carried unanimously to concur in the recommendation and to approve the contract amendment with Gourdie, Fraser, and Associates with the Mayor and City Clerk being authorized to execute it.

A report and recommendation from the City Manager regarding bids for a heavy-duty snowmobile was read. It was moved by Commissioner Rublein, supported by Commissioner Stow, and carried unanimously to concur in the recommendation and award the bid for this snowmobile to Snow Country Sales, Ishpeming, Michigan for a 1983 AKTIV-Grizzly in the amount of $6,495.00 and to alter the budget by increasing revenue line 101.000.673 by $6,495.00 and by increasing expenditure line 101.716.977 by $6,495.00.

A report and recommendation from the City Manager regarding bids for the sale of used equipment was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried unanimously to concur in the recommendation and dispose of the equipment to the high bidders with the exception of the bids on vehicle #183, all of which are rejected because they are too low.

A report and recommendation from the City Manager regarding bids for delineator posts were read. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to concur in the recommendation and to award the bid to Proven Products, Inc. of Portland, Oregon in the amount of $8.74 each for 48-inch posts and $10.24 each for 60-inch posts.

A communication from the Downtown Parking Authority requesting approval of two-month's salary for a director so that a contract and budget can be prepared was read. It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried unanimously to authorize the expenditure of

$1,717.00 to hire a director for the Downtown Marquette Parking Authority for a two-month period as requested.

A communication from the Board of Light and Power regarding a request from the townships served by the Board of Light and Power was read. It was moved by Commissioner Johnson, supported by Commissioner Mazzuchi, and carried unanimously to concur in the recommendation of the Board of Light and Power and approve the request from the rural townships for acknowledgment of their right to seek arbitration for the second year of the rate increase recently approved for the Board of Light and Power.

A petition for paving of the alley between Fourth and Fifth Streets and immediately south of Washington Street was read. Following a brief discussion, it was moved by Commissioner Mazzuchi, supported by Mayor Ling, and carried unanimously to accept the petition and to authorize the preparation by the Engineering Department of estimated costs for this project and the determination of what percentage of the affected property owners have signed the petition.

A report and recommendation from the City Manager regarding bids for two pickup trucks was read. Public Works Superintendent Steve Lawry answered questions regarding the proposed purchases. It was moved by Commissioner Mazzuchi, supported by Commissioner Rublein, and carried unanimously to concur in the recommendation and to award the bids to Totten-Evert Ford for a used 1981 Ford F-100 pickup truck in the amount of $5,843.00 and to Specker Motor Sales for a 1983 Dodge D-250 in the amount of $9,782.00.

Mayor Ling noted the resignation of Sten Taube from the Parks and Recreation Advisory Board.

Administrative Assistant Waters noted a communication from the City of Ishpeming regarding a designated time for trick or treating. It was moved by Commissioner Johnson, supported by Mayor Ling, and carried unanimously to join the Cities of Ishpeming and Negaunee in designating Friday, October 29, 1982 from 4:00 to 7:00 p.m. as the time for Halloween trick-or-treating.

At Mayor Ling's request, Public Works Superintendent Lawry discussed the fall leaf pickup in the City, which would be held between October 25 and November 5. He said that all of the leaves would have to be bagged and any other debris would have to be tied in bundles less than four feet in length and not over 30 pounds in weight.

Mayor Ling noted the year end status of the budget, which indicated a surplus of $135,000.00 in General Fund. He said that all of the City's funds had ended the year in the black including the water and sewer fund, which had been in the red for several years.

Commissioner Johnson commended the Mining Journal and radio stations for their notices on the fall leaf pickup. She noted concern about sidewalk conditions at 227 Fisher Street and the fact that Rock Street is still being torn up both due to work resulting from the Small Cities Grant. She noted complaints about the many artificial flowers at Park Cemetary and said that

she had no extra material regarding the cable TV franchise to give to the attorney who has requested such material.

Commissioner Kulisheck urged citizens to work on and cooperate in the Community Energy Management Program.

Tubby Bernard asked about improvements planned for Tracy Avenue. Neil Jandron thanked the Commission for their action to plow the sidewalks this winter and asked about an ordinance to regulate the plowing of snow onto sidewalks. He congratulated Al Smetana for doing a good job managing the Arena. Ray Nevala asked questions about sidewalk snowplowing bids that would be requested.

The meeting was adjourned at 8:55 p.m.

Mayor
Robert Ling

Norman L. 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, October 25, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Stow.
Absent: Commissioner Rublein.

It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried to excuse the absence of Commissioner Rublein as he is out of the City. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried to approve the minutes of the September 29 special, October 12 regular, and October 18 special meetings as presented and to waive their reading.

Total bills payable in the amount of $349,374.85 were presented. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried to approve the bills payable with the exception of the one to Scot Food in the amount of $23.64. It was then moved by Commissioner Stow and supported by Commissioner Kulisheck to approve the above excluded bill to Scot Food and to allow Mayor Ling to abstain from voting. The following vote was taken:
Ayes: Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Stow.
Nays: None.
Abstention: Mayor Ling.
The motion was carried.

During the time set for announcing additional agenda items, Commissioner Stow added Item 18, an authorization of the City Attorney to defend the Commissioners in a lawsuit.

Mayor Ling then commended the line crews of the Board of Light and Power for working throughout the night to restore electric service after last Wednesday's snow and wind storm. He also apologized to people who were out of power for significant amounts of time, noting that the crews had made a very commendable effort in working to restore power. He noted the contractor's attempts to complete work in the Small Cities Project area along Rock and Spring Streets before winter. He thanked residents of this area for their patience for the streets being torn up throughout the summer and said that the work was necessary to bring the City utilities and streets up to the reliability standards that people expect of them. He then said that trick-or-treating could be done on Friday, Saturday, or Sunday, October 29, 30, or 31 as people wish, but the heavier police patrols would be in place on Friday night only.

During the time set for citizens wishing to address the Commission, Peter Embley asked to speak on Items 6, 10, and 14, and Dale Carnell asked to speak on Item 14.

Mayor Ling announced that this was the time set for consideration of a resolution opposing Project Elf. Dan Helton read the proposed resolution and asked the Commission to adopt it. Commissioner Kulisheck stated his knowledge of

these affairs and said that while he was opposed to the Elf System, he could not support the resolution because of its contents. Commissioner Busch said that he was opposed to the resolution and suggested specific sources that people might review for information on the ELF System. David Wyta said ELF was not necessary for national defense.

A communication from the Marquette Township Clerk regarding cancellation of the township's water contract was read. Following a brief discussion regarding the township's reasons for notifying the City of its intent to cancel this contract, it was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried to acknowledge the notice of intent to terminate the contract and concur in the termination of water service to the township upon the expiration of the 60-day notice period.

A communication from the Marquette City Elections Board regarding low voter turnout at recent elections and the use of checklists to assist people in voting lengthy ballots was read.

A report and recommendation from the City Manager regarding a Public Works Department employee grievance was read. Union Business Agent Ed Fazio addressed the Commission regarding this grievance. Following questions by several Commissioners, it was moved by Commissioner Busch and supported by Commissioner Stow to uphold the City Manager's denial of the grievance. The following vote was taken:
Ayes: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Stow.
Nay: Commissioner Mazzuchi.
The motion was carried.

A report and recommendation from the City Manager regarding a proposed Public Works special equipment operator grievance was read. Union Business Agent Ed Fazio addressed the Commission regarding this grievance and answered questions from several Commissioners. It was moved by Commissioner Busch and supported by Commissioner Johnson to concur in the Manager's recommendation and deny this grievance. The following vote was taken:
Ayes: Mayor Ling. Commissioners Busch, Johnson, Mazzuchi, Stow.
Nay: Commissioner Kulisheck.
The motion was carried.

The Commission noted that benefits at a higher pay rate would be a good matter for negotiation in the upcoming contract negotiation.

A report from City Manager Svanda regarding the Cable TV Franchise Ordinance was read. It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried to set November 8, 1982 as the time and date for a public hearing on the Cable Television Franchise Ordinance. Peter Embley addressed the Commission regarding cable television within Marquette. Commissioner Stow called a point of order and said that Mr. Embley's comments were not to the question, however, Mayor Ling polled the Commissioners and Commissioners Busch and Johnson asked that Mr. Embley be allowed to make his statement. Mr. Embley completed his statement.

A report and recommendation from the City Manager regarding the Ryan EDC Project was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried to adopt the following resolution:

WHEREAS, William T. Ryan has presented to the Economic Development Corporation of the City of Marquette a proposed Project Plan for the acquisition, improving and re-opening of a commercial enterprise on property within the City of Marquette, County of Marquette, and State of Michigan, and

WHEREAS, for the purpose of inducing the said William T. Ryan to proceed with the proposed Project Plan, the Economic Development Corporation of the City of Marquette has adopted a Resolution designating and establishing the Project Plan Area and Project District Area, and

WHEREAS, the designation of the Project Area and Project District Area require the approval by the City Commission for the City of Marquette, and

WHEREAS, it is necessary that two (2) representative citizens, who shall be residential residents of the immediate area, be appointed as special members of the Board of Directors of the Economic Development Corporation of the City of Marquette to serve as much with respect to this proposed Project Plan, and

WHEREAS, it will be necessary for the City Commission of the City of Marquette to hold a public hearing on the proposed Project Plan prior to giving its approval to the proposed Project Plan.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The City Commission for the City of Marquette does hereby certify its approval of the designation of the Project Area and Project District Area as set forth in the Inducement Resolution adopted by the Economic Development Corporation of the City of Marquette on October 15, 1982, both of which areas are described more particularly as:

Lot No. Two (2) and the North 29' of Lot No. Three (3) of Block One (1), West End Addition to the City of Marquette, Michigan.

2. That it is unnecessary to appoint a Project District Citizens Council since there are less than 18 residents, real property owners, or representatives of establishments located within the Project District Area eligible to serve on any Project District Citizens Council.

3. James Mansfield and Joseph LaBrecque are hereby appointed and designated as special directors of the Economic Development Corporation of the City of Marquette for implementation of the Economic Development Corporation Project Plan submitted by William T. Ryan to serve until said Project is completed in accordance with the Project Plan.

4. Monday, November 8, 1982, at 7:00 p.m., at the City Commission Chambers, City Hall, Marquette, Michigan, is set as the date, time, and place for a public hearing on the Project Plan as submitted by William T. Ryan and notice thereof shall be given as provided for by statute.

A report and recommendation from the City Manager regarding an amendment to a property lease with Cleveland Cliffs Iron Company was read. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried to concur in the recommendation and approve the amendment to the lease for the access road to the Kirlin Hill Ski Area and to authorize the Mayor to execute it.

A report and recommendation from the City Manager regarding the lease for a clear vision triangle area at the Hawley Street/Soo Line Railroad intersection was read. It was moved by Commissioner Busch, supported by Commissioner Mazzuchi, and carried to approve this lease from Northern Michigan University and authorize Mayor Ling to execute it.

A report and recommendation from the City Manager regarding consolidation of law enforcement services in Marquette County was read. Peter Embley said that this area should be studied. It was moved by Commissioner Johnson and supported by Commissioner Busch to agree with the recommendation of the City Manager to oppose consolidation at this time. The following vote was taken:
Ayes: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Stow.
Nay: Commissioner Mazzuchi.
The motion was carried. It was then moved by Commissioner Johnson, supported by Commissioner Busch, and carried to approve the concept and to ask the City Manager to continue cooperation and exploration with the other governmental units for possible consolidation at the time that it will benefit the City.

A report from the City Manager regarding the cost allocation for the County Road 553 Watermain Extension was read. City Manager Svanda asked the City Commission to set the philosophy for charging costs of this watermain to future developers. Following a discussion, it was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried to set November 29, 1982 as the time and date for a public hearing on a special assessment district to cover the cost of the County Road 553 watermain extension.

A report and recommendation from the City Manager regarding bids for the County Road 553 Watermain Extension was read. It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried to award the bid to the low bidder, A. Lindberg and Sons, Inc. for the amount of $54,824.00 for the work on this watermain extension and to transfer $105,000.00 from the General Fund surplus to the Water and Sewer Fund to cover the cost of both the work and materials for the project. Mayor Ling called a ten-minute recess at 8:54 p.m.

Following the recess, a report and recommendation from the City Manager regarding bids for liquid calcium chloride was read. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried to award

this bid to Bay Dust Control of Kawkawlin, Michigan in the amount of $.339 per gallon.

A report and recommendation from the City Manager regarding bids for employee health insurance was read. Dale Carnell, representing Larsson, Raikko, and Weaver, addressed the Commission saying that most companies will not bid on the City's insurance because it is bid out too often at unrealistically low rates. City Manager Svanda and Purchasing Agent Cardone commented on the bids and bidding process saying that some companies figure costs differently than others. Peter Embley said that the City should bid health insurance with other governmental units. It was moved by Commissioner Busch, supported by Commissioner Mazzuchi, and carried to concur with the recommendation to discontinue employee health insurance with Prudential and to award the bid for employee health insurance coverage to Blue Cross Blue Shield of Michigan in the amount of $291,477.00.

A report and recommendation from the City Manager regarding bids for tires was read. It was moved by Commissioner Stow, supported by Commissioner Mazzuchi, and carried to concur with the Manager's recommendation and award the bid to Lakeside Tire Automotive Service Center of Marquette at the prices bid.

A report and recommendation from the City Manager regarding bids for stock steel was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried to award this bid to Lakeside Iron Pipe and Air of Marquette at the unit prices stated.

A report and recommendation from the City Manager regarding bids for snowplow and grader blades was read. It was moved by Commissioner Mazzuchi, supported by Commissioner Stow, and carried to concur with the recommendation and award this bid to Paper Calmenson and Company of St. Paul, Minnesota at the unit prices stated.

Mayor Ling then, with the Commission's concurrence, appointed Elisha Greifer to the Parks and Recreation Advisory Board to replace Sten Taube, and Walter Davis to the Commission on Aging to replace William Wedlake.

A communication from the City Attorney regarding conflict of interest charges on the award of the cable television franchise. Following a discussion, Commissioner Mazzuchi said that by Charter, the Commissioners must vote on all matters unless there is a conflict of interest and that the City Attorney had ruled there was no conflict of interest in he or Mayor Ling or Commissioner Rublein voting on the award of this franchise.

It was then moved by Commissioner Stow, supported by Commissioner Johnson, and carried to authorize the City Attorney to represent any or all of the Commissioners in the lawsuit filed by Peter Embley against the Commissioners.

Commissioner Johnson said that someone had called her saying that separate water and sewer bills were not saving money for the rate payers. The City Manager said that an analysis had indicated approximately $20,000.00 per year savings and that the City was receiving much more management information from the City's computer system than it had from the Board of Light and Power.

Commissioner Johnson also said that she had received questions on the cost of the cable television franchise consultant. City Attorney Martin said it is the Commission's intent for this cost to be paid by the company receiving the franchise. She also asked if the leaves in the gutters were being picked up. Public Works Superintendent Lawry said that they would be if the street sweeper could pick them up but that they would not be if it could not.

Mayor Ling again apologized to the people on Rock Street for their inconvenience due to utility improvements in that area and said that any day could be trick-or-treating for Halloween this weekend.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:42 p.m.

Mayor
Robert Ling

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

The annual organizational meeting of the Marquette City Commission was duly called and held on Monday, November 8, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Ling. Commissioners Busch, Johnson, Kulisheck, Mazzuchi, Rublein, Stow.
Absent: None.

Mayor Ling opened the meeting by discussing a meeting he had had in Atlanta, Georgia with representatives of Cox Cable Communications to discuss why the Commission had decided to award the cable television franchise to Marquette Cablevision. He then stepped to the podium where he said that he would not accept the position of Mayor for the coming year. He reminisced briefly about some of the personalities from throughout the City who had made his term more meaningful noting that several of them had passed away during the last year. He distributed momentos to various members of the news media and City Administration thanking all of these people for their help and understanding during his term as Mayor. He noted the accomplishments of the City Administration over the last three years. He said that he was especially proud of balancing the current budget and getting the water utility into the black. He thanked all of the Commissioners for their assistance during his two terms as Mayor.

City Clerk Gruber then administered the oath of office to Commissioners-elect Johnson and Kulisheck. The City Clerk then distributed printed ballots for the election of Mayor. On the first ballot, Commissioner Mazzuchi was elected Mayor by five votes. Mr. Gruber administered the oath of office to Mayor-elect Mazzuchi, who was then seated. Mayor Mazzuchi presented a plaque to former Mayor Ling recognizing his service to the City as Mayor during the years 1979-1981. He thanked Mayor Ling for his dedication to the City. The City Clerk then distributed ballots for the election of Mayor Pro-Tem. On the first ballot, Commissioner Stow was elected Mayor Pro-Tem by five votes. Mr. Gruber administered the oath of office to Mayor Pro-Tem who was then seated.

The roll call of the new Commission was then taken:

Present: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Ling, Rublein, Stow.
Absent: None.

It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to dispense with the reading of the minutes of the October 25 meeting and approve them as presented.

Total bills payable in the amount of $469,927.49 were presented. These bills included a payment to A-Bird Construction in the amount of $51,110.97. City Manager Svanda said that this would be the final payment for their contract and suggested some restrictions on the payment of the bill. It was moved by

Commissioner Stow, supported by Commissioner Ling, and carried unanimously to pay the bills as presented with the exception of the bill to Scot Food in the amount of $69.45 with the payment of the A-Bird bill contingent upon any waivers of lien and upon payment of invoices to the City in the amount of $4,709.94. It was then moved by Commissioner Stow and supported by Commissioner Johnson to pay the above excluded bill to Scot Food and to allow Commissioner Ling to abstain from voting. The following vote was taken:
Ayes: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Rublein, Stow.
Nays: None.
Abstention: Commissioner Ling. The motion was carried.

During the time set for announcing additional agenda items, Mayor Mazzuchi noted a 24-hour liquor license request from the Hiawatha Music Coop and a proposed agreement with David Moss, an appraiser retained by the City.

Mayor Mazzuchi then thanked the Commission for electing him as Mayor and addressed general comment to all citizens of Marquette asking them to help the Commission by attending meetings and making comments on the Commission's activities. He said that his goal for the coming year was to make the citizen reinformed about the needs and problems relating to the City's public works activities.

Mayor Mazzuchi then made the following proclamations:

COMMUNITY EDUCATION DAY

WHEREAS, there is an increasing public insistence that all levels of government become more responsive to citizen needs and desires; and,

WHEREAS, there is a limited amount of tax money and other resources, both human and physical, available to meet public demand for facilities, program, and services; and,

WHEREAS, full use of existing public facilities, programs, and services is a desirable community goal; and,

WHEREAS, Community Education philosophy assumes that when local communities identify their own needs and resources and public agencies work cooperatively, community betterment will result; and,

WHEREAS, local communities are essential to the development of community education programs which help to expand community use of existing public facilities, programs, and services; and,

WHEREAS, an alliance between local communities and the National Community Education Association can assist the development of Community Education Programs; and,

WHEREAS, "A strong nation needs strong schools" is the theme of American Education Week and "I Support Community Education" is the theme of National Community Education Day, and the City of Marquette supports these themes,

NOW, THEREFORE, I, Daniel S. Mazzuchi, Mayor of the City of Marquette, do hereby proclaim November 17, 1982 as Community Education Day and call upon the people of Marquette to recognize and participate in this special observance.

SUPPORT PROGRAM FOR YOUNG AUTHORS

WHEREAS, cultivating the ability to express one's self in writing is one of the most important aspects of an individual's educational process, and

WHEREAS, the PROGRAM FOR YOUNG AUTHORS has been developed in the elementary schools in Alger and Marquette Counties by educators who recognize the need to foster writing skills among young people, and

WHEREAS, the program in its eighth year climaxes its activities each spring with a CONFERENCE FOR YOUNG AUTHORS to honor the children's writing efforts, and

WHEREAS, this program involves annual participation of 2,000 or more elementary school students whose writing abilities are greatly enhanced through authorship activities, now, therefore, do we

PROCLAIM that the week of November 15 be designated as SUPPORT YOUNG AUTHORS week in the City of Marquette, Michigan, as a fitting recognition of this splendid program.

DOMESTIC VIOLENCE AWARENESS WEEK

WHEREAS, domestic violence occurs in one out of three families, with the majority of violence directed toward women and children; and

WHEREAS, we would like people to be aware of the occurrance of violence in Marquette County and the State of Michigan; and

WHEREAS, to let people know that there are places to go and call for help; and

WHEREAS, services from the public as time and donations can receive recognition;

NOW THEREFORE, I, Daniel S. Mazzuchi do hereby proclaim the week of November 7-13, 1982 as Marquette County DOMESTIC VIOLENCE AWARENESS WEEK, and urge all citizens to be aware of the help available for the people of Marquette County and that the general public has been, and is essential in providing this help.

VETERANS DAY

WHEREAS, each year the nation pauses to observe Veterans Day in honor of all the members of the United States Armed Forces, and

WHEREAS, in accordance with established practice, one day in November of each year is suitably set aside as Veterans Day, honoring the host of Americans who have in the past and are now serving their country at home and on foreign soil, and

WHEREAS, we truly subscribe to the continuation of Veterans Day as a day of national recognition of the men and women who, with a great measure of unselfish devotion, have served and sacrificed for this country they so dearly love,

NOW, THEREFORE, I, Daniel S. Mazzuchi, by virtue of the authority vested in me as Mayor of Marquette, Michigan, do hereby call upon all our citizens on this 11th day of November, 1982, to remember with deepest respect the veterans of these United States of America, and with fervent hearts join in a universal prayer for peace.

Mayor Mazzuchi then announced that this was the time and date set for a public hearing on the Ryan EDC Project. A recommendation from the City Manager urging approval of this project was read. It was moved by Commissioner Ling, supported by Commissioner Johnson, and carried unanimously to adopt the following resolution:

WHEREAS, William T. Ryan of 705 Mesnard Street, Marquette, Michigan, has presented to the Economic Development Corporation of the City of Marquette a Project Plan for the acquisition, improving, and re-opening of a commercial enterprise located in the City of Marquette, Marquette County, Michigan, and

WHEREAS, the acquisition, improving, and re-opening of the commercial enterprise will permit William T. Ryan to create additional employment opportunities, and

WHEREAS, said improving and re-opening will add to and increase the strength of the tax base for the City of Marquette and the County of Marquette, and

WHEREAS, said Project Plan will not be feasible without the use of exempt bonds or notes issued through the Economic Development Corporation of the City of Marquette, and

WHEREAS, said Project Plan was adopted by the Economic Development Corporation of the City of Marquette on November 5, 1982, and referred to the City Commission for approval of the Project Area and for approval of the Plan, and

WHEREAS, the Project Plan does not require a zoning change or the taking or private property, and

WHEREAS, the Project Plan meets the requirements set forth in Section 8 of Act 338 of P.A. of 1974, as amended, and is reasonable and necessary to carry out the provisions of that Act, and

WHEREAS, due Notice of the Public Hearing on said Project Plan has been given in accordance with Section 17 of Act 338 of P.A. of 1974, as amended.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. That the City Commission of the City of Marquette shall and hereby does adopt the following determinations with respect to said Project Plan:

(A) Said Plan is practicable, the expansion of the City tax base and the County business is in the public interest and therefore the Plan constitutes a public purpose.

(B) The appointment of a Citizens District Council is unnecessary because the Project Area contains less than 18 residents, real property owners, or representatives of establishments located within the Project District Area eligible to serve on a Project Citizens District Council and because the Project Plan does not include a zoning change and the implementation of the Project Plan does not require the taking of private property.

(C) The Project Plan meets the requirements set forth in Section 8 of Act 338 of the P.A. of 1974, as amended.

(D) The persons who will be active in the management of the Project for not less than one year after approval of the Project Plan have sufficient ability and experience to manage the Plan properly.

(E) The proposed method of financing the Project is feasible and the Economic Development Corporation of the City of Marquette has the ability to arrange the necessary financing.

(F) The Project is reasonable and necessary to carry out the provisions of Act 338 of the P.A. of 1974 as amended.

2. That the Project Plan of William T. Ryan as presented to and adopted by the Economic Development Corporation of the City of Marquette is hereby adopted and approved and the Project Area and Project District Area are established as follows:

Lot No. Two (2) and the North 29' of Lot No. Three (3) of Block One (1), West End Addition to the City of Marquette, Michigan.

Mayor Mazzuchi then announced that this was the time and date set for a public hearing on the cable television franchise ordinance. Communications from Cox Cable Communications, Inc. and from Betty J. and Francis P. LaFreniere were read. Robert Wright, President of Cox Cable Communications, addressed the Commission asking that the franchise be awarded to Cox rather than to Marquette Cablevision. Mike White, representing Marquette Cablevision, said that they supported competition for the franchise so that the community could get the best service through its cable television system. Peter Embley said that he would get an injunction if the franchise was granted to either company. Russ Doutree said that the people on County Road 550 haven't been able to get cable television. The hearing was closed. City Manager Svanda noted that Marquette Cablevision had agreed to pay 10% annual interest on the amount due to the City in 1985 for reimbursement of the Consultant's fees for the franchising process. Commissioner Kulisheck asked if Marquette Cablevision intended to utilize a different lending institution than had originally been anticipated. Marquette Cablevision said that the original proposal had contemplated loans from either bank in town. Commissioner Ling raised a point of order questioning the propriety of Commissioner Kulisheck's asking further questions about lending institutions. Commissioner Kulisheck then asked representatives of Marquette Cablevision if they felt that the indemnification section in the franchise agreement included defense of the City for legal action brought because of the award of the franchise. Mr. White said that he felt that was covered by their insurance policy. He also said that there was question on the timing of the public access. It was agreed that the public access would have to be available following the beginning of service of the system. Commissioner Johnson asked if Marquette Cablevision would guarantee that they were going to perform according to the franchise. Mr. White said that they would. She also asked if either company would have to change the wires running into the homes of the City and Mr. White said that both companies would have to rebuild the entire system, including the wires into the homes. It was then moved by Commissioner Stow and supported by Commissioner Ling to adopt the cable television franchise ordinance. The following vote was taken:
Ayes: Mayor Mazzuchi. Commissioners Busch, Johnson, Ling, Rublein, Stow.
Nays: Commissioner Kulisheck.
The following ordinance was adopted:

359

AN ORDINANCE TO AMEND TITLE 15, CHAPTER 152, TO ADD THERETO CHAPTER 152a ADOPTING BY REFERENCE, AND INCORPORATING THEREIN, AN AGREEMENT BETWEEN THE CITY OF MARQUETTE AND MARQUETTE CABLEVISION

Mayor Mazzuchi then announced that this was the time set for citizens wishing to address the Commission. Mike White complimented the Commission for their decision on the cable television franchise. Peter Embley said that the public should be included in cable television franchise operations.

A recommendation from the Marquette City Planning Board regarding a proposed amendment to the City Zoning Ordinance was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to set the regular meeting on November 29 as the time and date for a public hearing on this proposed amendment to the Zoning Ordinance.

A report and recommendation from the City Manager regarding change orders #6 a, b, and c for the Lakeview Arena Expansion Project was read. It was moved by Commissioner Ling, supported by Commissioner Kulisheck, and carried unanimously to approve change orders #6 a, b, and c and to authorize Mayor Mazzuchi to sign them.

A report and recommendation from the City Manager regarding the Cliff's Ridge County EDC Project was read. City Manager Svanda explained that this project was being administered by the County Economic Development Corporation and that the City Commission as one of the governmental units involved was required to approve it. It was moved by Commissioner Stow, supported by Commissioner Rublein, and carried unanimously to adopt the following resolution:

> WHEREAS, Cliffs Ridge Skiing Corporation, a Michigan corporation, has presented to the Economic Development Corporation of the County of Marquette a Project Plan for the expansion and improvement of the existing ski hill which is located partly in the City of Marquette and partly in the Township of Sands, Marquette County, Michigan, and
>
> WHEREAS, it appears that said expansion and improvement of the existing ski hill will create additional employment opportunities and add to the tax base of the City of Marquette and Township of Sands, and
>
> WHEREAS, Section 8 (2) of the Economic Development Corporations Act requires the approval of the governing body of each city, village or township in which all or part of the project is located.
>
> NOW, THEREFORE, it is hereby resolved as follows:
>
> 1. That the City Commission of the City of Marquette, pursuant to Section 8 of the Economic Development Corporations Act, does hereby certify its approval of the Project Plan and recommends the same to the Economic Development Corporation of the County of Marquette and the Board of Commissioners of the County of Marquette

Mayor Mazzuchi then announced the resignation of Dr. Robert O. Berube from the Downtown Development Authority. With the Commission's concurrence, he appointed Arlene Reynolds to replace Moira Reynolds on the Marquette Transit Authority and Joseph Snively to be the City's representative on the Marquette County Transportation Advisory Council. He thanked Moira Reynolds and Marian Stordahl for their service on the Marquette Transit Authority and Dr. Berube for his service on the Downtown Development Authority.

A communication from the Hiawatha Music Coop was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried unanimously to approve a 24-hour liquor license for the Hiawatha Music Coop at the Marquette Armory on November 20, 1982.

Mayor Mazzuchi announced that this was the time set for consideration of a contract with David S. Moss. City Manager Svanda explained that Mr. Moss was an appraiser that had been retained by the City to do a complete and accurate appraisal of the Marquette Mall because of the Mall's many appeals

to the Michigan Tax Tribunal of their assessment. It was moved by Commissioner Stow, supported by Commissioner Kulisheck, and carried unanimously to authorize the Mayor and City Clerk to execute this contract.

Commissioner Johnson said that she hoped the people who had called her on cable television understood her decision on the award of the franchise. She congratulated Mayor Mazzuchi and the remainder of the Commission saying that their concerns are for the people of Marquette. She said that she is also concerned about the City's public works activities. She noted the open house that had been held at the Maritime Museum; said that many people would be willing to pay one additional mill to increase the City's snowplowing; noted concerns from a particular neighborhood about a tavern located nearby; and asked if there should be lines in the center of two-lane one-way streets.

Commissioner Kulisheck congratulated Mayor Mazzuchi and Mayor Pro-Tem Stow.

Commissioner Rublein noted the good voter turnout at last week's election and complimented the election workers for a good job on election day.

City Manager Svanda complimented Mayor Mazzuchi and Mayor Pro-Tem Stow on their election and said that he was looking forward to working with this new administration.

Mayor Mazzuchi thanked the Commission for their support and again asked people for their comments on the City's business and activities.

Mayor Mazzuchi announced that this was the time set for citizens wishing to address the Commission. Jim Shelby complained that the Marquette Transit Authority had negotiated a contract with Northern Michigan Coaches for bus maintenance, and that this contract should have been bid out. He asked the Commission to take measures to see that it was bid.

The meeting was adjourned at 8:40 p.m.

Daniel S. Mazzuchi

Mayor
Daniel S. Mazzuchi

Norman L. Gruber, Jr. /gp

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, November 29, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Mazzuchi, Commissioners Busch, Johnson, Kulisheck, Ling, Rublein, Stow.

Absent: None.

It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to accept the minutes of the November 8, 1982 meeting as presented and to waive their reading.

Total bills payable in the amount of $397,856.20 were presented. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to pay these bills as presented.

During the time set for announcing additional agenda items, Commissioner Stow added Item 20, correspondence from the Marquette Bus Service; City Attorney Martin added Item 21, consideration of the proposed Marquette Township water contract; and Mayor Mazzuchi added Item 7a, notation of Family Life Week.

Mayor Mazzuchi then announced that this was the time set for public hearing on the County Road 553 watermain special assessment ordinance. Mr. St. John said that the residents' attorney, Mr. Bridges, would not be present at this meeting because he claimed not to have been notified about the hearing. Paul Pelissier said that he was not connected to the watermain and did not object to the ordinance. The City Clerk read the proposed ordinance. Commissioner Ling said that the ordinance would not affect the people who were being served with water immediately as a result of polluted ground water. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to adopt ordinance #360 as follows:

AN ORDINANCE TO AMEND TITLE VII, CHAPTER 56 BY ADDING A NEW SECTION 56.25 TO SET CONNECTION FEES FOR THE WATER MAIN EXTENSION IN COUNTY ROAD 553 FROM A POINT 950 FEET SOUTH OF PIONEER ROAD TO THE SOUTH LINE OF SECTION 27, T48N, R25W.

It was then moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to table discussion of the remainder of this project until the next meeting and to notify Mr. Bridges that the project will be discussed at that meeting.

Mayor Mazzuchi then announced that this was the time and date set for a public hearing on an amendment to the Zoning Ordinance to allow Halfway Houses in Residential Districts. Planning Board Member Darrell Dettmann presented the Board's recommendation. Four persons opposed this ordinance and five persons supported it. The hearing was closed. Following a brief discussion, it was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to deny this proposed amendment as presented.

During the time set for citizens wishing to address the Commission, Peg Braamse, owner of Marquette Bus Service, asked the City Commission to consider why the Marquette Transit Authority would be contracting for operation of its fixed route system and why this hadn't been bid out. Dr. Robert Glenn, Vice President of Northern Michigan University, announced that the construction of the Luge Run at the Kaufman Ski Hill was completed. He thanked all the individuals and groups responsible for assistance on the construction of this run. Bill Kimmes, representing Fabco Equipment, asked to speak on Item 13. Peter O'Dovero, representing Marquette Cablevision, offered to answer questions on Item 8. Mike Bell, representing Road Machinery and Supply Co., asked to speak on Item 13.

Mayor Mazzuchi then announced that this was the time set for a presentation of an Economic Development Program slide show. Administrative Assistant Gretchen Waters said that this show was to be used at trade shows and for development prospects who were visiting Marquette. Following viewing of the slide show, City Manager Svanda briefly described the status of the EDC Program and the use of this slide show.

Mayor Mazzuchi called a ten-minute recess at 9:36 p.m.

Following the recess, a communication from the St. Christopher Home and School Club was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to approve a 24-hour liquor license for the St. Christopher Home and School Club for the Marquette Armory on December 31, 1982.

A communication from Marquette General Hospital was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to approve a 24-hour liquor license for Marquette General Hospital, Inc. for the Marquette Armory on December 18, 1982.

A recommendation from the Investment Advisory Board regarding interest rates for 1983 special assessment projects was read. It was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried unanimously to concur with the recommendation and to set the interest rate for 1983 special assessment projects at 10% annually.

A communication from the Kiwanis Club of Marquette regarding dedication of the "Welcome to Marquette" sign on U.S. 41 was read. Mayor Mazzuchi thanked all of the persons and service clubs involved in the erection and future maintenance of the "Welcome" sign. He also asked the public to remember that the week of November 21 - November 27 had been Family Time Week in Michigan.

A communication from Marquette Cablevision regarding the indemnification section of the recently approved franchise agreement was read. Twelve communications and petitions supporting Cox Cable Television as a franchise holder for cable television in Marquette was also read. Dell Compton, representing Employers of Wausau Insurance, addressed the Commission saying that a change in the wording in Section 15B would be advisable because, in his opinion, that section could not be enforced. Following a lengthy discussion and comments by various Commissioners, it was moved by Commissioner Busch and supported

by Commissioner Stow to delete from Section 15B the words "or any negligence of the City, its officers, servants, agents, employees, contractors, or otherwise." The following vote was taken:
Ayes: Commissioners Busch, Ling, Rublein, Stow.
Nays: Mayor Mazzuchi. Commissioners Johnson and Kulisheck.
The motion was carried.

A report and recommendation from the City Manager regarding extension of the construction inspection service contracts for the Arena and the Transportation Center was read. It was moved by Commissioner Busch, supported by Commissioner Kulisheck, and carried unanimously to concur in the recommendation and approve extension of the contract with Norman Potochnik and Associates to allow up to 80 additional hours at $20.00 per hour not to exceed $1,600.00 for the Marquette Transportation Center contract and up to 75 additional hours at $20.00 per hour not to exceed $1,500.00 for the Lakeview Arena Expansion contract.

A report and recommendation from the City Manager regarding agreements with Greyhound Lines, Inc. for use of the Marquette Transportation Center was read. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried to concur with the recommendation of the City Manager and the Marquette Transit Authority Administrator and to approve the agreement with Greyhound which would establish the dates of occupancy in the center and the agreement which would establish a rate for the storage of one Greyhound bus in the center.

A report and recommendation from the City Manager regarding an agreement for mobile concession sales at City facilities was read. It was moved by Commissioner Stow, supported by Commissioner Busch, and carried unanimously to approve the agreement with Theordra S. Bouchard as recommended.

A report and recommendation from the City Manager regarding bids for inspection and maintenance of the Lakeview Arena compressors was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to award the bids for these services to Elliott Sheet Metal, Inc. of Gwinn, Michigan at the prices bid.

A report and recommendation from the City Manager regarding bids for a front-end loader was read. A communication from Fabco, Inc. regarding their bid was read. W.L. Kimmes addressed the Commission regarding the Caterpillar front-end loader saying it was cheaper in the long run. Mike Bell, representing Road Machinery and Supply Co., asked the Commission to wait and have the Public Works Advisory Board look at a Michigan front end loader. Public Works Director Etelamaki and City Manager Svanda commented on the bidding procedure. It was moved by Commissioner Ling, supported by Commissioner Johnson, and carried unanimously to concur in the recommendation of the City Manager and Purchasing Agent to take the second low bid and to purchase a Terex 72-31B from Lakeshore, Inc. of Negaunee, Michigan.

A report and recommendation from the City Manager regarding bids for carpeting in the upper level of the Marquette Transit Center was read. It was moved by Com Ling, supported by Commissioner Kulisheck, and carried unanimously to concur in the recommendation and award this bid to American of Marquette in the amount of $3,107.12.

A report and recommendation from the City Manager regarding an addition to the Major Street System was read. It was moved by Commissioner Stow, supported by Commissioner Busch, and carried unanimously to adopt the following resolution:

WHEREAS, it is the desire of the City of Marquette to add that portion of Grove Street from the west line of Section 22 to the west a distance of 435 feet to its Major Street System, and whereas, the right-of-way of this street is not a part of any approved plat, and whereas, under the requirements of Act 51, Public Acts of 1951, the reported addition of an unplatted street is to be accompanied by a resolution of the governing body containing: 1. A centerline description of the street, 2. Acknowledgement that the street is located within a right-of-way under municipal control, and 3. A stipulation that the right-of-way is for public street purposes;

THEREFORE BE IT RESOLVED, that the City Commission of the City of Marquette designated a strip of land sixty-six feet in width lying thirty-three feet on each side of the following described centerline of Grove Street as a public street.

Commencing at the Southwest corner of Section 22, T48N, R25W, in the City of Marquette, County of Marquette, State of Michigan; thence North 313.2 feet, more or less, along the west line of Section 22 to the Point of Beginning of this centerline description, said point being on the centerline of existing Grove Street (County Road 500) pavement; thence westerly along the centerline of Grove Street for a distance of 435 feet to the present boundary line of the City of Marquette and Point of Ending of this description. Said centerline being 435 feet in length.

A report and recommendation from the City Manager regarding the Road and Transportation Crises was read. Following a brief discussion during which Commissioner Busch outlined many kinds of motor fuel taxes, it was moved by Commissioner Ling and supported by Commissioner Kulisheck to adopt a resolution supporting a transportation package in the Michigan Legislature. The following vote was taken:
Ayes: Mayor Mazzuchi. Commissioners Johnson, Kulisheck, Ling, Rublein.
Nays: Commissioners Busch and Stow.
The following resolution was adopted:

WHEREAS, the international oil embargo imposed in the fall of 1973 seriously eroded the revenue gains expected from the 1972 Transportation Tax Package which had taken effect only a few months earlier; and

WHEREAS, the City of Marquette and other local units of government in Michigan have been suffering from the double impact of revenue decreases in our street funds and rising costs for maintenance and rehabilitation of our street systems and bridges; and

WHEREAS, even the significant revenue increase enacted in the 1978 Transportation Tax Package did not keep pace with inflation-induced costs; and

WHEREAS, the 1978 Transportation Tax Package failed to accomplish a restructuring of the transportation tax system and as a result the State and local governments are falling further behind in their ability to meet transportation needs; and

WHEREAS, continuing to base the transportation revenue system on gallons of motor fuel sold and weight of vehicles will not meet revenue needs as fuel economy requirements are implemented and vehicles become smaller and lighter in weight and will result in an ever widening gap between the needs and the revenues to meet those needs expecially in view of current rates of inflation; and

WHEREAS, the cost of operating and maintaining present street, road, and public transportation systems has long exceeded Michigan Transportation Fund revenues distributed to cities and villages; and

WHEREAS, gas and weight tax revenues for city, village, and county road commissions have dropped significantly and will continue to drop unless legislative action is taken; and

WHEREAS, despite the urgings of the Municipal League and other concerned organizations, actions to resolve the ever-growing crises in transportation revenues and costs were sidetracked in 1980 and 1981 while the Governor and the Legislature attempted to resolve property tax problems and then again in 1982 while dealing with the State's general fund deficit; and

WHEREAS, the transportation revenue crises will not go away but will continue to increase in severity unless immediate action is taken;

NOW THEREFORE BE IT RESOLVED that the City Commission of Marquette, Michigan urges the Governor and the Legislature to give immediate and priority attention to restructuring the motor fuels and motor vehicle tax systems in order to provide the revenue growth necessary to keep pace with the impact of inflation and to meet known transportation needs by quickly passing the road and transportation fiscal rescue package immediately.

A report and recommendation from the City Manager regarding a special meeting at 4:00 p.m. on Thursday, December 2, 1982 to discuss the budget and accounting for the Downtown Parking Authority was read. Mayor Mazzuchi noted this meeting for the public's benefit.

Mayor Mazzuchi then with the Commission's concurrence appointed Warren Merrick to the Downtown Development Authority and Perry Laing to replace Robert Manning on the Harbor Committee.

A communication from the Downtown Development Authority regarding a $2,000 advance to cover office operating expenses was read. It was moved by Commissioner Stow, supported by Commissioner Ling, and carried unanimously to advance the Downtown Development Authority $2,000 from the 1983 two-mill downtown tax levy as requested.

Mayor Mazzuchi announced that this was the time set for consideration of a communication from the Marquette Bus Service. Marquette Transit Authority Director Niemi explained the reasons that the Authority had not bid out its fixed route operation and bus maintenance activities. Following a lengthy discussion, the Commission expressed the opinion that the Marquette Transit Authority should use appropriate bidding procedures for these functions in the future.

Mayor Mazzuchi then announced that this was the time set for consideration of the Marquette Township proposed water agreement. City Attorney Martin explained the contents of this agreement and City Manager Svanda said that the document was incomplete as far as he is concerned and that he could not recommend its adoption. Township Manager David Timmons answered questions regarding the proposed document. It was moved by Commissioner Stow, supported by Commissioner Kulisheck, and carried unanimously to extend until after the next Commission meeting the termination of water service to the Township.

Commissioner Johnson said that she had received many calls on the cable television issue.

Commissioner Kulisheck apologized for comments that he had made to Mr. White of Marquette Cablevision; said he had received complaints about speeding on Third and Fourth Streets; said that drivers turning right at red lights were not giving the appropriate right-of-way to pedestrians; and noted Mr. Hogg's concern regarding the industrial park and an agreement for HUD funds to finish development of the park. City Manager Svanda explained the agreement that had been reached with HUD to allow the release of these funds.

Commissioner Ling said that incorrect information is being spread about the cable television issue.

Mayor Mazzuchi announced that the American Legion had asked him to remind citizens to treat the disposal of old flags with respect and if they had questions they could call the American Legion for more information.

Jack Leadbetter commented on the cable television liability clause. Richard Bur, representing Cox Cable Iron Range, commented on three specific items regarding the cable television issue that he said had been misrepresented to the public. Peg Braamse said that she had not received a request for proposals from the Marquette Transit Authority and that if they could perform a service cheaper than bidding it out, they should do that.

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

Daniel S. Mazzuchi
Mayor
Daniel S. Mazzuchi

Norman L. Gruber, Jr.
City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A special meeting of the Marquette City Commission was duly called and held at 4:00 p.m. on Thursday, December 2, 1982 in Commission Chambers of City Hall.

Present: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Ling, Rublein.

Absent: Commissioner Stow.

Mayor Mazzuchi said that because not all Commissioners were present there could be no additional agenda items added to this meeting.

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

Mayor Mazzuchi thanked the Downtown Marquette Parking Authority members for attending the meeting and for their work on the establishment of the Authority. He asked City Manager Svanda to give background information regarding the parking function in the current proposal. City Manager Svanda presented an analysis of the City's current budget and the Downtown Marquette Parking Authority's proposed budget. The Commission and Authority members discussed these budgets at length. There was general agreement following the discussion that the analysis indicated that the Authority would not be economically justifiable at this time. It was moved by Commissioner Busch, supported by Commissioner Kulisheck, and carried to disband the Downtown Marquette Parking Authority.

There being no citizens wishing to address the Commission, the meeting was adjourned at 5:00 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE MARQUETTE CITY COMMISSION

A special meeting of the Marquette City Commission was duly called and held on Tuesday, December 7, 1982 at 4:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Mazzuchi. Commissioners Johnson, Ling, Rublein, Stow.
Absent: Commissioners Busch and Kulisheck.

It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried to excuse the absences of Commissioners Busch and Kulisheck.

Mayor Mazzuchi announced that the purpose of the special meeting was to consider a request for transfer of ownership of a Class C liquor license. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried to adopt a resolution approving the request from Chad K. Norton and Janis Shier Norton for transfer ownership of 1982 Class C licensed business, located at 503 N. Third Street, Marquette, Michigan from Rose Arger. Mayor Mazzuchi wished Mr. Norton the best of luck with his new business.

Mayor Mazzuchi announced that this was the time set for citizens wishing to address the Commission. Commissioners Ling and Stow asked Mr. Norton questions regarding the new business and any changes that may take place.

The meeting was adjourned at 4:06 p.m.

Mayor
Daniel S. Mazzuchi

Lori J. Salo
Deputy City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, December 13, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Ling, Rublein, Stow.
Absent: None.

It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to approve the minutes of the November 29, 1982 meeting as presented and to waive their reading.

Total bills payable in the amount of $423,024.72 were presented. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $473.60. It was then moved by Commissioner Stow and supported by Commissioner Johnson to pay the above excluded bill to Scot Food and excuse Commissioner Ling from voting. The following vote was taken:
Ayes: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Rublein, Stow.
Nays: None.
Abstention: Commissioner Ling. The motion was carried.

During the time set for announcing additional agenda items, Mayor Mazzuchi added a new Item 1, discussion of the recent Appeals Court decision on the Board of Light and Power lawsuit. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to go into closed session to discuss the Board of Light and Power lawsuit at the time of Item 1 on the agenda.

During the time set for citizens wishing to address the Commission, Attorney Ralph Peterson, representing Cox Cable Communications, asked to speak on Item 3. Mike White, representing Marquette Cablevision, said that he was available to answer questions. E. Nicholas Bridges asked to speak on Item 2.

The meeting was recessed into closed session at 7:07 p.m.

The Commission returned from the closed session at 7:30 p.m. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to appeal the ruling of the Court of Appeals in the Board of Light and Power lawsuit to the State Supreme Court.

A communication from Attorney E. Nicholas Bridges, representing residents on County Road 553, was read. A communication from City Manager Svanda regarding those residents' request for free water service was also read. Mr. Bridges addressed the Commission saying that his clients should get free water service from the City. Following a lengthy discussion, Mayor Mazzuchi said that the Commission apparently feels that its obligation to these residents has been discharged by the construction of water main and laterals to each of the

homes and that the Charter prohibits the City from giving away free water. He said that Mr. Bridges could continue to discuss this matter with City Manager Svanda who would report to the Commission.

A communication from Cox Cable Communications Attorney Ralph Peterson regarding an amendment to Section 15b of the Franchise Agreement with Marquette Cablevision was read. Five letters from citizens regarding the cable television franchise were also read, as was a second letter from Mr. Peterson asking the Commission to award a second franchise to Cox Cable Communications. Mr. Peterson addressed the Commission regarding this issue. During his discussion, he presented a written termination notice from Cox Cable Communications to the City of Marquette saying that Cox would discontinue television service in the City on the 13th of January, 1983 as allowed by the temporary operating authority granted by the City on June 15, 1982. He said that he felt Cox had worked hard to get a new franchise in Marquette and that the Commission had not cooperated. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to authorize the City Manager and Attorney to explore all avenues available to the City to assure that the residents of the City continue to have cable television service, and to report back to the Commission. Following further discussion, Cox Cable Iron Range Manager Richard Bur answered questions regarding television service in the City.

Mayor Mazzuchi called a ten-minute recess at 8:31 p.m.

Following the recess, a communication from the Marquette Township Board regarding the proposed water supply contract was read. It was moved by Commissioner Busch and supported by Commissioner Johnson to refer this communication back to the City Manager to resolve the disagreement over the contract. The following vote was taken:
Ayes: Commissioners Busch, Johnson, Kulisheck, Ling, Stow.
Nays: Mayor Mazzuchi, Commissioner Rublein.
The motion was carried.

A communication from Richard Whitty regarding the safety aspects of the Quarry Pond was read. It was moved by Commissioner Ling, supported by Commissioner Kulisheck, and carried unanimously to ask the City Manager to explore uses for and ways to remove the Quarry Pond and the best use for the related land area.

A report and recommendation from the City Manager regarding a Soo Line crossing agreement for McClellan Avenue was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to approve the agreement with the Soo Line Railroad and to authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager regarding an agreement with the Michigan Department of Treasury for assessment of the UPPCO Generating Plant for a three-year period was read. It was moved by Commissioner Ling, supported by Commissioner Johnson, and carried unanimously to approve the agreement with the Department of Treasury for assessments for 1983, 1984, and 1985 of the U.P. Generating Company Plant at an annual fee of $1,775.33 and to authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager regarding bids for police cars was read. It was moved by Commissioner Stow, supported by Commissioner Rublein, and carried unanimously to concur in the recommendation and award the bid to Totten-Evert Ford for two 1983 Ford LTD Crown Victorias at a total price of $17,869.00 plus trade-ins.

Commissioner Johnson commended everyone involved for the beautiful Christmas tree in the City and noted that vandalism to the tree was distracting from its beauty. She said that she had received a letter from a lady who is visually handicapped requesting traffic lights at the corners of Seventh and Washington and Presque Isle and Waldo Streets. She asked for information about the responsibility of drivers to people who have white canes, and about the progress on the County landfill and said that she had received many complaints about dogs running loose in the City.

Commissioner Kulisheck noted a potential problem with airhorns at hockey games at the Lakeview Arena.

Commissioner Ling urged the City Manager to act with deliberate speed to resolve the township water contract dispute.

Commissioner Rublein noted a letter that he had received regarding a sign on a downtown store and said that there is very little snow for this time of year.

Mayor Mazzuchi thanked Howard Berryman for a donation of the City's Christmas tree which is located in Harlow Park.

City Manager Svanda asked the Commission to consider a date to meet with the auditors to discuss the City audit.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:10 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A special meeting of the Marquette City Commission was duly called and held on Monday, December 20, 1982 at 3:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Ling, Rublein, Stow.

Absent: None.

Mayor Mazzuchi announced that the special meeting had been called to consider the Marquette Township water contract and to discuss the cable television franchise. The Commission had no other items to add to the agenda.

There were no citizens wishing to address the Commission.

City Manager Svanda explained the changes that had been negotiated in the proposed water contract with Marquette Township. It was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to accept the City Manager's recommendation to approve the water agreement effective December 31, 1982 and to authorize the Mayor and City Clerk to execute it.

Mayor Mazzuchi then noted the lawsuit that had been filed against the City by Iron Range Cable Television. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to go into closed session to discuss the litigation on the cable television franchise.

The meeting was recessed into closed session at 3:09 p.m.

The Commission returned to open session at 4:33 p.m. It was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to grant the City Attorney the necessary authority to reply and respond to the suit filed by Telesystems Corporation taking whatever steps are necessary to insure uninterrupted cable television service to the City of Marquette.

Commissioner Kulisheck said that the City should seek outside legal help on anti-trust litigation.

Mayor Mazzuchi then read the following statement:

"As most of the residents of this City are aware, Cox Cable Company has filed suit against the City of Marquette. They contend that their application to continue to provide service to this community has not been treated fairly by this commission or by the process by which our decision to award a cable television franchise to Marquette Cablevision was made.

Because cable television and all the issues relating to it will be before us for consideration in a rather dramatic way for some time to come, I thought I would take a few moments to review for you some of the history of this controversy so that the present problem might be seen in some perspective.

Cox has provided cable television service to the City of Marquette under the terms of a franchise which expired in June of 1982. Since that time, they have operated under a one-year agreement that was signed both by them and the City. In anticipation of the expiration of their franchise, the Marquette City Commission retained the services of CTS and its counsel Mr. David Rice to assist us in the preparation of a new franchise agreement.

The City Commission had the option of either negotiating a new franchise with Cox directly or placing the franchise competitively, and selecting that company which offered the best service for the least cost. For some time, the Commission did negotiate directly with Cox, but those negotiations ended when the Commission voted last spring to go to a competitive process. If you can recall there were a series of meetings where most of the citizen comment was of the opinion that the people of Marquette deserved at least to examine all bids for service before a franchise was awarded.

After the RFP was issued, only two formal applications were received. One was from Cox, and the other by Marquette Cablevision.

I should like to emphasize that at no time did Cox dispute the City's right to grant a franchise or to create a competitive situation by which the franchise would be awarded.

After much deliberation and a good deal of public comment, the City Commission voted to accept the offer of Marquette Cablevision. That decision was a very difficult one to make. My colleagues and I on the commission received enormous numbers of letters and phone calls urging us to vote one way or the other. I know for myself that the pros and cons of either proposal were difficult to judge. But, none the less, we did decide in public and with stated reasons why we eventually preferred the offer of Marquette Cablevision.

Cox now alleges that we conspired to grant the award to Marquette Cablevision; and that therefore we did not give Cox a fair hearing. Nothing could be further from the truth.

One week ago Cox notified the City that it would cease service to the City in 30 days. I again confirmed to Cox officials that the City would negotiate with them. Less than one week later, Cox had filed its suit against the City demanding that they be allowed a new franchise. These various actions make it difficult for us to know with certainty precisely what Cox would like us to do.

The City will, of course, respond to the various charges leveled against it by Cox. The City was aware that legal action of this type might be contemplated, however, I must admit to some chagrin that Cox felt it necessary to do so during the Christmas season; which is still for me a time of peace on earth and good will to all men.

While I cannot publicly discuss the City's legal strategies in this matter, I can assure each of you that the City will do all in its power to reach an amicable agreement that is fair to all parties involved. My continued hope is that such an agreement can be reached without a lengthy and painful legal contest.

Our purpose will always be to protect the rights of the City and at the same time to assure the delivery of high quality and reasonably priced cable television services to the people of Marquette."

During the time set for citizens wishing to address the Commission, Mike White, representing Marquette Cablevision, said that they were moving forward as quickly as possible with the necessary steps to supply the City with cable television service.

The meeting was adjourned at 4:40 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, December 27, 1982 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Ling, Rublein, Stow.
Absent: None.

It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to approve the minutes of the December 2 special, December 2 closed, and December 13 regular meetings as presented and to waive their reading.

Total bills payable in the amount of $278,162.11 were presented. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $215.46. It was then moved by Commissioner Johnson and supported by Commissioner Stow to pay the above excluded bill to Scot Food and allow Commissioner Ling to abstain from voting. The following vote was taken:
Ayes: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Rublein, Stow.
Nays: None.
Abstention: Commissioner Ling.
The motion was carried.

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

Mayor Mazzuchi announced that this was the time set for discussion of cable television franchise communications. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried unanimously to go into closed session at the end of the agenda to discuss the cable television litigation.

A communication from the Liquor Control Commission regarding transfer of a license for Entre Amigos was read. A second communication from Marquette Area Chamber of Commerce supporting this transfer was also read. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to approve the request from Entre Amigos of Marquette, Inc. for transfer ownership of 1981 Class C license, from Timothy J. Gannon and transfer location from escrow at 225 S. Front St., Marquette, MI 49855, to 142 W. Washington St., Marquette, MI 49855.

A report and recommendation from the City Manager regarding lease-purchase resolutions was read. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to adopt two resolutions applying to the lease-purchase of a 1982 Ford LT 9000 with spreader and an Ingersoll-Rand Roller and to authorize the Mayor and City Clerk to execute the required documents. Each of the adopted resolutions is as follows:

RESOLVED, the following described officers, employees, or agents of this corporation, whose names and signatures appear below, are hereby authorized, for and on behalf of this corporation, to negotiate and procure loans from or to give this corporation's guarantee for the debts of the guaranteed borrower listed below to the financial institution to which this certification is directed above, as from time to time they deem necessary. Said individuals may also pledge, mortgage, or grant a security interest of any of this corporation's property, whether real, personal, tangible, intangible, or mixed to secure any such loans and to discount bills receivable and any other paper held by this corporation without limit to amount.

Unless it is specifically indicated below, each individual is authorized to execute all notes, loan agreements, pledges, assignments, mortgages, guarantees, security agreements, or any other documents evidencing or securing such loans. Unless specifically designated, each may sign without the other(s).

A report and recommendation from the City Manager regarding change order #7 for the Lakeview Arena Expansion was read. Arena Manager Al Smetana answered questions regarding the need for the items in this change order. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to concur in the recommendation and to approve change order #7 as proposed, in the amount of $6,558.09.

A report and recommendation from the City Manager regarding sidewalk and parking lot snow removal bids was read. Following questions by Commissioner Johnson and comments by Public Works Director Etelamaki and Superintendent Lawry, it was moved by Commissioner Johnson and supported by Commissioner Rublein to concur in the recommendation and award the bid for snowplowing of the nine-mile route to Associated Constructors at the rate of $770.00 per plowing; of the snowhauling to Associated Constructors at the rate of $ .94 per cubic yard; and to Larry LeBoeuf for parking lot snowplowing at $94.00 per plowing for four lots and to allow Commissioner Stow to abstain from voting. Commissioner Stow said that he had a conflict of interest in this matter because he rented business space to Mr. LeBoeuf. The following vote was taken:
Ayes: Mayor Mazzuchi. Commissioners Busch, Johnson, Kulisheck, Ling, Rublein.
Nays: None.
Abstention: Commissioner Stow.
The motion was carried. It was then moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried unanimously to transfer $15,000.00 from the contingency fund, account number 101-941-956, to the sidewalk winter maintenance fund, account number 101-443-801, to cover the sidewalk snowplowing portion of this bid.

Mayor Mazzuchi then, with the Commission's concurrence, made the following reappointments: Howard Cohodas to a second term on the Economic Development Corporation Board expiring January 1, 1989, and Ann Stephenson to a four-year term on the Board of Canvassers for a second term expiring January 1, 1987. He also noted upcoming board vacancies and asked for suggestions in filling them.

Commissioner Ling noted complaints about making the property owners responsible for the unpaid water bills of their tennants. City Attorney Martin responded saying that there were several ways that property owners could protect themselves from suddenly finding themselves liable for large unpaid utility bills.

The meeting was recessed to closed session at 7:30 p.m.

The Commission returned to open session at 8:44 p.m. City Attorney Martin gave a verbal opinion that all cable television franchise communications should be received and placed on file but not read or discussed at Commission meetings because of the pending litigation.

Commissioner Busch said that there appears to be some misinformation about the cable television issue and that people should determine the facts when forming opinions.

Commissioner Johnson noted the Christmas tree disposal areas which were then listed by Department of Public Works Superintendent Lawry.

Commissioner Kulisheck wished everyone a Merry Christmas and a Happy New Year and Mayor Mazzuchi noted that the City Hall will be closed on Friday, December 31, 1982 so that tax payments to be credited during 1982 would have to be made by the 30th.

During the time set for citizens wishing to address the Commission, Tubby Bernard said that the public should decide who is to have the cable television franchise.

The meeting was adjourned at 8:50 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.