A regular meeting of the Marquette City Commission was duly called and held on Monday, January 10, 1983 in Commission Chambers of City Hall.

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

Absent: None.

It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to approve the minutes of the December 7 special, December 20 special and closed, and December 27 regular and closed meetings as presented and to waive their reading.

Total bills payable in the amount of $300,747.30 were presented. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to pay these bills as presented with the exception of the ones to Scot Food in the amount of $131.30 and to Robert Ling in the amount of $79.98. It was then moved by Commissioner Johnson, and supported by Commissioner Stow to pay the above excluded bills and to allow Commissioner Ling to abstain from voting. The following vote was taken:

Ayes: Mayor Mazzuchi, Commissioners Busch, Johnson, Kulishiek, Rublein, Stow.

Nays: None.

Abstention: Commissioner Ling.

The motion was carried.

During the time set for announcing additional agenda items, Commissioner Johnson said that she had received a letter from Rudy Heikkila pertaining to Item 9. City Manager Svanda requested that Item 9 be removed from the agenda.

During the time set for citizens wishing to address the Commission, Commissioner Stow introduced Jennifer Watt, a Rotary Exchange Student from Mackay, Queensland, Australia. Miss Watt presented a letter and a small gift from the Mayor of Mackay to Mayor Mazzuchi and said that she had enjoyed her stay in Marquette. Commissioner Stow noted that Miss Watt had been very active in activities at the High School, particularly in music and drama and that she had been an asset to the community during her year stay here. David Savu asked to speak on Item 6. The Commission agreed to a suspension of the rules to allow him more than two minutes to speak at this time. Mr. Savu said that he was representing citizens of Marquette who are requesting that a separate television cable franchise be offered to Cox Cable-Iron Range. He said that if the Commission does not do
this, his clients would file for a referendum on the cable television ordinance. Paul Churchville said that Marquette Cablevision had made a better bid than Cox for the cable television franchise and that for this reason Cox should not expect to get a franchise in the City.

Mayor Mazzuchi then announced that this was the time set for an oral report from Sister City Director Pryse Duerfeldt. Mr. Duerfeldt summarized the past year's activities in the Sister City program including the visit from the Yokaiichi delegation last summer. He outlined the plans for a delegation from Marquette to visit Yokaiichi this summer including planned travel dates and cost of the trip. The Commissioners commended Mr. Duerfeldt for his work on this program.

Mayor Mazzuchi then announced that this was the time set for an oral report from Commissioner Kulisheck on the Marquette Energy Efficiency Team. Commissioner Kulisheck announced the first open meeting on the Energy Conservation Project and outlined the program for the neighborhood meetings which would follow that. He discussed the three program activities in this energy conservation project and urged all citizens to participate.

A communication from Dr. Robert O. Berube regarding maintenance activities on the Downtown Parking Lots was read. Mayor Mazzuchi thanked Dr. Berube and the members of his Ad Hoc Committee for their work on the parking system in the Central Business District. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to ask the City Manager to give consideration to Dr. Berube's recommendations.

A recommendation from the Planning Board regarding the vacation of a portion of South Third Street and a portion of an alley in the vicinity of the Fisher School was read. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to set the next regular meeting as the time and date for a public hearing on this vacation.

A communication from the Marquette Area Wastewater Treatment Facility Advisory Board regarding an agreement between the City and the two Townships was read. City Manager Svanda verbally recommended approval of this agreement. It was moved by Commissioner Stow, supported by Commissioner Kulisheck, and carried unanimously to concur in the recommendation to approve the agreement as presented, and to authorize the Mayor and City Clerk to sign it.

Mayor Mazzuchi announced that this was the time set to discuss cable television matters. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried unanimously to consider this item of litigation.
in closed session after completion of the regular agenda.

A communication from the Board of Light and Power presenting the Board's annual 1981-82 audit was read. It was moved by Commissioner Stow, supported by Commissioner Kulichek, and carried unanimously to hold a work session with the Board of Light and Power and their auditors to discuss the audit and other matters of mutual interest.

A communication from the City's auditors presenting the City's 1981-82 audit was read. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to set a work session for the purpose of meeting with the auditors to discuss the audit.

A report and recommendation from the City Manager regarding a federal aid urban street project was read. City Manager Svanda supported this project which would be coordinated with the utility improvements being funded in the downtown area by the Small Cities Grant. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to adopt the following resolution:

WHEREAS, the Marquette City Commission has received funding from the Department of Housing and Urban Development for upgrading the public water and sanitary sewer facilities in the Central Business District of the City of Marquette, Michigan, and;

WHEREAS, the Marquette City Commission desires to secure financial assistance from Federal or State Government to help defray the cost of upgrading the street system in the Central Business District concurrent with the underground facilities improvements, and;

WHEREAS, the Marquette City Commission understands that the cost of the Local share of Federal-Aid street improvements must be made available from local sources,

NOW, THEREFORE, BE IT RESOLVED, that such local share, approximately $160,000 or 23% will be available for matching with Federal and/or State aid on July 1, 1983.

A report and recommendation from the City Manager regarding the lease for a portion of the land at the Pioneer Park baseball field was read. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously that the lease for land from the Ginging's be approved and that the Mayor and City Clerk be authorized to execute it.
A report and recommendation from the City Manager regarding change order #8 for the Lakeview Arena Expansion Project was read. It was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to approve change order #8 in the amount of $794,000 and authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager regarding bids for the Public Works building ventilation system was read. It was moved by Commissioner Busch, supported by Commissioner Ling, and carried unanimously to award this bid to Swick Plumbing and Heating in the amount of $27,405.00.

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

Mayor Mazzochi then noted that Mrs. Burnham had requested not to be reappointed to the Board of Zoning Appeals and that Neil Jandron had resigned from the Public Works Advisory Board. He thanked these two people along with all of the other people on various City boards and commissions whose terms were expiring. With the Commission's concurrence, he then made the following appointments: The reappointment of Miriam Hilton and the appointment of Martha Connelly and Lois Prusock to the Planning Board for terms expiring on February 15, 1986; the reappointment of John Ashby and the appointment of Colleen Munkres to the Board of Zoning Appeals for terms expiring on February 15, 1986; the reappointment of Lorraine Dormer and the appointment of Mike Bodrie to terms on the Handicapped Citizens Advisory Board expiring on January 10, 1986 and David Warren to a term on the Handicapped Citizens Advisory Board expiring on December 11, 1984; appointment of Milbert Karrinen to the Public Works Advisory Board for a term expiring June 9, 1983; the reappointments of Norman Potochnik and Howard McKie to terms on the Board of Review, expiring on February 1, 1986; and the appointment of George Summers, Jr. and Al Jandron to the Marquette Transit Authority for terms expiring on February 1, 1985.

The Commission then recessed to go into closed session at 8:10 p.m.

The Commission returned to open session at 9:13 p.m.

Attorney Martin said that there was no contractual agreement between Cox Cable Iron Range and the City of Marquette but that there had been an implied promise to offer WGN in return for a rate increase. It was then moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously that the City Commission agree not to do anything to terminate the temporary operating authority granted to Cox Cable Iron Range until the authority expires.
at midnight on June 22, 1983. Mayor Mazzuchi said that this was a good faith response to Cox’s offer to continue service throughout the litigation.

Commissioner Johnson noted calls from citizens of Ishpeming regarding cable television and said that the City’s authority did not extend to Ishpeming. She noted the issuance of a manual from the County Commission on Aging which lists supportive services for senior citizens and urged all seniors to obtain a copy of it.

Commissioner Kulisheck reminded people that the City would not be picking up Christmas trees this year and that people should take them to the disposal sites which have been previously identified.

Commissioner Rublein noted the closing of the Tip Top Cafe on North Third Street saying that it had been a popular spot with Marquette residents for many years. He also thanked Gert Johnson for her activities at the Tip Top during most of its existence.

Commissioner Stow said that the proposal offered by Cox Cable-Iron Range for extending their operating authority was too open-ended and that it was an invitation to extend the litigation indefinitely.

Mayor Mazzuchi noted the Chamber of Commerce annual dinner to be held at the Arena and urged people to attend.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:21 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.
OFFICIAL PROCEEDINGS OF THE MARQUETTE CITY COMMISSION
Wednesday, January 12, 1983

A special meeting of the Marquette City Commission was duly called and held at 5:00 p.m. on Wednesday, January 12, 1983 in Commission Chambers of City Hall.

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

Absent: None.

Mayor Mazzuchi announced that this meeting had been called to discuss cable television matters. There were no other items the Commission wished to add to the agenda.

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

It was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to go into closed session to discuss the cable television litigation.

The Commission recessed into closed session at 5:07 p.m.

The Commission returned to open session at 5:40 p.m. Mayor Mazzuchi made a statement regarding the stated intent of Cox Cable-Iron Range to terminate cable television service to the City on Thursday, January 13, 1983. He said that it was not the City's desire or intent that Cox terminate their service at this time. It was moved by Commissioner Kulisheck and supported by Commissioner Johnson that the City of Marquette seek a temporary restraining order to prohibit Cox Cable-Iron Range from terminating service on January 13, 1983. The following vote was taken:

Ayes: Mayor Mazzuchi, Commissioners Johnson, Kulisheck, Ling, Rublein, Stow.

Nays: Commissioner Busch.

The motion was carried.

Commissioner Kulisheck said that the damage to the elderly and shut-in persons in Marquette, to businesses, and to educational institutions that need cable television would be unjustified.

Commissioner Ling noted that there was no current binding franchise offer from Cox before the Commission.

offer from Cox before the Commission.

Commissioner Johnson said that this was a difficult situation but that it should not detract from the Commission's regular business.
There being no citizens wishing to address the Commission, the meeting was adjourned at 5:49 p.m.

Daniel S. Mazzuchi  
Mayor

Norman L. Gruber, Jr.  
City Clerk

Present: Mayor Pro Tem Stow; Commissioners Butts, Johnson, Kutisheck, King, Rublein. 
Absent: Mayor Mazzuchi.

It was moved by Commissioner King, supported by Commissioner Johnson, and carried to excuse the absence of Mayor Mazzuchi.

Mayor Pro Tem Stow announced that the purpose of this meeting was to discuss cable television litigation.

There were no citizens wishing to address the Commission.

It was moved by Commissioner Kutisheck, supported by Commissioner Johnson, and carried with no dissension to go into closed session to discuss the cable television litigation.

The meeting was recessed to closed session at 5:50 p.m.

The Commission returned to open session at 5:13 p.m.

There were no citizens wishing to address the Commission and the meeting was adjourned at 5:13 p.m.

Daniel S. Mazzuchi  
Mayor

Norman L. Gruber, Jr.  
City Clerk
OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, January 17, 1983

A special meeting of the Marquette City Commission was duly
called and held at 5:00 p.m. on Monday, January 17, 1983 in
Commission Chambers of City Hall.

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

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

Mayor Pro Tem Stow announced that the purpose of this
meeting was to discuss cable television litigation.

There were no citizens wishing to address the Commission.

It was moved by Commissioner Kulisheck, supported by
Commissioner Johnson, and carried with no dissension to go
into closed session to discuss the cable television
litigation.

The meeting was recessed to closed session at 5:05 p.m.

The Commission returned to open session at 6:12 p.m.

There were no citizens wishing to address the Commission and
the meeting was adjourned at 6:13 p.m.

Mayor Daniel S. Mazzuchi
City Clerk Norman L. Gruber, Jr. 
OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, January 31, 1983

A regular meeting of the Marquette City Commission was duly
called and held at 7:00 p.m. on Monday, January 31, 1983 in
Commission Chambers of City Hall.

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

Absent: None.

It was moved by Commissioner Stow, supported by Commissioner
Johnson, and carried unanimously, to approve the minutes of
the regular and closed meetings on January 10th, and the
special and closed meetings on January 12th, and January
17th as presented and to waive their reading.

Total bills payable in the amount of $274,989.00 were
presented. It was moved by Commissioner Johnson, supported
by Commissioner Rublein, and Carried unanimously to approve
the bills as presented with the exception of the one to
Lakeview Leasing in the amount of $30,13 and to Scot Foods
in the amount of $236,34. It was then moved by Commissioner
Johnson and supported by Commissioner Rublein to pay the
above excluded bills and allow Commissioners Ling and Stow
to abstain from voting. The following vote was taken:

Ayes: Mayor Mazzuchi, Commissioners Busch, Johnson,
Kulisheck, Rublein.

Nays: None.

Abstentions: Commissioners Ling, Stow.

The Motion was carried.

During the time set for announcing additional agenda items
City Manager Svanda asked that item 13, discussion of the
Marquette Township Water Agreement, be added to the agenda.

Mayor Mazzuchi then announced that this was the time set for
citizens wishing to address the commission. Kent Bourland
asked how to make arrangements for a presentation over the
cable television system. Paul Churchville asked to speak on
item one. Wilbert Pearson said that the City snowplow trucks
are too big, that the City should hire "overhires", that
City crews are doing too much driving around, and that the
Public Works work hours should start later in the day. Ray
Nevala asked to speak on item eight.

Mayor Mazzuchi then said that this time had been set aside
for a presentation by Iron Range Cable Television on the
removal of WGN from their program offering, but, that on
advice of counsel, Mr. Bur had decided not to attend the
meeting to make this presentation. Commissioner Ling said
that it would cost Iron Range $380 per subscriber per month
to carry WGN. Paul Churchville said that he was a township
resident and that he had sued Iron Range for withdrawing Wgn from their offerings. He said that he supported Marquette Cablevision and that he had done extensive research into the facts surrounding the cable television controversy. He said that the Commission was right in granting the franchise to Marquette Cablevision.

A communication from the City of Escanaba, regarding opposition to the federal tax requirement of 10% withholding on interest earnings, was read. It was moved by Commissioner Johnson, and supported by Commissioner Busch to adopt a resolution opposing this requirement. The following vote was taken:

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

The motion was carried. Mayor Mazzuchi said that he did not feel that it was the place of the City Commission to become involved in this sort of activity. The following resolution was adopted:

WHEREAS, recent passage of federal tax laws permits the withholding of 10% of interest earnings on all depository accounts and certificates, and,

WHEREAS, this regulation goes into effect on July 1, 1983, and,

WHEREAS, the withholding of interest earnings on savings accounts for both the elderly and teenagers places an inequitable burden on their ability to finance not only the cost of living, but the cost of education, and,

WHEREAS, the paper work and controls required to implement the withholding of a portion of interest earnings far exceeds the benefit derived to the federal government.

NOW, THEREFORE BE IT RESOLVED, that the City of Marquette on behalf of its citizens, asks our federal legislators to consider the repeal of that provision in tax law which requires the withholding of 10% of interest earned on depository accounts and certificates, or establishing a suitable limit under which these earnings would not be withheld.

A communication from the Harbor Committee, regarding the 1983 rates at the Presque Isle Marina, was read. The Commissioners expressed pleasure at the good financial status of the Marina Fund, and, noting that Tom Knauss could not be reappointed to the Committee, thanked him for both his hard work on this Committee and on the marina itself. Mr. Knauss answered questions about the proposed rate.
schedule. It was moved by Commissioner Stow, supported by Commissioner Rubelein, and carried unanimously, to adopt the proposed rate schedule as follows:

1. Pump-out fees be the same as reported in the December 12, 1982 letter from the Michigan Waterways Commission.
2. The seasonal moorage fees, and the daily and seasonal launching fees be the same as 1982, which were:
   a. $1.00 per day or $25.00 per season at the launch site.
   b. $180.00 for a 24 foot slip
      $275.00 for a 32 foot slip
      $415.00 for a 42 foot slip
      $650.00 for a 60 foot slip

A communication from the Michigan Municipal League, regarding appointments to the State Job Training Coordinating Council, was read. It was moved by Commissioner Ling, supported by Commissioner Johnson, and carried unanimously, to nominate Commissioners Kulisheck and Stow for membership on this Council.

A report and recommendation from the City Manager, regarding collection of the Summer Property Taxes for the Marquette Alger Intermediate School District, was read. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously, to authorize the City Manager to negotiate an agreement with the Intermediate School District for summer collection of their taxes. Commissioners expressed the hope that the increase in summer taxes and corresponding decrease in winter taxes would not be seen by citizens as the City raising taxes.

A report and recommendation from the City Manager, regarding the Fiscal 1983-84 Budget Development Schedule, was read. It was moved by Commissioner Johnson, supported by Commissioner Ling, and carried unanimously, to approve the budget development scheduled as proposed.

A report and recommendation from the City Manager, regarding establishment of an economic development trust fund, was read. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously, to establish a trust fund for the collection of donations for economic development purposes which will be federal tax deductible under IRS Code 170(B)(1)(A)(V).

A report and recommendation from the City Manager, regarding disposition of the quarry pond, was read. Ray Nevala addressed the Commission saying that the pond should be filled in enough to make it safe. Following a discussion, it was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously, to defer consideration of this item until budget considerations.
A report and recommendation from the City Manager, regarding bids for the landfill closure, was read. It was moved by Commissioner Ling, supported by Commissioner Johnson, and carried unanimously, to award the bid for the landfill closure to O'Doero Construction Company in the amount of $738,208.00 as recommended. The Commission discussed the fact that one of the Townships that had used the landfill for many years had recently terminated their contract so that they would avoid the closure costs, but that they were using an unlicensed landfill and would probably have trouble with state regulating agencies.

A report and recommendation from the City Manager, regarding bids for the second floor renovation of the Marquette Transportation Center, was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to concur in the City Manager's recommendation that the lowest bidder did not meet all federal regulations, and award the bid to the second low bidder, Quality Concrete in the amount of $65,775.00.

A communication from Colleen Munkres submitting her resignation from the Parking Study Committee was read. Mayor Mazzuchi then, with the Commission's concurrence, made the following appointments:

- Fred Peterson to a three year term on the Local Officers Compensation Commission
- Carol Sarver and Katherine Snively to new three year terms on the Parks and Recreation Advisory Board.
- John Ashby and Carol Stevens to new three year terms on the Fair Housing Hearing Board
- William Green to a five year term on the Marquette Housing Commission
- Pat Frenn and Darryl Davis to new three year terms on the Downtown Development Authority.
- Pete Frazier and Bart Spratto to new three year terms on the Harbor Committee

Mayor Mazzuchi also thanked Roger Bennettts for his work on the Harbor Committee.

Mayor Mazzuchi then announced that this was the time set for discussion of the Marquette Township Water Agreement. City Manager Svanda said that there had been a continuing dispute between the City and the Township regarding the length of time that the Township would be charged 175% of the City rate. He said that a compromise of nine months had been reached. It was moved by Commissioner Busch, supported by Mayor Mazzuchi, and carried unanimously to concur with the City Manager's recommendation and amend the Marquette Township Water Agreement to have the Township pay at 175% of the City rate for nine months instead of one year.

Mayor Mazzuchi reminded the Commissioners and Citizens about the work session on the 1981-82 Board of Light and Power Audit scheduled for February 6, 1983.
Commissioner Johnson thanked retiring Firefighter Kampe for his many years of work on the Fire Department, noted conflicting telephone calls saying that too much and not enough sand was being put on the streets, and said that she had referred a letter regarding the stop sign at the corner of Sixth and Hewitt to the Police Department. Police Chief Johnson said that traffic studies had indicated that the stop should be on sixth street.

Commissioner Rublein asked Public Works Director Etelamaki for his comments on the use of large snowplow trucks. Mr. Etelamaki said that the large trucks were needed to clear the snow on the highway, and that the City was fully reimbursed for their use so that there was no cost to the taxpayers in Marquette.

During the time set for citizens to address the Commission, Wilbert Pearson made comments supporting economic development. Commissioner Johnson asked Administrative Assistant Waters to report on her trip to a trade show in Atlanta seeking business prospects for Marquette. Miss Waters said that it was proving difficult to attract industry to Michigan because of the fear of high Unemployment and Workman's Compensation Insurance costs. Paul Churchville said that it was good that there had been a local group interested in bidding against Cox for the cable television franchise. Ray Nevala complimented City snow plowing crews but said that trucks plowing in tandem should also be spreading sand. Public Works Director Etelamaki said that this would not work because plowing and sanding have to be done at different speeds.

The meeting was adjourned at 8:21 p.m.

Daniel S. Mazzuchi
Mayor

Norman L. Gruber, Jr.
City Clerk
A regular meeting of the Marquette City Commission was duly called and held on Monday, February 14, 1983 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 January 23, 1983 meeting as presented and to waive their reading.

Total bills payable in the amount of $281,267.08 were presented. It was moved by Commissioner Stow, supported by Commissioner Kulisheck, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $196.95. It was then moved by Commissioner Stow and supported by Commissioner Rublein 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.

During the time set for announcing additional agenda items, City Manager Svanda asked that discussion of authorization for the Clerk to execute a document for financing the purchase of a front-end loader be added. This was added as item eight, and discussion of cable television was moved to item nine.

Mayor Mazzuchi then announced that this was the time set for a public hearing on the vacation of Third Street and an alley in the area of the Fisher School. There being no citizens wishing to address the Commission, it was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to concur with the recommendation of the Planning Board and vacate Third Street south of Mather Street and the alley west of lots 1, 1 1/2, and 2 of block 4 of White's Addition.

Mayor Mazzuchi then announced that this was the time set for citizens wishing to address the Commission. Paul Churchville said that WLUC-TV, on their news program, had given good coverage to the cable television issue in Marquette. He said that if people wanted competition between more than one
cable television company, the prices should be set by competition and not by the City Commission. He also said that both franchises should have the same requirements so that the competition would be fair.

Mayor Mazzuchi then noted that this week marked the 100th birthday of Miss Evelyn Duhamel. He complimented Miss Duhamel for her very long and active life, and said she had provided an inspiration to many people in the City.

A communication from the Chocolay Township Supervisor, regarding amendments to the three-party wastewater agreement, was read. Mayor Mazzuchi said that this agreement had already been approved by the Commission. City Manager Svanda said that the agreement, as approved by the City, had been negotiated by representatives of the City and the two townships. The Commission agreed that any changes to the negotiated agreement should be arrived at by the same process of negotiation that had produced the present agreement.

A communication from the Shiras Institute, opposing the lease of property in the Quarry Pond area to a cable television company, was read. Mayor Mazzuchi said that the City had already acted not to approve this lease. City Manager Svanda said that this had been reported to the Shiras Institute but that they would file their communication presented so that it would be made a part of the record.

A communication from Craig Stien, proposing that one of the Donor's rooms in the Lakeview Arena be designated entirely for non-smoking during NMU hockey games, was read. This communication was accompanied by a petition with 482 signatures. A recommendation from the Lakeview Arena Advisory Board, a second recommendation from Arena Manager Allan Smetana, and a communication of support from the Upper Peninsula region of the Lung Association of Michigan were also read. Dr. Carl Hammerstrom supported the ban on smoking in the Donor's room during NMU hockey games. Arena Manager Smetana answered questions regarding his recommendation to the Advisory Board and the Commission. Following a lengthy discussion, it was moved by Commissioner Busch and supported by Commissioner Kulicheck to concur in the recommendation of the Lakeview Arena Advisory Board that, during the first two home series of the 1983-84 hockey series, the west Donor's room be designated for non-smoking and that the public be informed of this designation. The following vote was taken:

Ayes: Commissioners Busch, Johnson, Kulicheck, Ling.
Nays: Mayor Mazzuchi, Commissioners Rublein, Stow.

The motion was carried.

Mayor Mazzuchi then announced that this was the time set for Steve Pelto to address the Commission. Mr. Pelto, representing himself and the Marquette Apartment Owners
Association, complained about the water billing procedure that requires landlords to be responsible for the unpaid water bills of their tenants. He also said that the volume steps in the fee schedule for water was unfair to apartment owners. Water and Sewer Accountant Kathy Foulks explained what was being done to alleviate the situation of landlords being charged for their tenants' unpaid water bills. She said that part of the problem had resulted from the City going to a two-month billing cycle as opposed to monthly, and that attempts were being made to see that landlords were notified immediately of any unpaid water bills when a tenant moves out. City Manager Svanda said that the rate structure could be analyzed further at the Commission's wish. The Commission agreed to consider this during the budget review time.

Prior to the Clerk reading item six, a communication from Mark A. Small and William O'Connor, Commissioner Ling raised a point of order. He said that as this letter pertained to a matter of legislation, it should not be publicly presented to the Commission. It was moved by Commissioner Stow, supported by Commissioner Busch, and carried unanimously to table presentation of this letter until the City Attorney can give an opinion on this matter.

A report and recommendation from the City Manager, regarding proposals for the Regional Economic Development Project priority listing, was read. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried unanimously to concur in the Manager's recommendation and adopt the following two resolutions:

WHEREAS, the City of Marquette wishes to undertake the construction of Downtown Development during the 1983 calendar year; and

WHEREAS, we desire to secure financial assistance from the federal and/or state government to help defray the cost of construction; and

WHEREAS, the total cost of said project is estimated to be unknown; and

WHEREAS, the project will be ready for construction by early 1983; and

WHEREAS, a share of the total project cost is available from local sources;

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County OEDP Committee be requested to include the above named project in the 1983 list of industrial development projects which will be forwarded to the CUPPAD Commission.
WHEREAS, the City of Marquette wishes to undertake the construction of River Park Complex during the 1983 calendar year; and

WHEREAS, we desire to secure financial assistance from the federal and/or state government to help defray the cost of construction; and

WHEREAS, the total cost of said project is estimated to be $470,000.00; and

WHEREAS, the project will be ready for construction by early 1983; and

WHEREAS, a share of the total project cost is available from local sources;

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County OEDP Committee be requested to include the above named project in the 1983 list of industrial development projects which will be forwarded to the CUPPAD Commission.

Mayor Mazzuchi then announced that this was the time set for discussion of approval of a financing agreement for the purchase of a front-end loader. City Manager Svanda explained that the bid for this unit had been awarded to Lakeshore, Inc. in December of 1982 and that the unit was now ready for delivery. He explained the financing terms that had been arranged with Northern Michigan Bank on the basis of their low bid on the interest rate. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to approve the following resolution:

BE IT FURTHER RESOLVED, that the City under the signature of its Clerk and Mayor be and hereby is authorized to borrow from Northern Michigan Bank the sum of $70,972.80 binding the full faith and credit of the City therefor by promissory note in appropriate form.

Mayor Mazzuchi then announced that this was the time set for discussion of the cable television issue. Commissioner Kulishek asked if the discussion of the $30,000 penalty that had been assessed by the City against Marquette Cablevision could be discussed in closed session. Mayor Mazzuchi responded that the City Attorney's advice had been to go into closed session to discuss all cable television related matters, because of the scope of the lawsuit that the City is involved in. It was moved by Commissioner Stow, supported by Commissioner Busch, and carried unanimously to go into closed session to discuss this matter of litigation.
The meeting was recessed to closed session at 8:05 p.m.

The Commission returned to open meeting at 8:41 p.m. Commissioner Johnson said that several people had phoned her asking that no more sand be put on the streets. She said that a man had called with an idea for a user fee for having the police open locked cars. She commended the Public Works Department for the downtown snow removal and said that she had received several calls regarding the change in collection of the Marquette-Alger Intermediate School District taxes. She said that she was pleased to get the water study which indicated that the City's water rates were not out of line with other cities. She said that information from CUPPAD indicated that the Michigan-Wisconsin Electric Company was proposing to do an industrial development program for the Upper Peninsula. She also noted people's concern about the $100.00 fee for turning on water service that has been shut off over the winter.

Commissioner Busch suggested that there be a weekly report from the City Attorney. Commissioner Kulisheck supported this. Mayor Mazuuchi suggested that they speak individually with the Attorney regarding this.

Commissioner Kulisheck also said that he was concerned about a pedestrian accident that occurred this weekend at Cliff's Ridge. He asked the Police Department to review their records of accidents in the Cliff's Ridge area and attempt to determine the need for a traffic warning signal in that location.

Mayor Mazuuchi said that, at this point, Mayor Exchange Week had tentatively been established with the City of Battle Creek for this year. He then displayed a plaque that had been given to the City by the Marquette Area Chamber of Commerce for the City's work in economic development in the Marquette area. He said that it was nice for the City's efforts to be recognized.

City Manager Svanda reported that tours of the Board of Light and Power's Shiras III Generating Plant would be held for the Commissioners this week.

During the time set for citizens wishing to address the Commission, Paul Churchville said that he was upset by people's questioning of motives of the different groups involved in the cable television controversy. He then discussed the fairness of competition in the cable television issue and said there was a need for public education on this issue.

The meeting was adjourned at 8:58 p.m.
A regular meeting of the Marquette City Commission was duly called and held at 1:00 p.m. on Monday, February 28, 1983 in Commission Chambers of City Hall.

Present: Mayor Mazzuchi, Commissioners Johnson, Kulisheck, Rubleini, Stow.

Absent: Commissioner Busch.

It was moved by Commissioner Stow, supported by Commissioner Johnson and carried to excuse Commissioner Busch as he is out of town.

It was then moved by Commissioner Stow, supported by Commissioner Rubleini and carried to approve the minutes of the February 14, 1983 regular and closed meetings as presented.

Total bills payable in the amount of $262,532.74 were presented. It was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried to pay the bills as presented with the exception of the ones to Scot Ford in the amount of $219,08. Commissioner Ling explained that the bills to Scot Ford are for most products from Vollerting Inc. which are purchased for resale at the Lakeview Arena. He said that they are purchased according to the low bid and that the Charter requires that he not vote on the payment of this bill because he has a direct financial interest in that payment. He said that he did not understand why Cox Cable Television had raised the issue of his not voting on the payments to Scot Ford. It was then moved by Commissioner Johnson and supported by Commissioner Stow to pay the above excluded bill to Scot Ford and allow Commissioner Ling to abstain from voting. The following vote was taken:

Ayes: Mayor Mazzuchi, Commissioners Johnson, Kulisheck, Rubleini, Stow.

Nays: None.

Abstention: Commissioner Ling.

The motion was carried.

There were no additional items to be added to the agenda.

During the time set for citizens wishing to address the Commission, Michael Michael complained about the Ozzy Osbourne concert scheduled for the Lakeview Arena on the basis of Mr. Osbourne's cruelty to animals and his devil worship. Mayor Mazzuchi and Arena Manager Sivanes discussed the precautions that have been taken to prevent these sorts of activities during the concert. Paul Churchville said that a petition being circulated to grant a franchise to Cox Cable
OFFICIAL PROCEEDINGS OF THE MARQUETTE CITY COMMISSION
Monday, February 28, 1983

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, February 28, 1983 in Commission Chambers of City Hall.

Present: Mayor Mazzuchii, Commissioners Johnson, Kulischeck, Rublein, Stow.
Absent: Commissioner Busch.

It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried to excuse Commissioner Busch as he is out of town.

It was then moved by Commissioner Stow, supported by Commissioner Rublein, and carried to approve the minutes of the February 14, 1983 regular and closed meetings as presented.

Total bills payable in the amount of $162,533.74 were presented. It was moved by Commissioner Johnson, supported by Commissioner Kulischeck, and carried to pay the bills as presented with the exception of the one to Scot Food in the amount of $210.08. Commissioner Ling explained that the bills to Scot Food are for meat products from Vollwerth, Inc., which are purchased for resale at the Lakeview Arena. He said that they are purchased according to the low bid and that the Charter requires that he not vote on the payment of this bill because he has a direct financial interest in that payment. He said that he did not understand why Cox Cable Television had raised the issue of his not voting on the payments to Scot Foods. 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 Mazzuchii, Commissioners Johnson, Kulischeck, Rublein, Stow.
Nays: None.
Abstention: Commissioner Ling.
The motion was carried.

There were no additional items to be added to the agenda.

During the time set for citizens wishing to address the Commission, Michael Nutini complained about the Ozzy Osbourne concert scheduled for the Lakeview Arena on the basis of Mr. Osbourne's cruelty to animals and his devil worship. Mayor Mazzuchii and Arena Manager Smetana discussed the precautions that have been taken to prevent these sorts of activities during the concert. Paul Churchville said the petition being circulated to grant a franchise to Cox Cable
Television was unfair to Marquette Cablevision and to the City in that it gives Cox preferential treatment.

Commissioner Ling then addressed the Commission as a citizen saying that he and other Korean War veterans who have been unable to watch the TV show M*A*S*H could relax now, because with the show's last episode being aired this evening, the Korean War was, for them, over.

A communication from the Liquor Control Commission regarding a liquor license transfer at Vango's, Inc. was read. It was moved by Commissioner Stow, supported by Commissioner Rublein, and carried that the request from Vango's, Inc. for transfer ownership of 1982 12 months resort Class C licensed business located at 927 N. Third Street, Marquette, Michigan from Clark E. Lambros be approved and that the application be recommended for issuance.

A communication from St. John the Baptist Catholic Church, regarding a 24-hour liquor license, was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried to approve a 24-hour liquor license for St. John the Baptist Catholic Church at the St. John's Recreation Hall on April 9, 1983.

A communication from the Hiawatha Music Coop, regarding a 24-hour liquor license, was read. It was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried to approve a 24-hour liquor license for the Hiawatha Music Coop at the Marquette Armory on March 19, 1983.

A report and recommendation from the City Manager, regarding rating criteria for industrial tax abatement applications, was read. It was moved by Commissioner Stow, supported by Mayor Mazzuchi, and carried to adopt the rating system as proposed. City Manager Svanda answered questions regarding the specific criteria, the points assigned to each criteria, and the desirability for the City to grant industrial tax abatements as allowed by Act 198.

Mayor Mazzuchi then announced that this was the time set for a verbal report regarding private support for the Economic Development Program. Administrative Assistant Waters reported on the groups that were solicited. These groups included: public utility companies, the City's largest employers, the railroads, financial institutions, media companies, and service organizations. She said that the groups that had contributed so far to the fund-raising effort were the Board of Light and Power, Upper Peninsula Generating Company, Marquette General Hospital, Northern Michigan University, the Soo Line Railroad, Detroit and Northern Savings and Loan, Northern Michigan Bank, WLUC-TV, the Mining Journal, the Zonta Club, WMQT Radio, WJJD Radio, and a special contribution from the Marquette City Economic
Development Corporation. She said that these contributions would be used to match grant monies and that the City's goal was to raise $30,000 through the contribution, of which more than half has been raised already.

Commissioner Stow said that he had received a compliment from Seasons Restaurant, regarding the very professional conduct of two police officers during an arrest that they made at the restaurant last week.

Commissioner Rublein made several comments about good experiences enjoyed by citizens throughout the City during the U.S. Winter Games this weekend. He said that he had been involved in providing housing for the students and that he and his family had developed very close ties with the students who had stayed with them.

Commissioner Kulishek reminded the public that the speed limit at the Marquette Mountain Ski Hill is 35 miles per hour and said it was important to observe this speed limit because of the recent pedestrian accident there.

Commissioner Johnson thanked the Board of Light and Power for the tour of the new steam plant, noted many calls about the Ozzy Osbourne concert, said that one person had been concerned about circulating petitions at the Arena, and noted her disappointment in the communication from USF & G.

Mayor Mazzuchi expressed the City's condolences to Assistant Fire Chief Frank Sciotto and his family on their recent loss. He also thanked the people involved in the U.S. Winter Games and said that this activity helped to create a community spirit throughout the entire Upper Peninsula. He said that the commissioned assessment of the U.S. Generating Plant indicates a possible 15% decrease in value for the plant and that this could have a significant effect on the City's property tax income. He also noted a meeting on Tuesday morning to discuss the proposed reconstruction of Washington Street this summer.

Jessie Wright addressed the Commission complaining about water billing procedures and rates. Paul Churchville said that Cox Cable Television had misrepresented the cost of carrying WGN and that it really was about one-half of the price they had said it would be.

The meeting was adjourned at 8:53 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.
OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, March 1, 1983

A special meeting of the Marquette City Commission was duly called and held at 7:30 a.m. on Tuesday, March 1, 1983 in Commission Chambers of City Hall.

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

Mayor Mazzuchi called the meeting to order and said that it had been called to allow open discussion of the proposed redevelopment of West Washington Street, especially the 100 block. He said that the Downtown Development Authority, the Planning Board, and the Parking Advisory Committee had been asked to attend, as well as interested business and property owners from the downtown area. He explained that the City would be using Federal grant monies to rebuild the underground utilities in the downtown area this summer and that the streets would be repaved following this work. The areas affected include Washington Street, and portions of Front, Third, and Fourth Streets. He said that the City felt that the sidewalks along the 100 block of West Washington should be rebuilt according to the Master Plan for the Central Business District as long as the other work is being done, in order to prevent a second construction project later. He then called on architect Lincoln Poley to explain the plan for the Central Business District.

Mr. Poley explained the plan and how it would affect the sidewalks in the 100 block of West Washington. He said that as a part of the circular, one-way, traffic pattern planned for Washington, Third, Spring, and Front Streets the parking would be taken off the 100 block of West Washington and wide sidewalks constructed with landscaping to enhance the area's appearance.

It was explained that because neither the Federal grant nor the Department of Transportation funds would cover Sidewalk construction, that cost is proposed to be borne by the property owners through a special assessment district. Project Engineer, Mike Pond presented projected cost estimates of the sidewalk using different widths, and different materials. Several persons addressed the Commission regarding the proposed removal of parking and the construction schedule. Some opposition to the late start of construction in July was expressed. City Manager Svanda explained that the late start was proposed because of the upcoming rodeo and Fourth of July parades, but that construction possibly could start sooner if the affected businesses felt that was important.
Mayor Mazzuchi asked that the Downtown Development Authority monitor the development of the plans and construction schedule for this project so that any problems they foresee can be addressed while the plans can still be altered.

The meeting was adjourned at 8:30 a.m.

Daniel S. Mazzuchi
Mayor

Norman L. Gruber, Jr.
City Clerk

Total bills payable in the amount of $4,926.73 were presented, and was moved by Commissioner Johnson, seconded by Commissioner Busch, and carried unanimously to pay the bills as presented, with the exception of the one to Scot Food in the amount of $774.86. It was then moved by Commissioner Johnson and seconded by Commissioner Busch to pay the above-mentioned bill to Scot Food and allow Commissioner Ling to abstain from voting. The following vote was taken:

Aye: Mayor Mazzuchi, Commissioners Busch, Johnson, Kulisheck, Ruble, Sow.

Nay: None

Abstention: Commissioner Ling.

The motion was carried.

During the time set for announcing additional agenda items, Commissioner Johnson asked that item 6, two petitions regarding the City Park radio concert, be added. City Manager Svands asked that item 5, discussion of cable television litigation, be continued, and item 6, be added.

Mayor Mazzuchi then made the following proclamation:

The Order of Demolay is a character building organization of young men from thirteen to twenty-one years of age who are seeking to prepare themselves to become better citizens and leaders for tomorrow by developing those traits of character which have strengthened good men in all ages; and the organization has carried out the aforementioned goals for over fifty years through programs of athletic competition, social activity, and civic service and charitable projects; and the members of Demolay Chapter will observe the year of 1983 as the 75th ANNIVERSARY OF THE ORGANIZATION.
A regular meeting of the Marquette City Commission was duly called and held on Monday, March 14, 1983 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 Stow, supported by Commissioner Busch, and carried unanimously to approve the minutes of the February 28, 1983 meeting as presented and to waive their reading.

Total bills payable in the amount of $166,737.44 were presented. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $73.85. It was then moved by Commissioner Johnson and supported by Commissioner Busch 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.

During the time set for announcing additional agenda items, Commissioner Johnson asked that item 8, two petitions regarding the Ozzy Osbourne concert, be added. City Manager Svanda asked that item 9, discussion of cable television litigation, in closed session, be added.

Mayor Mazzuchi then made the following proclamation regarding DEMOLAY WEEK:

The Order of DeMolay is a character building organization of young men from thirteen to twenty-one years of age, who are seeking to prepare themselves to become better citizens and leaders for tomorrow by developing those traits of character which have strengthened good men in all ages; and the organization has carried out the aforementioned goals for over fifty years through programs of athletic competition, social activity, and civic service and charitable projects; and the members of Fellowship Chapter will observe the year of 1983 as the 64th ANNIVERSARY OF THE ORDER
so as to exemplify to all citizens here and everywhere their many activities, and to tender recognition to their millions of Senior DeMolays, now by the authority vested in me, I proclaim that March 14 through 21, 1983, be observed as INTERNATIONAL DEMOLAY WEEK and call upon all our citizens to join in saluting the young men of the Order of DeMolay, and in expressing our grateful appreciation for the fine example set by them, in contributing to the welfare of our community by addressing themselves to the building of good character among our youth; thus aiding in the development of leadership for tomorrow.

A communication from the Knights of Columbus, regarding HELP RETARDED CHILDREN WEEK, was read. Mayor Mazzuchi then made the following proclamation:

WHEREAS, the Knights of Columbus Council 689, Marquette will hold their annual drive to raise money to help retarded children, and

WHEREAS, this drive will be on Friday, Saturday, and Sunday, March 25, 26, and 27, 1983, and

WHEREAS, the Knights of Columbus will raise this money by selling tootsie rolls in the 100 block of West Washington Street and at Jack's IGA, Shopko, and the Marquette Mall, and

WHEREAS, the Knights of Columbus has raised money for this most worthwhile cause be selling tootsie rolls each year,

NOW, THEREFORE, I, Daniel S. Mazzuchi, Mayor of the City of Marquette, Michigan, do hereby proclaim the week of March 21 through March 27, 1983 as HELP RETARDED CHILDREN WEEK in Marquette, and urge all citizens to participate in this project.

Mayor Mazzuchi then announced that this was the time set for citizens wishing to address the Commission. Marvin Schauland opposed the Ozzy Osbourne concert scheduled for the Lakeview Arena and asked that the Commission cancel the contract.

A communication from the Michigan Liquor Control Commission was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to approve the addition of Louis DePetro, Jr, as partner on the 1982-83 SDM license with Louis DePetro at 1901 Presque Isle Avenue.

Mayor Mazzuchi then announced that this was the time set for discussion of the downtown water, sewer, street, and sidewalk reconstruction project. City Manager Svanda
discussed the development of the project to date and the status of its plans. City Engineer Bob Haapala described the specific proposal, especially in regards to the 100 block of West Washington Street and gave a tentative schedule for the construction project. Ray Beauchamp, representing downtown interests, said that most support the plan, but are concerned about loss of parking and want to stress that the project is only part of a larger plan that called for additional parking. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously that the City Commission go on record as supporting the conceptual plan and the interests of the downtown merchants.

A report and recommendation from the City Manager, regarding the grievance of employee Joe Holm, was read. Ed Faccio, representing the AFSCME Union, presented the union side of the grievance. City Manager Svanda presented his recommendation to the Commission. Mr. Faccio asked for a formal response from the City regarding these grievances. It was moved by Commissioner Johnson and supported by Commissioner Ling to deny the grievance. The following vote was taken:

Ayes: Commissioners Busch, Johnson, Kulisheck, Ling, Stow.
Nays: Mayor Mazzuchi, Commissioner Rublein.

The motion was carried.

A report and recommendation from the City Manager, regarding the Mark Davis grievance, was read. Mr. Faccio presented the Union's position. City Manager Svanda and Water and Sewer Superintendent Paul Seglund answered questions regarding the administration's position on this grievance. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to sustain management's position and deny the grievance.

Mayor Mazzuchi noted Sally Hruska's resignation from the Parking Advisory Committee and said that this leaves two openings on this committee.

Commissioner Johnson said that two separate petitions opposing the Ozzy Osbourne concert at the Lakeview Arena had been presented. Marvin Schauland addressed the Commission objecting to the concert. He read quotes from several magazine articles regarding Mr. Osbourne. Mayor Mazzuchi said that it was not the Commission's place to dictate taste and that appropriate precautions had been taken by the Commission and the Arena Manager to insure that there are no undesirable events at this concert.

Mayor Mazzuchi announced this was the time set to discuss cable television litigation. It was moved by Commissioner Stow, supported by Commissioner Kulisheck, and carried unanimously to go into closed session to discuss this litigation.
The meeting was recessed to closed session at 8:28 p.m.

The Commission returned to open session at 9:00 p.m. Commissioner Stow commended the Arena staff and Junior Hockey officials for the good hockey tournament that had been held in Marquette last weekend.

Commissioner Rublein commented favorably on the hockey tournament saying that it had a positive economic impact on the City.

Commissioner Johnson said several people were very concerned over sewer backup responsibilities and that she was glad that the bridge over the Dead River on Lakeshore Boulevard is being repaired. She also noted several calls about dogs and cats running loose.

Mayor Mazzuchi reminded citizens that the budget hearings would start on Tuesday, April 12 and encouraged people to come and participate in the hearings.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:05 p.m.

Daniel S. Mazzuchi
Mayor

Norman L. Gruber, Jr.
City Clerk
OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
MONDAY, MARCH 28, 1983

A REGULAR MEETING OF THE MARQUETTE CITY COMMISSION WAS DULY
CALLED AND HELD AT 7:00 P.M. ON MONDAY, MARCH 28, 1983 IN
COMMISSION CHAMBERS OF CITY HALL.

PRESENT: MAYOR MAZZUCHI, COMMISSIONERS BUSCH, JOHNSON,
KULISHECK, LING, RUBLEIN, STOW.

ABSENT: NONE.

IT WAS MOVED BY COMMISSIONER STOW, SUPPORTED BY COMMISSIONER
RUBLEIN, AND CARRIED UNANIMOUSLY TO APPROVE THE MINUTES OF
THE MARCH 1 SPECIAL AND MARCH 14 REGULAR AND CLOSED MEETINGS
AS PRESENTED AND TO DISPENSE WITH THEIR READING.

TOTAL BILLS PAYABLE IN THE AMOUNT OF $207,342.63 WERE
PRESENTED. IT WAS MOVED BY COMMISSIONER JOHNSON, SUPPORTED
BY COMMISSIONER KULISHECK, AND CARRIED UNANIMOUSLY TO PAY
THE BILLS AS PRESENTED WITH THE EXCEPTION OF THE ONE TO SCOT
FOOD IN THE AMOUNT OF $131.30. IT WAS THEN MOVED BY
COMMISSIONER JOHNSON AND SUPPORTED BY COMMISSIONER KULISHECK
TO PAY THE ABOVE EXCLUDED BILL 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,
CITY ATTORNEY MARTIN ASKED THAT ITEM 12, A REQUEST TO AMEND
THE MOTOR VEHICLE CODE, BE ADDED.

DURING THE TIME SET FOR CITIZENS WISHING TO ADDRESS THE
COMMISSION, ROBERT LUKE AND PAUL CHURCHVILLE BOTH ASKED TO
SPEAK ON ITEM 4. STUDENTS FROM A LAND AND WATER REGULATION
CLASS FROM THE DEPARTMENT OF GEOGRAPHY AT NORTHERN MICHIGAN
UNIVERSITY WERE IDENTIFIED AS A GROUP ATTENDING THE MEETING.

A COMMUNICATION FROM THE CITY OF CAMPINAS, BRAZIL, REGARDING
A ROTARY EXCHANGE STUDENT, RENATO GUIMARAES III, WAS READ.
COMMISSIONER STOW SAID THAT THE ROTARY YOUTH EXCHANGE
PROGRAM FOR HIGH SCHOOL STUDENTS HAS BEEN VERY ACTIVE IN
MARQUETTE. HE SAID THAT THREE STUDENTS WERE VISITING IN
MARQUETTE WHILE FIVE MARQUETTE STUDENTS HAD LEFT FOR OTHER
COUNTRIES THIS YEAR. NEXT YEAR SEVEN STUDENTS WILL BE
LEAVING MARQUETTE FOR OTHER COUNTRIES. MAYOR MAZZUCHI
COMPLIMENTED THIS AND OTHER STUDENT EXCHANGE PROGRAMS SAYING
THAT THEY DO A GREAT DEAL TO ENCourAGE INTERNATIONAL
UNDERSTANDING.
A COMMUNICATION FROM THE PETER WHITE PUBLIC LIBRARY BOARD, REGARDING THEIR REQUEST FOR 1983-84 MILLAGE FOR LIBRARY OPERATIONS, WAS READ. COMMISSIONER LING SAID THAT THIS ADVISORY COMMUNICATION FOR THE CITY COMMISSION IS REQUIRED BY LAW.

A COMMUNICATION FROM THE LAKE SUPERIOR AND ISHPeming RAILROAD, REGARDING WHISTLEBLOWING IN THE CITY OF MARQUETTE, WAS READ. CITY MANAGER SVANDA INDICATED THAT APPARENTLY THE RESTRICTION ON WHISTLEBLOWING HAD BEEN BY AGREEMENT BETWEEN THE RAILROAD AND THE CITY, RATHER THAN BY ORDNANCE. IT WAS MOVED BY COMMISSIONER STOW, SUPPORTED BY COMMISSIONER LING, AND CARRIED UNANIMOUSLY TO DIRECT THE MANAGER AND ATTORNEY TOGETHER TO INVESTIGATE THIS MATTER AND TO REPORT TO THE COMMISSION AT THE NEXT REGULAR MEETING WITH THEIR RECOMMENDATION.

MAYOR MAZZUCHI THEN ANNOUNCED THAT THIS WAS THE TIME SET FOR A REPORT ON THE CABLE TELEVISION PETITION FINDINGS. CITY CLERK GRUBER REPORTED THAT ALTHOUGH HE HAD COMPLETED HIS CANVASS OF THE PETITIONS ON TUESDAY, PRIOR TO THE COMMISSION MEETING, ALLEGATIONS HAD BEEN MADE AS TO THE LEGALITY OF SOME OR ALL OF THE PETITIONS. HE SAID THAT SINCE THESE ALLEGATIONS HAD BEEN MADE BEFORE THE CITY COMMISSION MEETING AT WHICH THE PETITIONS WOULD HAVE BEEN PRESENTED, AND UPON CONSULTATION WITH THE CITY ATTORNEY, HE HAD DETERMINED THAT THESE CHARGES SHOULD BE INVESTIGATED BEFORE THE PETITIONS ARE PRESENTED TO THE COMMISSION. HE SAID THAT IF, FOLLOWING THE INVESTIGATION, SUFFICIENT SIGNATURES WERE STILL ON THE PETITIONS, THE PETITIONS WOULD BE PRESENTED TO THE COMMISSION. HOWEVER, IF INSUFFICIENT SIGNATURES REMAIN, THE PERSON FILING THE PETITION WOULD BE NOTIFIED THAT THEY HAVE FIFTEEN MORE DAYS TO FILE ADDITIONAL SIGNATURES. HE SAID THAT THIS INVESTIGATION SHOULD BE DONE BEFORE THE NEXT CITY COMMISSION MEETING.

ROBERT LUKE ADDRESSED THE COMMISSION SAYING THAT THE PETITIONS SHOULD HAVE BEEN APPROVED AFTER THE FIFTEEN DAY REVIEW PERIOD IN THE CHARTER. PAUL CHURCHVILLE SAID THAT THE PETITION WOULD GIVE AN UNFAIR ADVANTAGE TO COX CABLE TELEVISION AND WOULD PUT MARQUETTE CABLEVISION OUT OF BUSINESS. ROBERT LUKE SAID THAT MR. CHURCHVILLE WAS NOT A CITIZEN OF MARQUETTE AND THAT THE PETITION WOULD ALLOW COMPETITION. MR. CHURCHVILLE SAID THAT EVENTS IN MARQUETTE AFFECT HIM AND HIS FAMILY AND THAT HE WOULD LIKE TO MEET WITH THE PEOPLE WHO WANT COMPETITION TO ADVANCE THAT GOAL.

A REPORT AND RECOMMENDATION FROM THE CITY MANAGER REGARDING FISCAL YEAR 1982-83 BUDGET REVISIONS WAS PRESENTED. CITY MANAGER SVANDA BRIEFLY SUMMARIZED THIS REPORT AND THE PROPOSED BUDGET ADJUSTMENTS. FOLLOWING A DISCUSSION REGARDING THE PROJECTED DEFICIT IN THE WATER AND SEWER FUND, IT WAS MOVED BY COMMISSIONER LING, SUPPORTED BY COMMISSIONER STOW, AND CARRIED UNANIMOUSLY TO DIRECT THE WATER AND SEWER ACCOUNTANT TO DO A RATE STUDY AND TO PROPOSE RATES THAT WILL
PROVIDE THE REVENUE FROM THE UTILITY SO THAT IT CAN BE FUNDED ON A SELF-LIQUIDATING BASIS. IT WAS THEN MOVED BY COMMISSIONER JOHNSON, SUPPORTED BY MAYOR MAZZUCHI, AND CARRIED UNANIMOUSLY TO ADOPT THE ENTIRE PACKAGE OF BUDGET REVISIONS AS PROPOSED BY THE CITY MANAGER INCLUDING ALTERNATE THREE REGARDING THE WATER AND SEWER FUND. THE FOLLOWING BUDGET REVISIONS WERE MADE:

1. GENERAL FUND REVENUE REVISIONS:

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<td>1,000</td>
<td>0</td>
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<tr>
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<td>$7,166,056</td>
<td>$7,129,556</td>
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2. GENERAL FUND EXPENDITURE REVISIONS:

<table>
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<tr>
<th>ACCOUNT TITLE</th>
<th>APPROPRIATION</th>
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<th>ADJUSTMENT</th>
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<tr>
<td>CITY COMMISSION</td>
<td>17,850</td>
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<tr>
<td>FINANCE &amp; ACCOUNTING</td>
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<td>Budget 2</td>
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<td>RUBBISH COLLECTION</td>
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<td>TITLE III B OAA</td>
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<td>TITLE III B OAA HOMEMAKER</td>
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<tr>
<td>MCCA</td>
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<td>BALLFIELDS</td>
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<td>TENNIS COURTS</td>
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<td>PLAYGROUNDS</td>
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<td>ICE SKATING PROGRAMS</td>
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<td>+4,500</td>
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<tr>
<td>ZOO</td>
<td>8,725</td>
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<td>ARTIFICIAL ICE RINK</td>
<td>473,006</td>
<td>480,006</td>
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<td>SKI AREA</td>
<td>21,970</td>
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<td>COMMUNITY CENTER</td>
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<td>TRAILER PARK</td>
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<td>0</td>
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<tr>
<td>OUTDOOR ICE RINKS</td>
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<td>MARITIME MUSEUM</td>
<td>900</td>
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<td>+500</td>
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<tr>
<td>FORESTRY</td>
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<tr>
<td>ACCOUNT</td>
<td>PROJECTED</td>
<td>ADJUST-</td>
<td>ADJUSTMENT</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------</td>
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<td>------------</td>
</tr>
<tr>
<td>TOTAL GENERAL FUND</td>
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</tr>
<tr>
<td></td>
<td>$7,271,056</td>
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<td>$7,114,886</td>
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3. FEDERAL REVENUE SHARING FUND REVENUE AND EXPENDITURE ADJUSTMENTS:

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>PROJECTED</th>
<th>ADJUST-</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL FEDERAL FUND REVENUE</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>$710,354</td>
<td>$868,516</td>
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<tr>
<td></td>
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<td>+158,182</td>
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</table>

4. MARQUETTE AREA WASTEWATER TREATMENT FACILITY FUND REVENUE AND EXPENDITURE ADJUSTMENTS:

<table>
<thead>
<tr>
<th>ACCOUNT</th>
<th>PROJECTED</th>
<th>ADJUST-</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL MARQUETTE FUND REVENUE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$990,995</td>
<td>$1,010,995</td>
</tr>
<tr>
<td></td>
<td></td>
<td>+20,000</td>
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</table>
FY 1982-83 Appropriations $990,995 $1,010,995 +20,000

5. WATER AND SEWER FUND REVENUE AND EXPENDITURE ADJUSTMENTS:

<table>
<thead>
<tr>
<th>Account Title</th>
<th>Adopted Estimate</th>
<th>Projected Actual</th>
<th>Adjustment</th>
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<tr>
<td>FY 1982-83 Appropriations</td>
<td>$2,640,921</td>
<td>$2,406,239</td>
<td>-234,682</td>
</tr>
</tbody>
</table>

Expenses

| FY 1982-83 Appropriations | $2,640,921 | $2,508,907 | -132,014 |

Also option three, regarding the projected deficit in the water and sewer utility fund, which is: At a later date, appropriate the balance of the general fund contingency, $22,112, and any surplus (currently projected at $14,670) to supplement the water and sewer utility fund.

A report and recommendation from the city manager, regarding an amendment to the contract with Sundberg, Carlson, and Associates for engineering on the small cities project, was read. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to approve the amendment to the Sundberg, Carlson, and Associates contract and to authorize the mayor and city clerk to execute it.

A report and recommendation from the city manager, regarding extension of the development deadline for lots in the Marquette Industrial Park, was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to grant an additional one-year extension in the deadline for development for the lots in the Marquette Industrial Park owned by the Union National Bank and North State Equipment until April 1, 1984 with the provision that the city may exercise a buy-back option to re-purchase the property at the original purchase price with a 30-day notice to either party.

A report and recommendation from the city manager, regarding a petition for alley paving between fourth and fifth streets was read. It was moved by Commissioner Busch, supported by Commissioner Kulishke, and carried unanimously to concur with the manager's recommendation not to proceed with this project at this time because the city has been unable to budget its share of the projected project cost in the budget and its share of the proposed capital outlay budget. It was agreed to discuss this further during the budget review sessions.
A REPORT AND RECOMMENDATION FROM THE CITY MANAGER, REGARDING THE AWARD OF A GRANT FOR THE SHIRAS PLANT BEACH PROJECT, WAS READ. MR. SVANDA REPORTED THAT IT WAS HOPED THAT MOST OF THE LOCAL MATCH WOULD BE AVAILABLE IN IN-KIND CONTRIBUTIONS FROM THE BOARD OF LIGHT AND POWER AS A RESULT OF THEIR SITE DEVELOPMENT WORK FOLLOWING THE CONSTRUCTION OF THE SHIRAS UNIT III BUT THAT THE CITY MIGHT HAVE TO APPROPRIATE SOME FUNDS TO BE USED AS A MATCH. IT WAS THEN MOVED BY COMMISSIONER LING, SUPPORTED BY COMMISSIONER JOHNSON, AND CARRIED UNANIMOUSLY TO ADOPT THE FOLLOWING RESOLUTION:

WHEREAS, THE CONSTRUCTION OF THE SHIRAS STEAM PLANT ADDITION HAS ELIMINATED THE FORMER ACCESS AND PARKING FOR THE NEARBY PUBLIC BEACH; AND,

WHEREAS, THIS IS A NEGATIVE IMPACT UPON A COASTAL RECREATION RESOURCE; AND,

WHEREAS, FUNDS ARE AVAILABLE FROM THE COASTAL ENERGY IMPACT PROGRAM ON A 70% STATE - 30% LOCAL BASIS TO REDUCE THE IMPACT OF THIS UNAVOIDABLE RECREATIONAL LOSS; AND,

WHEREAS, THE 30% LOCAL MATCH IS $38,592 AND CAN BE EITHER IN IN-KIND CONTRIBUTIONS OR IN LOCAL FUNDS;

NOW THEREFORE BE IT RESOLVED, THAT THE MARQUETTE CITY COMMISSION AFFIRMS THAT THE REQUIRED LOCAL MATCH FOR THE PURPOSE OF CONSTRUCTING AN ACCESS, PARKING LOT, RESTROOM FACILITIES, AND LANDSCAPING IMPROVEMENTS TO THIS PUBLIC BEACH AREA WILL BE AVAILABLE TO MATCH THIS GRANT DURING THE 1984 CONSTRUCTION YEAR.

A REPORT AND RECOMMENDATION FROM THE CITY MANAGER, REGARDING A PRE-APPLICATION FOR PHASE IV-A OF THE SHORELINE BIKE PATH, WAS READ. IT WAS MOVED BY COMMISSIONER LING, SUPPORTED BY COMMISSIONER STOW, AND CARRIED UNANIMOUSLY TO ADOPT THE FOLLOWING RESOLUTION:

WHEREAS, THE CITY OF MARQUETTE HAS ESTABLISHED AND PURSUED A POLICY FOR THE DEVELOPMENT OF A SHORELINE BIKE PATH ALONG THE CITY'S LAKE SUPERIOR SHORELINE FROM PRESQUE ISLE TO THE SOUTHERN CITY LIMITS; FOR BOTH RECREATIONAL AND TRANSPORTATION PURPOSES; AND,

WHEREAS, THERE IS A DANGEROUS RAILROAD CROSSING ON LAKE SHORE BOULEVARD WHERE SEVERAL BICYCLISTS HAVE BEEN INJURED; AND,

WHEREAS, THE CONSTRUCTION OF THE SHORELINE BIKE PATH BETWEEN THE CITY WATER PLANT AND THE FOOT OF MAIN STREET (PHASE IV-A) WOULD PROVIDE BICYCLISTS AN ALTERNATE ROUTE TO USING LAKE SHORE BOULEVARD.
AND

WHEREAS, FUNDS ARE AVAILABLE IN MICHIGAN FROM THE LAND AND WATER CONSERVATION FUND FOR PROJECTS OF THIS NATURE;

NOW, THEREFORE, BE IT RESOLVED, THAT THE MARQUETTE CITY COMMISSION AUTHORIZE THE FILING OF A PRE-APPLICATION FOR LAND AND WATER CONSERVATION FUND MONIES TO CONSTRUCT PHASE IVA OF THE SHORELINE BIKE PATH.

DURING THE TIME SET FOR APPOINTMENTS AND RESIGNATIONS TO VARIOUS BOARDS AND COMMISSIONS, CITY CLERK GRUBER SAID THAT A RESIGNATION HAD BEEN RECEIVED FROM DON KLIMMEK FROM THE BOARD OF ZONING APPEALS. MAYOR MAZZUCHI THANKED MR. KLIMMEK FOR HIS SERVICE ON THIS BOARD, AND NOTED THE COMMISSION’S REGRETS THAT HE WOULD BE MOVING OUTSIDE OF THE CITY.

A REPORT FROM THE CITY ATTORNEY, REGARDING AN AMENDMENT TO THE CITY UNIFORM TRAFFIC CODE TO BRING IT INTO CONFORMITY WITH THE STATE LAW REGARDING OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, WAS READ. IT WAS MOVED BY COMMISSIONER LIN, SUPPORTED BY COMMISSIONER RUBLEIN, AND CARRIED TO SET THE NEXT REGULAR MEETING AS THE TIME AND DATE FOR A PUBLIC HEARING ON THIS ORDINANCE.

MAYOR MAZZUCHI WISHED TUBBY BERNARD, WHO WAS IN THE AUDIENCE, A HAPPY BIRTHDAY. HE SAID THAT MR. BERNARD’S 77TH BIRTHDAY WOULD BE COMING UP IN FOUR DAYS AND THAT HE IS A GOOD EXAMPLE OF ACTIVE CITIZEN INVOLVEMENT IN LOCAL GOVERNMENT.

COMMISSIONER JOHNSON SAID THAT SHE HAD FOUND OUT THERE IS NO CHARGE FOR HOOKING UP MARQUETTE CABLEVISION IF THE PERSON IS ALREADY HOOKED UP TO COX; COMPLIMENTED THE CITY CLERK ON HIS READING OF AGENDA ITEMS; NOTED THE DOWNTOWN DEVELOPMENT AUTHORITY MEETING ON TUESDAY MORNING TO DISCUSS THE DOWNTOWN REHABILITATION PROJECT; AND NOTED A REQUEST FOR A HANDRAIL ON THIRD STREET JUST SOUTH OF WASHINGTON STREET TO ASSIST PEOPLE WHEN THE HILL IS SLIPPERY IN THE WINTER.

COMMISSIONER KULISHECK SAID THAT THE COMMISSION HAS MANY VERY SERIOUS PROBLEMS TO DEAL WITH BESIDES CABLE TELEVISION ESPECIALLY DURING THE UPCOMING BUDGET REVIEW SESSIONS.

COMMISSIONER LIN NOTED THE CANCELLATION OF THE OZZY OSBOURNE CONCERT AND REPORTED THAT THE ATTORNEYS HIRED TO REPRESENT THE CITY IN THE CABLE TELEVISION LAWSUIT HAD MADE FAVORABLE COMMENTS ON THE PERFORMANCE OF THE CITY ATTORNEY IN HIS REPRESENTATION OF THE CITY IN THIS LAWSUIT.

COMMISSIONER RUBLEIN NOTED THE WORK SESSION ON THURSDAY WITH THE SCHOOL BOARD TO REVIEW THE CITY’S EVALUATION ESPECIALLY AS IT IS AFFECTED BY THE EVALUATION OF U.P. GENERATING.
COMMISSIONER STOW SUGGESTED THAT THE CITY MANAGER CONTACT ANN ARBOR TO SEE HOW THE SIDEWALK TREATMENTS AS PROPOSED FOR THE DOWNTOWN HAVE WORKED THERE.

CITY MANAGER SVANDA SAID THAT THE CITY WILL BE EXCHANGING MAYORS AND COMMISSIONS WITH BIG RAPIDS DURING MAYOR EXCHANGE WEEK.

PEG BRAAMSE ADDRESSED THE COMMISSION SAIDING THE CABLE TELEVISION PETITIONS SHOULD HAVE BEEN FORWARD TO THE CITY COMMISSION BY THE CLERK AS INDICATED BY THE CHARTER. PAUL CHURCHVILLE CHALLENGED BOB LUKE TO A PUBLIC DEBATE ON THE ISSUE OF CABLE TELEVISION COMPETITION IN MARQUETTE. BOB LUKE READ A SECTION OF THE CHARTER REGARDING INITIATORY PETITIONS AND ASKED QUESTIONS REGARDING THIS SECTION.

THERE BEING NO OTHER CITIZENS WISHING TO ADDRESS THE COMMISSION, THE MEETING WAS ADJOURNED AT 8:50 P.M.

MAYOR DANIEL S. MAZZUCHI
CITY CLERK NORMAN L. GRUBER, JR.
A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, April 11, 1983 in Commission Chambers of City Hall.

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

Absent: Commissioner Busch.

It was moved by Commissioner Johnson, supported by Commissioner Kulisheck, and carried that the absence of Commissioner Busch be excused as he is out of the City.

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

Total bills payable in the amount of $238,250.75 were presented. It was moved by Commissioner Stow, supported by Commissioner Rublein, and carried to pay these bills as presented with the exception of the one to Scot Food in the amount of $131.30. It was then moved by Commissioner Johnson and supported by Mayor Mazzuchi 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 Johnson, Kulisheck, Rublein, Stow.

Nays: None.

Abstention: Commissioner Ling.

The motion was carried.

During the time set for announcing additional agenda items, City Manager Svanda asked that item 16 be deleted from the agenda and a new item consisting of petitions for improvements in the downtown area be substituted.

Mayor Mazzuchi then announced that this was the time set for a public hearing on amendments to the Uniform Traffic Code Ordinance. There being no citizens wishing to address the Commission regarding this proposed ordinance, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Stow, and carried to adopt Ordinance #361 as follows:

AN ORDINANCE TO AMEND TITLE 4, CHAPTER 34, THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND VILLAGES IN THE STATE OF MICHIGAN AS AMENDED, BY DELETING SECTION 5.15 AND ADDING THERETO A NEW SECTION 5.15.

Mayor Mazzuchi then made the following proclamation:
WHEREAS, May 1st is Law Day U.S.A. in the United States of America, and;

WHEREAS, The United States of America has been the citadel of individual liberty and a beacon of hope and opportunity for more than 200 years to many millions who have sought our shores, and,

WHEREAS, The foundation of individual freedom and liberty is the body of the law that governs us, and

WHEREAS, The Constitution of the United States of America, and the Bill of Rights, are the heart of that body of law, which guarantees us many freedoms — including freedom of religious belief, freedom to have and hold property inviolate, freedom of assembly, freedom of speech, freedom of press, freedom of petition, and due process of the law among others, and

WHEREAS, This year marks the 26th annual nationwide observance of Law Day, and the Congress of the United States and the President by official proclamation have set aside May 1st as a special day for recognition of the place of law in American life.

NOW, THEREFORE, I, Mayor of the City of Marquette, do hereby designate Sunday, May 1, 1983, as Law Day U.S.A. and call upon all citizens, schools, businesses, clubs, and the news media to commemorate the role of law in our lives.

Mayor Mazzuchi thanked all persons involved in protecting our freedoms under the law.

Mayor Mazzuchi then asked Susan McQuaid, representing the Marquette County Community Coordinated Child Care Association, to address the Commission regarding the Week of the Young Child. Ms. McQuaid explained the activities and goals of her Association. Mayor Mazzuchi then made the following proclamation:

In that children are our investment in the future,

And in that the Marquette County Community Coordinated Child Care Association advocates quality care for all children,

And in that the Marquette County Community Coordinated Child Care Association has joined Northern Michigan Association for the Education of Young Children and the Community Coordinated Child Care Association of the Upper Peninsula in
celebrating Week of the Young Child,

And in that the Marquette County Community Coordinated Child Care Association has designated April 17 – 23, 1983 as Week of the Young Child in the Marquette County area

BE IT HEREBY RESOLVED THAT:

THE MARQUETTE COUNTY COMMUNITY COORDINATED CHILD CARE ASSOCIATION REQUESTS MAYOR MAZZUCHI TO DECLARE APRIL 17 – 23, 1983, AS WEEK OF THE YOUNG CHILD IN MARQUETTE, MICHIGAN.

During the time set for citizens wishing to address the Commission, Ted Osling asked to speak on item 5, and Paul Churchville asked to speak on items 7 and 8.

A communication from Knights of Columbus Council 689 thanking the City Commission for their cooperation in the Tootsie Roll Drive was read. Mayor Mazzuchi complimented the Knights of Columbus for their efforts in raising $3,200 for mentally retarded children in the Marquette area.

A communication from the Marquette Men's Slowpitch Softball League was read. Ted Osling, representing the League, requested that the Commission work to solve their problems, especially a flat team fee. During a lengthy discussion, Commissioners noted that there were more people wishing to play softball than there are fields in Marquette and suggested that Mr. Osling approach the Chocolay Township Board to make their softball field available for use. Commissioners also noted that with the exception of a higher fee for non-residents, the City had not placed any restriction as to residency on the use of its softball fields. Mr. Osling was invited to come to the budget session on Thursday, at which time several of his concerns would be addressed.

A communication from Bay Cliff Health Camp, requesting waiver of a carnival license fee, was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried to waive the carnival license fee for the Skerbeck Brothers Amusement Company Carnival to be held in Marquette from May 30 through June 4 for the benefit of Bay Cliff Health Camp.

A communication from the Marquette Public Schools, requesting an allocation of funds from the cable television franchise for the purchase of equipment for the high school television studio, was read. Paul Churchville addressed the Commission saying that the public access committee, to be established pursuant to the franchise, should be established at this time to deal with this matter. The communication was referred to the City Manager for a recommendation on how to
Mayor Mazzuchelli then announced that this was the time set for discussion of cable television matters. City Clerk Gruber reported that, acting on the City Attorney's advice, he had invalidated petitions containing 916 signatures because they did not meet the requirements of the Charter. He had notified the persons filing the petitions for a second cable television franchise that they would have fifteen days in which to submit more names in order to meet the required number for an initiatory petition. Mayor Mazzuchelli said that a report from the City Attorney on the progress of the lawsuit would be deferred to the end of the agenda so that the Commission could go into closed session.

Mayor Mazzuchelli then announced that this was the time set for a report on Project MEET activities. Commissioner Kulisheck reported that the Marquette Energy Efficiency Team Project had been proceeding very well. He said that nearly 1,000 residents had attended the meetings to this point, and there were still four city-wide open meetings to be held. He said that this represented a very high level of interest on the part of Marquette citizens. He then thanked the people who had worked on the project, especially the citizen volunteers.

A report and recommendation from the City Manager, regarding Lakeview Arena Expansion change order #9, was read. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried to approve change order #9 as recommended in the total amount of $4,309.24.

A report and recommendation from the City Manager, regarding Marquette Transportation Center upper level renovation change order #1, was read. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried to concur with the City Manager's recommendation and approve change order #1 for the Marquette Transportation Center upper level renovation project contract in the amount of $1,172.00.

A report and recommendation from the City Manager, regarding bids for workers compensation insurance, was read. City Manager Svanda reported that none of the bids were as low as the coverage that the City was currently receiving from the Michigan Municipal Workers Compensation Fund, and that this coverage had been excellent. It was then moved by Commissioner Ling, supported by Commissioner Rublein, and carried to concur in the recommendation of the City Manager to reject all bids and to continue coverage under the Michigan Municipal Workers Compensation Fund.

A report and recommendation from the City Manager, regarding bids for the restoration of the City bandshell at Presque Isle Park, was read. It was moved by Commissioner Ling,
supported by Commissioner Johnson, and carried to award this bid to the low bidder, Superior Harbor Construction, including alternate one, for a total bid price of $6,483.00.

A report and recommendation from the City Manager, regarding bids for the rehabilitation of a private residence, was read. It was moved by Commissioner Johnson, supported by Commissioner Ling, and carried to award the bid for the remodeling of the residence at 126 Genesee Street to R.G. Remodeling of Rock, Michigan in the amount of $7,637.13. Commissioner Rublein inquired as to the value of the home that is to be remodeled. City Manager Svanda said that the Commission, at the beginning of the rehabilitation program, had established a policy that no more would be spent in rehabilitation of a home than its current appraised value.

A report and recommendation from the City Manager, regarding an application for a variance from water filtration requirements, was read. City Manager Svanda summarized the history of this issue, including the year-long water quality study recently completed by the City. It was moved by Commissioner Kulichek, supported by Commissioner Stow, and carried to authorize the Public Works Director to make application for a variance from a treatment technique under the provisions of the Safe Drinking Water Act of 1976.

Mayor Mazzuchi announced that this was the time set to receive petitions for sidewalk improvements in the downtown area. The petitions were read by City Clerk Gruber. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried to set the regular meeting on April 25 as the time and date for a public hearing on the Sidewalk Reconstruction Special Assessment District: Washington Street from Front Street to Fourth Street and on Front Street from Main Street to Washington Street.

Mayor Mazzuchi then announced that this was the time set for presentation of the City Manager's recommended 1983-84 fiscal year budget. He said that he had asked the City Manager to present a budget overview so that the Commission would have some background for the next two weeks of budget review meetings.

Mayor Mazzuchi then called a ten-minute recess at 8:15 p.m.

Following the recess, with the Commission's concurrence, Mayor Mazzuchi made the following appointments: Edith McCowen reappointed to the Marquette Housing Fair Hearing Board for a term expiring January 28, 1986; Lou Chappel to replace Colleen Munkres for a term expiring May 30, 1984 and John Turcotte to replace Sally Hruska for a term expiring May 30, 1986 on the Parking Committee; Carolyn McDonald to a new term on the Elections Board to expire April 11, 1987; and Wilbert Pearson to the Public Works Advisory Board for a term to expire April 11, 1986; and Paul Marin to replace Don
Klimmek on the Board of Zoning Appeals for a term expiring February 15, 1984.

City Manager Svanda then presented background information regarding the budget. He said that the budget is separated into eight funds and gave a summary of revenue sources for each of these funds. He explained that his seven basic assumptions used in developing the budget were:

1. The City's infrastructure is the most important thing to the City;
2. In a choice between services and infrastructure, the infrastructure will prevail;
3. That no salary or wage increases have been budgeted for any City employees;
4. That state and federal obligations will be met;
5. That services currently being offered will continue to be provided;
6. That capital outlay funds will be used to leverage grant money from other sources wherever possible;
7. That all large equipment will be bought on a lease-purchase basis.

He then outlined the proposed projects and large equipment purchases contained in this budget. He said that the expenditures in the General Fund portion of the budget were higher than the revenues at this point, and listed several options that the City Commission had in order to make up this deficit. He also gave high points of the other funds.

Mayor Mazzuchi thanked Mr. Svanda for his presentation. Commissioner Kulisheck suggested that the Commission set up their "wish list" and "hit list" as was done last year. It was then moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried with no dissent to go into closed session to discuss the cable television litigation.

The Commission recessed to closed session at 9:05 p.m.

The Commission returned to open session at 9:29 p.m.

Commissioner Johnson complimented Police Chief Johnson for his annual department report.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:30 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, April 18, 1983 at 7:00 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 purpose of this special meeting was to present the City Manager's proposed 1983-84 fiscal year budget and to hold the Federal Revenue Sharing Proposed Use hearing.

During the time set for citizens wishing to address the Commission, Neil Jandron thanked the Commission for providing sidewalk plowing this year and encouraged that it be provided in next year's budget. John DeRocher said that the City should abandon its "clear road" snow removal policy which requires the use of too much salt causing premature rusting of cars and salt pollution of Lake Superior. The Commission agreed to explore this issue during the budget sessions.

City Manager Svanda then formally presented his recommended budget noting that the Charter required it be presented to the Commission on the Third Monday of April.

Mayor Mazzuchi then announced that this was the time set for a public hearing on proposed use of Federal Revenue Sharing Funds. City Manager Svanda said that these funds would be spent as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing and Publication</td>
<td>$50.00</td>
</tr>
<tr>
<td>Arena Expansion Project Carryover</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Equipment Purchases</td>
<td>$193,700.00</td>
</tr>
<tr>
<td>Landfill Closure and Operation</td>
<td>$430,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$723,750.00</strong></td>
</tr>
</tbody>
</table>

There were no citizens wishing to address the Commission, therefore, the hearing was closed.

Commissioner Ling asked that the Commission consider hearing a report from the City Attorney on the status of the cable television litigation. It was moved by Commissioner Stow, supported by Commissioner Johnson, and carried unanimously to go into closed session to discuss the cable television lawsuit.

The Commission recessed to closed session at 7:15 p.m.
The Commission returned to open session at 7:26 p.m. There being no citizens wishing to address the Commission, the meeting was adjourned at 7:27 p.m.

Mayor Daniel S. Mazzuchi

City Clerk Norman L. Gruber, Jr.

It was moved by Commissioner Stowe, supported by Commissioner Ling, and carried unanimously to approve the minutes of the April 31 regular and April 16 special meetings as presented.

Total bills payable in the amount of $7,619.93 were presented. It was moved by Commissioner Johnson, supported by Commissioner Stowe, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $304.49. It was then moved by Commissioner Johnson and supported by Commissioner Stowe to pay the above-mentioned bill to Scot Food and allow Commissioner Ling to abstain from voting. The following vote was taken:

Absent: Mayor Mazzuchi, Commissioners Busch, Johnson, Stowe, Kuliszewski.

Roya Nunn, Absent: Commissioner Ling.

The motion was carried.

During the time set for announcing additional agenda items, Mayor Mazzuchi added item No. 6, a proclamation on Nurse's Week, and Clerk Gruber added item No. 7, a communication from the Heads Motorcycle Club.

Mayor Mazzuchi then announced that this was the time set for a public hearing on the proposed sidewalks special assessment districts. Joe Gontineau, representing the Downtown Merchants Association, presented their views and considerations. They supported the project and listed their points of concern. Steven Johnson, representing property owners in the 200 block of W. Washington, asked that the 200 block be assessed at a lower rate than the 100 block of W. Washington because the 100 block would receive more expensive improvements than the 200 block. Following a discussion, it was moved by Commissioner Busch, supported by Commissioner Kuliszewski and carried unanimously to establish a separate special assessment district for the 200 block of W. Washington and the east side of the 100 block of S. Front Street and to set May 9 as the time and date for a public hearing on this May 9 at 7:30 p.m.
OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION

A regular meeting of the Marquette City Commission was duly called and held on Monday, April 25, 1983 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 Stow, supported by Commissioner Ling, and carried unanimously to approve the minutes of the April 11 regular and April 18 special meetings as presented.

Total bills payable in the amount of $186,991.25 were presented. It was moved by Commissioner Johnson, supported by Commissioner Rublein, and carried unanimously to pay the bills as presented with the exception of the one to Scot Food in the amount of $504.10. 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.

During the time set for announcing additional agenda items, Mayor Mazzuchi added item 4b, a proclamation on Nurse's Week, and Clerk Gruber added item 1b, a communication from the Heads Motorcycle Club.

Mayor Mazzuchi then announced that this was the time set for a public hearing on the proposed sidewalk special assessment district. Joe Constance, representing the Downtown Merchants Association, presented their views and considerations. They supported the project and listed their points of concern. Steven Johnson, representing property owners in the 200 block of W. Washington, asked that the 200 block be assessed at a lower rate than the 100 block of W. Washington because the 100 block would receive more expensive improvements than the 200 block. Following a discussion, it was moved by Commissioner Busch, supported by Commissioner Rublein, and carried unanimously to establish a separate special assessment district for the 200 block of W. Washington and the east side of the 100 block of S. Front Street and to set May 9 as the time and date for a public hearing on this proposed special assessment district. It was then moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to set May 9 as the time and date for a
public hearing on a special assessment district for sidewalk improvements in the 100 block of W. Washington Street, the 100 block of N. Front Street, and the west side of the 100 block of S. Front Street.

A communication from the Marquette Beautification and Restoration Committee was then read. Mayor Mazzuchi made the following proclamation:

WHEREAS, the ravages of winter have left the normally clean and beautiful City of Marquette appearing dirty and unkept, and;

WHEREAS, the citizens of Marquette strive at all times to keep their City clean and beautiful for their own enjoyment, and the enjoyment of visitors to the City, and;

WHEREAS, the City of Marquette has set the week of Monday, May 16 through Friday, May 20 as the time for the 1983 Cleanup-Pickup Week, with Public Works crews picking up trash and debris put out by residents throughout the City, and;

WHEREAS, the Marquette Beautification and Restoration Committee has set Saturday, May 14 as Spring Cleanup Day, the day volunteer groups work to clean up the public areas of the City;

NOW, THEREFORE, I, DANIEL S. MAZZUCHI, MAYOR OF THE CITY OF MARQUETTE, do hereby proclaim the week of May 16 through May 20, 1983 as Cleanup-Pickup Week, and Saturday, May 14, 1983 as Cleanup Day in the City of Marquette, and I urge all of Marquette's citizens to work together to make Marquette clean, beautiful, and deserving of the title "Queen City".

A communication from the Heads Motorcycle Club was read. It was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to approve a 24-hour liquor license for the Heads Motorcycle Club "Wheels for Charity" motorcycle show on May 28 at the Marquette Armory.

Mayor Mazzuchi then made the following proclamation:

WHEREAS, the annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1921; and

WHEREAS, VFW Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the
widows and orphans of deceased veterans, and

WHEREAS, The basic purpose of the annual sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living"; therefore I, Daniel S. Mazzuchi, Mayor of the City of Marquette do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on May 19-20-21, 1983, the days set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

A communication from the Marquette Lion's Club was read. Mayor Mazzuchi said that there was no formal proclamation but that he would declare the week of May 2 through May 7, 1983 as White Cane Week in the City of Marquette, Michigan.

A communication from Vi Overmyer, regarding Foster Parent Week, was read. Mayor Mazzuchi apologized for this letter reaching the Commission late, but did proclaim the week of April 17 through 23 as Foster Parent Week in Marquette and expressed his appreciation on behalf of the Commission and the City to the foster parents of the City.

A communication from Margaret Rettig, regarding National Nurse's Week, was read. Mayor Mazzuchi then proclaimed that the week of May 2 through May 6 be designated as National Nurse's Week and May 6 as National Nurse's Day to honor the profession of nursing.

Mayor Mazzuchi then announced that this was the time set for citizens wishing to address the Commission. Peter Kelly asked when the spring cleanup will be and if all items would have to be bagged. Steve Lawry said that the spring cleanup would be May 16 through 20 and that the City would not be requiring all items to be bagged. Mayor Mazzuchi requested, however, that all persons who can bag items for pickup do so, and that it saves the City considerable cost in the pickup. Dr. Kelly then said that the leaves should not have to be bagged for the fall pickup. Michael Quinn, representing the United Trades Council, Inc., asked if the assessment to be made on the east side of the 100 block of S. Front Street would be financed. Mayor Mazzuchi said that bonds would be sold and it would probably be financed over a ten-year period.
A communication from the Marquette County Board of Commissioners regarding an appointment to the Alger-Marquette Community Action Board was read. Commissioner Busch expressed his interest in this appointment. The City Manager was directed to assist Commissioner Busch in filling out his application.

A communication from the Michigan Department of Transportation, regarding a resolution accepting jurisdiction of a portion of County Road 500, was read. It was moved by Commissioner Stow, supported by Mayor Mazzuchi, and carried unanimously to adopt the following resolution:

WHEREAS: County Road 500 commencing at Station 59 + 99.2, said point being the intersection of the centerline of County Road 500 with the west line of Section 22, T48N-R25W, Marquette City, Marquette County, Michigan, which formerly was the boundary line for the City of Marquette; thence westerly along the centerline of County Road 500 for a distance of 435 feet, .0824 mile, to the present boundary line of the City of Marquette at Station 55 + 64.2.

WHEREAS: The Marquette County Road Commission of the County of Marquette, by Resolution dated October 11, 1982, relinquishes complete jurisdiction and control of this section of County Road 500 to the City of Marquette, subject to the acceptance by the City of Marquette and notification to the Michigan Department of Transportation, Local Government Division, for certification purposes, and:

WHEREAS, the City of Marquette desires to have jurisdiction and control of this section of County Road 500, effective April 25, 1983;

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette hereby accepts complete jurisdiction and control of that part of County Road 500 from the eastline of Section 21 westerly 0.08 mile to the City limits, located in Section 21, City of Marquette.

A communication from Dingeman Advertising, Inc., regarding a request for erection of a 300 square-foot advertising structure on property owned by Quality Concrete in the Marquette Industrial Park, was read. It was moved by Commissioner Ling, supported by Commissioner Stow, and carried unanimously to refer this communication to the Planning Board for consideration.

Mayor Mazzuchi then deferred items 8 and 9 until later in the agenda.
A report and recommendation from the City Manager, regarding a cost agreement with the State Highway Department for temporary signal modification in the downtown project area, was read. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to approve this agreement and authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager, regarding the Labor Agreement with the Police Department Employees Teamsters Local 328, was read. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to approve this agreement and to authorize the Mayor and City Clerk to execute it. Mayor Mazzuchi complimented members of this union for their display of public mindedness in approving this agreement.

A report and recommendation from the City Manager, regarding railroad crossing whistles, was read. It was moved by Commissioner Johnson, supported by Commissioner Busch, and carried unanimously to concur with the recommendation and notify the L S & I Railroad that they are encouraged to sound the standard crossing whistle at all crossings in the City.

A report and recommendation from the City Manager, regarding appointment of the auditor for the 1982-83 fiscal year, was read. It was moved by Commissioner Busch, supported by Commissioner Stow, and carried unanimously to retain Anderson, Steinhoff, Tackman, and Company to do the City’s fiscal year 1982-83 audit for a fee of $26,500.

A report and recommendation from the City Manager, regarding purchase of a piece of property for McClellan Avenue right-of-way, was read. It was moved by Commissioner Busch and supported by Commissioner Kuliesheck to accept the negotiated terms for purchase of this property from Mr. Potochnik including the price of $92,500 and to authorize the Mayor and City Clerk to execute the required documents. City Attorney Martin advised that members of the Commission who are connected to the First National Bank and Trust Company to abstain from voting on this acquisition under the conflict of interest provisions in the Charter. The following vote was taken:

Ayes: Commissioners Busch, Johnson, Kuliesheck, Stow.
Nays: None.
Abstention: Mayor Mazzuchi, Commissioners Ling, Rublein.

The motion was carried.

A report and recommendation from the City Manager, regarding bids for concession items and skinless wiener, was read. It was moved by Commissioner Kuliesheck and supported by Commissioner Johnson to award the bids as recommended and
allow Commissioner Ling to abstain from voting. The following vote was taken:

Ayes: Mayor Mazzucchi, Commissioners Busch, Johnson, Kulisheck, Rublein, Stow.

Nays: None.

Abstention: Commissioner Ling.

The following bids were awarded:

<table>
<thead>
<tr>
<th>Item</th>
<th>Bidder</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concession Items</td>
<td>Larson &amp; Krieg</td>
<td>$76.41/pack</td>
</tr>
<tr>
<td>cigarettes-all brands</td>
<td></td>
<td>25c trade price 17.5c</td>
</tr>
<tr>
<td>candy-per bar or pack</td>
<td></td>
<td>30c trade price 22c</td>
</tr>
<tr>
<td>chips-per case</td>
<td></td>
<td>50c trade price 35c</td>
</tr>
<tr>
<td>Skinless Wieners</td>
<td>Vollwerth-Marquette Co.</td>
<td>$9.60/case</td>
</tr>
<tr>
<td>wiener-per case</td>
<td></td>
<td>$13.50/case</td>
</tr>
</tbody>
</table>

A report and recommendation from the City Manager, regarding bids for soft drink items, was read. It was moved by Commissioner Busch, supported by Commissioner Johnson, and carried unanimously to concur with the recommendation and award the bids for case lot soft drinks and premix items to Marquette Bottling Works, and the bid for postmix items to H&H Elson Bottling Company; with both awards to be made at the prices bid.

A report and recommendation from the City Manager, regarding bids for heavy equipment and truck rental rates, was read. City Manager Svanda said that these bids were taken in case the City needs to lease any of this equipment on a regular or emergency basis during the coming year. It was moved by Commissioner Ling, supported by Commissioner Busch, and carried unanimously to concur with the recommendation and to award these bids to Midway Rentals of Marquette, Lindberg and Sons of Marquette, and Kenneth Quinnell of Ishpeming for the items indicated on the bid summary.

A report and recommendation from the City Manager, regarding change orders #1, 3, and 4 for the upper level renovation of the Marquette Transportation Center, was read. It was moved by Commissioner Stow, supported by Commissioner Rublein, and carried unanimously to approve change order #1 at a total decreased cost of $1,355.48, change order #3 at an increased cost of $240.00, and change order #4 at a decreased cost of $215.00.

A report and recommendation from the City Manager, regarding a lease for space in the upper level of the Marquette Transportation Center, was read. It was moved by Commissioner Kulisheck, Commissioner Rublein, supported by Commissioner Ling, and carried unanimously to concur in the recommendation and approve the lease with Great Northern Title and Abstract.
Company for four offices in the upper level of the Transportation Center and to authorize the Mayor and City Clerk to execute this lease.

A report and recommendation from the City Manager, regarding amendment #1 to the Solid Waste Collection Contract, was read. It was moved by Commissioner Busch and supported by Commissioner Kulisheck to concur in this recommendation and approve the contract amendment and extension. Commissioner Ling said that the City should also waive the bidding requirements because of the extended period of the contract. City Attorney Martin concurred with this comment and said that the Commission should receive a written recommendation that the bidding process be waived. It was then moved by Commissioner Stow, supported by Commissioner Rublein, and carried unanimously to table action on this item pending a written recommendation from the City Manager regarding the bidding procedures.

Communications were then read from Paul Marin, submitting his resignation from the City Elections Board; and from Suzanne Cook, submitting her resignation from the City Economic Development Corporation Board.

It was then moved by Commissioner Stow, supported by Commissioner Ling, and carried unanimously to go into closed session to discuss the cable television lawsuit. The meeting was recessed to closed session at 8:10 p.m.

The Commission returned to open session at 9:01 p.m. Mayor Mazzuchi said that the attorneys representing the City had updated the Commission on the current status of this lawsuit.

Mayor Mazzuchi then announced that this was the time set for presentation of the proposed fiscal year 1983-84 budget. He commented at length upon the process used by the staff and the City Commission in developing the proposed budget. He also discussed the Commission's philosophy in developing more and higher user fees, including a garbage collection fee; in establishing a street improvement and a maintenance program for the City's infrastructure; on the impact that this would have in raising water rates; that the proposed budget included no proposal to increase millage; and that the Commission felt more funding for the City's parks was necessary so that they could be parks that the City is proud of. City Manager Svanda then discussed his priorities that were used in developing the initial budget proposal and said that he had presented the Commission with an unbalanced general fund budget and several options for balancing the General Fund Improvement Fund as means for balancing the General Fund Budget. He said that property taxes would make up 31 percent of the General Fund Budget; that charges and user fees had
been increased from 16 percent to 21 percent of this budget; and that transfers of other funds were decreased to 8 percent of the budget. He said that there was a projected 23 percent revenue increase in the Water and Sewer Fund. He listed several of the smaller appropriations that the Commission had included and then said that larger appropriations included were the Street Improvement and Maintenance Program for $400,000, a Sewer and Water Leak Detection Program for $140,000, a computerized maintenance management system for $50,000, and the Downtown Renovation Project at a City cost of $191,000. He said that the total cost of this project, including grants and special assessments, would be $1,750,000. He also noted the development of a grant challenge program whereby the City Commission would match funds contributed for the renovation of Hurley Field. He thanked the Commission for their cooperation in developing this budget. Following comments by the City Commissioners, it was moved by Commissioner Ling, supported by Commissioner Rublein, and carried unanimously to accept the budget as proposed for the public hearing which will be held on May 9, 1983.

Commissioner Johnson said that many people in the area watch the City Commission meetings; that she had received many dog complaints; that she had received a call regarding a fire at the Coast Guard Station asking who would pay for the cost of extinguishing it; and that people are anxiously waiting for the City Cleanup on May 16 through 20.

Commissioner Kulisheck said that he had received a complaint about dust from Industrial Parkway at the Holy Cross Cemetery and noted the grand opening of the Marquette Transportation Center on Wednesday.

Commissioner Ling said that he and a neighbor had swept the street in front of their houses.

Mayor Mazzuchi thanked the Commissioners for their hard work on developing the proposed budget.

Neil Jandron thanked the Commission for the good job on sidewalk snowplowing this winter, and said he was glad to see it was included in next year's budget. He said that the garbage collection on the part of the contractor was going very well and that the yield signs at the east end of the bypass were too small.

The meeting was adjourned at 9:40 p.m.

Mayor
Daniel S. Mazzuchi

City Clerk
Norman L. Gruber, Jr.