

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, May 13, 1985

A regular meeting of the Marquette City Commission was duly called and held on Monday, May 13, 1985 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Kulisheck, Commissioners Acocks, Berube, Coyne, Johnson, LaBrecque, Leadbetter.
Absent: None.

It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to approve the minutes of the April 29 Commission meeting as presented.

Total bills payable in the amount of \$441,480.42 were presented. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to pay these bills as presented.

During the time set for announcing additional agenda items, Mayor Kulisheck added item 14, a communication from Sands Township regarding the landfill issue. Commissioner Coyne added item 15, discussion of the visit of a consultant on substance abuse to the City. Mayor Kulisheck added item 16, scheduling of a work session with the Library Board. Commissioner Leadbetter added item 17, discussion of a drainage problem at 119 W. Baraga Avenue. Commissioners Berube and Johnson added item 18, discussion of various aspects of the Lower Harbor Improvement Project.

Mayor Kulisheck then made the following proclamation:

MICHIGAN NURSE WEEK

WHEREAS, nurses assume responsibility and accountability for this community's health care needs, providing quality care for all people in the promotion of health and prevention of disease, and

WHEREAS, nurses continually strive to upgrade standards of care and improve services through research, education and practice, and

WHEREAS, nurses in the City of Marquette are committed to lowering health care costs and are actively involved in health care legislation, and

WHEREAS, nursing organizations, stressing the theme, "Nurses: Bridges for the Future," set aside this week to honor their own.

THEREFORE, I, Robert Kulisheck, Mayor of the City of Marquette, by virtue of the authority vested in me, do hereby proclaim May 5 - 11, 1985 as MICHIGAN NURSE

WEEK, and urge all citizens to honor these individuals and the service they perform in assuring all the citizens quality health care.

Mayor Kulisheck then said that this was the time and date set for a public hearing on the 1985-86 fiscal year federal revenue sharing budget. City Manager Svanda said that the anticipated revenues this year including the amount received from federal revenue sharing interest and the amount carried over was \$555,500. He said that the expenditures planned from this funding would be \$50 for printing and publication, \$2,815 for barrier-free improvements, and \$552,635 for public works vehicle maintenance activities. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to adopt the 1985-86 fiscal year federal revenue sharing budget as presented.

Mayor Kulisheck then announced that this was the time and date set for a public hearing on the 1985-86 fiscal year City budget and fee schedule. A report and recommendation from the City Manager, regarding the adoption of the budget and fee schedule, was read. Don Potvin said that the millage should not be raised to repair the water and sewer system but that the large users should pay for the repairs. He also said that the City should not fund the parking ramp in the downtown, assist in the hotel renovation project, build the new public works facility, or provide salary increases for any City administrators. Chuck Coffey said that he was concerned that Commissioners' minds are made up before hearings and that he is opposed to spending tax money to support the water and sewer system. He said that large users don't pay their fair share of supporting the system and that they will be subsidized by the taxpayers. He said that the water and sewer system should be totally paid for by its users. DeWayne Stebbins asked for justice. Sam Elder opposed the millage increase and said that the cost for water and sewer maintenance should be spread on the users. He also said the City's rates were too high as compared to Escanaba. Pat Frenn, Chairman of the Downtown Development Authority, indicated the authority's support for an elevator in the parking ramp as that project is contained in the proposed City budget. She thanked the Commission for their support on the parking ramp project in the downtown redevelopment project. Joseph Isabelle suggested that Mayor Kulisheck and Commissioner Coyne had conflicts of interest in voting on this budget. Ray Beauchamp supported the elevator in the downtown parking ramp and said that the redevelopment efforts are succeeding. He thanked the Commission for their support. The hearing was closed. Mayor Kulisheck then read a prepared statement regarding adoption of the budget in which he pointed out that the 2.5 mill increase in the City millage would provide approximately \$625,000 which will be earmarked for repairs in the water and sewer system. He said the Commission had determined that this is the largest amount that could be effectively spent this year because it would take time to prepare for a large-scale repair of the system. He also said that the Commission had information which indicated that the 2.5 mill increase would be less of a burden on the average homeowner in Marquette than raising the water and sewer rates 25%, which would be necessary to

supply the same amount of money. He indicated that the Commission intends this to be a one-year millage increase and that over the next year they will be studying all of the various possible funding methods for a long-range repair program for the water and sewer system. Commissioner Johnson said that the Commissioners do listen to the taxpayer and that many avenues have been explored in the search for funding to repair the water and sewer system. She said that there are serious problems in town that are in need of immediate attention. Commissioner Acocks said that there needs to be more work done on how to pay for infrastructure repairs. Commissioner Leadbetter said that he was convinced that a millage increase is the best way to pay for these needed repairs. It was moved by Commissioner Leadbetter, supported by Commissioner LaBrecque, and carried unanimously to adopt the following resolution:

WHEREAS, it is the desire of the City Commission of the City of Marquette to continue to provide essential services to the residents of the City; and,

WHEREAS, the present 1984 operating tax rate of 9.5 mills will provide funding to maintain these essential services in 1985; and,

WHEREAS, an additional 2.5 mills (\$2.50 per \$1,000 SEV) is required; and,

WHEREAS, a total operating rate of 12.0 mills (\$12.00 per \$1,000 SEV) is necessary to fund the City's proposed 1985-86 budget; and,

WHEREAS, the City has complete authority to establish the number of mills to be levied within its authorized millage rate; and,

WHEREAS, the City Commission held a public hearing, in accordance with Public Act 5, 1982, on the proposed additional millage at its regular meeting on April 29, 1985;

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette establish an operating tax rate of 12.0 mills for Fiscal Year 1985-86.

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

WHEREAS, it is the desire of the Peter White Library Board to continue to provide basic library services to the residents of the City; and,

WHEREAS, the present 1984 Public Library operating tax rate of 1.30 mills is insufficient to maintain these basic services in 1985; and,

WHEREAS, an additional .05 mills (\$.05 per \$1,000 SEV)

is required to maintain these basic library services;
and,

WHEREAS, a total operating rate of 1.35 mills (\$1.35 per \$1,000 SEV) is necessary to fund the Library's proposed 1985-86 budget; and,

WHEREAS, the Library has complete authority to establish the number of mills to be levied within its authorized millage rate; and,

WHEREAS, the City Commission has the authority to levy a Public Library millage in accordance with Section 4.20 of the City Charter; and,

WHEREAS, the City Commission held a public hearing in accordance with Public Act 5 of 1982 on the proposed additional Public Library millage at its regular meeting on April 28, 1985;

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette establish a Peter White Library operating tax rate of 1.35 mills for Fiscal Year 1985-86.

It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to adopt the 1985-86 City fee schedule as proposed.

It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried unanimously to adopt the 1985-86 General Appropriations Act as follows:

WHEREAS, Public Act 621 of 1978 of the State of Michigan and Chapter 8 of the City Charter require City Commission adoption of a Budget Plan for the forthcoming Fiscal Year; and

WHEREAS, a Tentative Budget for Fiscal Year 1985-86 was prepared and submitted by the City Manager to the City Commission on April 15, 1985; and

WHEREAS, the City Commission has reviewed and revised the Tentative Budget through a series of work sessions, special meetings, and public hearings, and has caused the formulation of a Proposed Budget; and

WHEREAS, a Public Hearing on the Proposed Budget was duly called, publicized, and held on May 13, 1985;

NOW, THEREFORE, BE IT RESOLVED, that this Commission hereby make and adopt the following estimates of all revenues and all expenditures of the several funds of the City for the Fiscal Year beginning July 1, 1985, and for the payment of interest and indebtedness to fall due during the year for the following functions

and purposes respectively, viz:

GENERAL FUND REVENUES BY SOURCE:

<u>Taxes</u> (Real Property Tax, Personal Property Tax, Commercial Redevelopment Tax, Housing Auth. P.I.L.T., Interest & Penalties on Delinquent Property Tax)	\$ 3,250,913
<u>Licenses & Permits</u> (Business Licenses & Permits, Trailer Park Licenses, Non-Business Licenses & Permits)	5,050
<u>Federal Grants</u> (Title IIIB OAA, Title XX SSA)	26,231
<u>State Grants</u> (Fire Protection for State Facilities, Coastal Management, State Home Care, Community Mental Health, Income Tax, Sales & Use Tax, Intangible Tax, Single Business Tax, Liquor Licenses)	1,402,536
<u>Contributions from Local Units</u> (MCCOA Allocation to Senior Services, MCCOA Allocation to Match Grant)	13,361
<u>Charges for Services</u> (Fees, Cable TV Franchise Fee, Garbage Transfer & Disposal, Ice Arena Services, Cemetery Foundations, Grave Openings, Street Funds-Adm. & Engr., Fringe Benefits-Major & Local St. Funds, Services to Other Funds, Services to Public Enterprises Auth. Bds, and Com., Services-other, Cemetery Lot Use, Sales to Major & Local St. Funds, Sale to Other Funds, Sales-Other, Arena Concessions, Presque Isle Concessions, Travel Trailer Fac. Sales, Kaufman Ski Hill Concessions, P.I. Zoo Revenues, Com. Center-Use & Adm., Arena-Use & Adm., Travel Trailer-Use & Adm., Ice Skating Lessons, Slip Rentals, Launching, Boat Storage, Ballfield, Tennis, Skiing, Basketball/Volleyball, Soccer, Playgrounds, Parking Fees, Arena Parking Fees, Parking Fees-Mich. Bell Lot)	1,821,227
<u>Fines & Forfeits</u>	52,000
<u>Interest and Rents</u> (Interest, Parking Rentals, Equip. Rentals-Major & Local St. Fds., Equip. Rental-Other Funds, Equip. Rental-Bds. Auth & Comms., Land & Bldg Rental, Bldg. Rental to St. Fds., Office Rent-Other Funds, Arena Advertising, Other Rents)	1,137,450
<u>Other Revenues</u> (Sale of Fixed Assets, Payment in Lieu of Taxes-L & P, Payment in Lieu of Taxes-PHA, Restricted Contr. Zoo, Restr. Contr.-Drug & Alcohol Prob., Restr.Contr-Animal Shelter, Restr. Contr.-Arts & Crafts, Payment in Lieu of Taxes-W & SD, Payment in Lieu of Taxes-MAWWT Fd., Other)	1,892,019
<u>Operating Transfers In</u> (Cemetery Perpetual Care, Contr. from Revenue Sharing Fund)	569,635
<u>Transfer from Fund Balance</u>	899,939
TOTAL	\$ 11,070,361

GENERAL FUND EXPENDITURES BY FUNCTION:

Legislative (City Commission)

\$ 30,325

General Government (City Manager, Elections, Finance & Accounting, Independent Accounting & Auditing, Assessor, Attorney, Clerk, Personnel, Board of Review, Television Administration, Treasurer, Data Processing, City Hall & Grounds, City property-other, Cemetery, Promotional 19,400, Forestry)

897,708

Public Safety (Police, School Crossing Guard Program, Fire, Inspections, Planning, Animal Shelter/Dog Warden)

1,943,947

Public Works (Public Works, Sidewalks-Constr.-Maint., Winter Maint.-sidewalks, Vehicle Maint., Drain Expense, Highways & Streets Contributions-other 21,179, Engineering, Street Lighting, Alleys, Parking System, Mich. Bell Parking Lot, Garbage Collection, Garbage Transfer, Rubbish Collection, Sanitary Landfill, Water & SD Contributions to Other Funds, c/o 1,080,450)

3,974,629

Health & Welfare (Senior Citizen's Program, Title III B, State Home Care Services, Title XX SSA, MCCOA Allocation to Senior Services, MCCOA Allocation to Match Grants, Comm. Mental Health Allocation)

90,928

Recreation & Culture (Recreation/Parks Dept., Ballfields, Tennis Courts, Playgrounds, Swimming Areas, Ice Skating Programs, Zoo, Artificial Ice Rinks, Ski Areas & Fitness Trail, Park Maintenance, Presque Isle Store, Community Center, Trailer Park, Outdoor Ice Rinks)

1,297,494

Other Functions (Insurance & Bonds, Retirement, Social Security, Employees' Hospitalization Insurance, Employees' Life Insurance, Unemployment Compensation, Workers Compensation, Labor Relations, Damage Claims, Miscellaneous Expense)

\$ 1,069,880

Appropriations Transfers Out (Promotional-Contribution 10,000, Highways & Streets-Contributions to Other Funds 1,659,120, Water & SD-Contributions to Other Funds 22,650)

1,691,770

Contingencies

73,680

TOTAL \$ 11,070,361

MAJOR STREET & TRUNKLINE FUND REVENUE BY SOURCE:

Federal Grants

State Grants (State Grants, State Shared Revenue,

\$ 50,000

Trunkline Maintenance)	
Interest	746,700
Other Revenues (Reimbursements-Other)	40,000
Operating Transfers In	300
Transfer from Fund Balance	832,520
	783,000
TOTAL	\$ 2,452,520

MAJOR STREET & TRUNKLINE FUND EXPENDITURES BY FUNCTION:

Public Works	
Debt Service	\$ 2,302,225
	150,295
TOTAL	\$ 2,452,520

LOCAL STREET FUND REVENUES BY SOURCE:

State Grants (State Shared Revenues)	\$ 200,000
Operating Transfers In	826,600
TOTAL	\$ 1,026,600

LOCAL STREET FUND EXPENDITURES BY FUNCTION:

Public Works	\$ 999,000
Debt Service	27,600
TOTAL	\$ 1,026,600

FEDERAL REVENUE SHARING FUND REVENUES BY SOURCE:

Federal Grants	\$ 498,000
Interest	8,000
Transfer from Fund Balance	49,500
TOTAL	\$ 555,500

FEDERAL REVENUE SHARING FUND EXPENDITURES BY FUNCTION:

General Government	\$ 374
Parks & Recreation	2,491
Appropriation Transfer Out	552,635
TOTAL	\$ 555,500

LIBRARY FUND REVENUES BY SOURCE:

Taxes	\$ 347,938
Federal Grants	33,795
State Grants	19,485

Charges for Services
 Fines & Forfeits
 Interest & Rents
 Transfer from Fund Balance

Trunkline Maintenance 6,000
 Interest 37,248
 Other Revenue (Reimbursements-Other) 31,800
 Operating Transfer In 146,177
 Transfer from Fund Balance
TOTAL \$ 622,443

\$ 622,443

Library Fund Expenditures

COMMUNITY DEVELOPMENT (Small Cities 3P) REVENUE BY SOURCE:

Federal Grants \$ 143,000
 Community Development (Small Cities 3P) Expenditures \$ 143,000

COMMUNITY DEVELOPMENT (Small Cities 3E) REVENUE BY SOURCE:

Federal Grants \$ 300,000
 Community Development (Small Cities 3E) Expenditures \$ 300,000

CRIMINAL JUSTICE TRAINING FUND REVENUE BY SOURCE:

State Grants \$ 6,000
 Interest 400
 Transfer from Fund Balance 1,100
TOTAL \$ 7,500

CRIMINAL JUSTICE TRAINING FUND EXPENDITURES: \$ 7,500

Intermodal Transportation Terminal Fund Revenues: \$ 60,050

Intermodal Transportation Terminal Fund Expenditures: \$ 56,200

Marquette Area Wastewater Treatment Facility Fund Revenues: \$ 1,168,695

Marquette Area Wastewater Treatment Facility Fund Expenditures: \$ 1,168,695

Water & Sewage Disposal System Fund Revenues: \$ 3,146,600
 Appropriation Transfer In 22,650

TOTAL \$ 3,169,250

Water & Sewage Disposal System Fund Expenditures: \$ 3,169,250

Marina Fund Revenues: \$ 76,500

Marina Fund Expenditures: \$ 71,140

Be it Further Resolved, that this Commission has estimated the revenue which will be forthcoming during Fiscal Year 1985-86, and has determined the amount necessary to balance the General Fund budget to be the sum of Three million, ninety-two thousand, seven hundred eighty-seven (\$3,092,787); and has determined the amount necessary to balance the Peter White Public Library budget to be the sum of Three hundred forty-seven thousand, nine hundred thirty-eight (\$347,938); and

Be it Further Resolved, that in accordance with the Public Notification provisions of Act 5 of 1982 of the State of Michigan, the sum of Three million, ninety-two thousand, seven hundred eighty-seven (\$3,092,787) is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1985-86 Fiscal Year for the General Fund; and the sum of Three hundred forty-seven thousand, nine hundred thirty-eight (\$347,938); is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1985-86 Fiscal Year for the Peter White Public Library; and

Be it Further Resolved, that all transfers between appropriations to the various functions may be made only by further action of the Commission, pursuant to the provisions of the Michigan Uniform Accounting and Budgeting Act.

Mayor Kulisheck said that this was the time set for a public hearing on an Urban Development Action Grant application. City Manager Svanda explained that this application was to assist in the Heritage Hotel Project. There being no persons wishing to address the Commission, the hearing was closed. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution:

WHEREAS, the City Commission of the City of Marquette has determined that it is in the best interests of the community to promote the Heritage Hotel Project ("Project") in order to alleviate unemployment, stimulate downtown business trade, and add to the tax base; and

WHEREAS, the City Commission has been requested by the Heritage Hotel Limited Partnership ("Developer") to apply for an Urban Development Action Grant in the amount of \$1,200,000 to help finance the proposed Project involving the renovation of a downtown hotel; and

WHEREAS, the proposed Project will provide an estimated 97 new full-time jobs; and

WHEREAS, the proposed submission of an Urban Development Action Grant Application has been presented to the City Commission of the City of Marquette at least two duly noticed public meetings of the City Council; and

WHEREAS, an Urban Development Action Grant Application has been prepared for the proposed Project; and

WHEREAS, the City Commission of the City of Marquette recognizes the significant benefits that will result from the Project; and

WHEREAS, the proposed development would not occur but for the Urban Development Action Grant,

NOW, THEREFORE, BE IT RESOLVED that:

1. The submission of the application for an Urban Development Action Grant prepared on behalf of the City of Marquette to help finance the proposed Project is hereby approved;
2. The Mayor and/or the City Manager of the City of Marquette are authorized and directed to execute and submit the Urban Development Action Grant application substantially in the form attached to this Resolution to the United States Department of Housing and Urban Development, and that they are authorized and directed to execute all necessary documents in connection with this application and to provide such additional information as may be required;
3. The Department of Housing and Urban Development is urged to approve this application, which will provide an opportunity for economic expansion in the City of Marquette and the State of Michigan.

Mayor Kulisheck announced that this was the time set for a public hearing on a special assessment district to create a parking lot in the 500 block of North Third Street. City Manager Svanda outlined the progress of this project to date. One letter of opposition was read. Nancy Henderson, one of the petitioners, said that she represented seven petitioners. She made a lengthy comment about the project indicating support for it but also that there is concern about the equitability of the assessment scheme, how the operation and maintenance of the lot would be handled, if the City Commission would agree to fund 50 percent of the project, whether property that is zoned for business but not fronting on Third Street should be included in the assessment area, the ultimate purchase price of the building where the parking lot would be, and salvage of the materials in the building that were not damaged by the fire. Carol Pinkos, representing the North Third Street Business Association, indicated their support for the project. The hearing was closed. City Manager Svanda pointed out that the Commission had made a commitment on financial support for this project in the past. It was moved by

Commissioner Kulisheck, supported by Commissioner Berube, and carried unanimously to proceed with negotiations with the affected property owners on this project in an attempt to develop a satisfactory scheme for the assessment and to determine what the City's share of the project will be.

During the time set for citizens wishing to address the Commission, Chuck Coffey requested clarification on the water and sewer budget. Joe Noakowski, representing the Marquette Bike Club, distributed a handout from the Michigan Department of Transportation on bicycle commuting and urged more support of both bikers and bike paths in the City due to increasing numbers of bikers and interest in biking by the citizens. He said that tomorrow is National "Bike to Work" Day. Mayor Kulisheck proclaimed Tuesday, May 14, 1985 as National Bike to Work Day in Marquette. Commissioner Acocks complained about the poor traffic conduct of bikers and the need for more education. Mr. Noakowski said that their group would help in this education.

Mayor Kulisheck said that item 11 would be moved to this point on the agenda because there are several people here to discuss it. Steve Polich, an attorney representing Proksch Construction Company of Iron Mountain, said that the low bid should be thrown out due to technical irregularities. Dick Crittenden said that he did not violate the technical requirements of the bid documents. City Attorney Martin and City Manager Svanda both said that the irregularity was minor and should not be a reason for rejecting this bid. It was moved by Commissioner Coyne and supported by Commissioner Berube to accept the low bid from Crittenden Construction. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Berube, Coyne, LaBrecque, Leadbetter.

Nay: Commissioner Johnson.

The motion was carried.

Mr. Proksch said that his bid for the water plant project had been rejected for a technicality several years ago. Public Works Director Etelamaki said that the technicality in that instance would have resulted in the City losing the grant required to construct the water plant. Norman Potochnik, representing Sundberg, Carlson, and Associates, said that the intent of the paragraph in the bid document is that the bidders not alter the printed portion of the bid form. He said that it does not apply to the information filled in the blanks by the bidders.

It was moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously to approve the land acquisition agreements and construction and grading agreements for the parking ramp project as presented and to authorize the Mayor and City Clerk to execute them on behalf of the City. It was then moved by Commissioner Berube, supported by Commissioner Johnson, and carried unanimously to schedule a public hearing for the determination of the necessity for the proposed special assessment district for the downtown parking ramp project at the regular Commission meeting on Tuesday, May 28, 1985. It was then moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously to approve the agreement for construction inspection of the parking ramp project with

Sundberg, Carlson, and Associates and to authorize the Mayor and City Clerk to execute this agreement on behalf of the City. Unanimous.
Mayor Kulisheck called a five-minute recess at approximately 9:00 p.m.

Following the recess, Commissioners discussed whether the deductive alternate for the elevator had been included in the bid award for the parking ramp project. It was moved by Commissioner Coyne, supported by Commissioner Berube, and carried unanimously to reconsider the motion on the award of the bid. It was then moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously to award the construction contract bid for the parking ramp project to Crittenden Construction Company, Inc. in the amount of \$1,120,000 in concurrence with the recommendation of the City Manager, and to authorize the Mayor and City Clerk to execute all documents related to this award on behalf of the City. Noskowski said that their

A communication from the Michigan Municipal League, regarding the Annual Region X Meeting to be held in Ironwood on June 13 and 14, was read. Mayor Kulisheck encouraged Commissioners' attendance at this meeting. Mountain said that the low bid should be known and not irregularities. Dick Crittenden said that he did not

A communication from Bay Cliff Health Camp, regarding waiver of the carnival license fee, was read. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried unanimously to waive the carnival license fee for the Skerbeck Brothers Amusement Company for their appearance in Marquette on May 27 - June 1 as sponsored by the Bay Cliff Health Camp. Mayor Kulisheck, Commissioner

A communication from the North Third Street Development Coordinating Committee, was read. It was moved by Commissioner Acocks and supported by Commissioner Johnson that the Commission designate North Third Street from Arch Street to Fair Avenue as "the Village" for future reference to this area. Commissioner Berube said that he thought a hearing should be called before this vote is taken. Irving Wagner, Vice-Chairman of the North Third Street Development Coordinating Committee, said that the ground work has been done with the business people on Third Street and that they do support this concept. Carol Pinkos, representing the North Third Street Business Association, supported the concept also. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Coyne, Johnson, LaBrecque, Leadbetter.

Nay: Commissioner Berube.

The motion was carried.

A report and recommendation from the City Manager, regarding a financial package for the Village Inn of Marquette Project, was read. Dan Trotochaud explained his project of building a 40-unit motel at the corner of Third and Kaye Streets and explained the various financing considerations. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution: Commissioner Coyne, and carried unanimously

WHEREAS, there exists in the City of Marquette, County of Marquette, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment, to assist and retain local industrial and commercial enterprises in order to strengthen and revitalize the City's economy and to encourage the location and expansion of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Marquette (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has designated the hereinafter described project area for such a program to this Commission for its approval thereof; and

WHEREAS, it is also necessary for this Commission to establish project district area boundaries; and

WHEREAS, it is also necessary for this Commission to approve the appointment of two additional directors to the Board of Directors of the Corporation pursuant to the provisions of Section 4 (2) of Act No. 338;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Commission does hereby certify its approval of the Corporation's designation of the project area described in Exhibit A hereto attached.
2. This Commission does hereby establish as a project district area the property described in Exhibit B hereto attached.
3. This Commission does hereby certify its approval of the individuals listed on Exhibit C as additional Directors of the Corporation to serve in conformity with the provisions of Section 4(2) of Act No. 338.
4. It is hereby determined that the requirements of Section 20 of Act No. 338 have been met and that the formation of a project citizens district council is not required.
5. The City Clerk be and is hereby directed to deliver a certified copy of this resolution to the Secretary of the Board of the Corporation.
6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

It was then moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously that a public hearing be scheduled for the regular Commission meeting on May 28, 1985 concerning the

designation of the Village Inn of Marquette property at the corner of Third and Kaye Streets as a Commercial Redevelopment District under P.A. 255. It was then moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously to schedule a public hearing at the regular Commission meeting on May 28, 1985 on an application for the Small Cities Fund to be used in conjunction with the Village Inn of Marquette Project.

A recommendation from the Planning Commission, regarding an update to the Recreation Chapter of the Master Plan, was read. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to concur in this recommendation and to approve the Recreation Plan Chapter of the City's Master Plan as proposed.

A report and recommendation from the City Manager, regarding bids for repair of the cages at the Shiras Zoo, was read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously to concur in this recommendation and award the bid to Superior Harbor Construction in the amount of \$3,696.

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

PLANNING COMMISSION: Howard McKie to replace Paul Schwebach for a term to expire on February 15, 1987.

NORTH THIRD STREET DEVELOPMENT COORDINATING COMMITTEE:

Jim Johnson, Sharon Young, and Fred Joyal.

The Mayor also noted openings on the Tree Committee and the Public Works Advisory Board.

Mayor Kulisheck then summarized a communication from Sands Township regarding the search for a landfill site in Sands Township. He said that he was disappointed that the Sands Township Board had not accepted the City's proposal for an extension of the time in which to complete this search but that the City was still intent on cooperating with the Township in attempting to resolve this problem.

Commissioner Coyne then reported that the Substance Abuse Consultant who will be coming to the City from Sudbury, Ontario on May 30 would be meeting with several individuals and groups during his stay here regarding substance abuse problems, particularly drinking, in the City parks and other public areas. He said that there may be some funding available for a survey of citizen attitudes regarding this problem.

Commissioner Leadbetter then asked for a report and recommendation from the City Manager regarding a drainage problem at 119 West Baraga Avenue. He asked that this report be completed as quickly as possible.

Commissioner Berube then asked about the trees that are going to be cut down at the Lower Harbor Park. Parks and Recreation Director Turausky said that only the trees that are required to be removed for filling the slope at the railroad tracks or low areas would be removed and all others would be saved if possible. City Manager Svanda said that there would be a meeting at 9:00 p.m. on Saturday,

May 18 in the Commission Chambers where the Lower Harbor Improvement Committee would discuss their plans for this summer's development activities.

Commissioner Acocks questioned the schedule of completion of the work on Third Street that was started last summer. Public Works Director Etelamaki said that the contractor would be starting May 20 and should be done in about three weeks.

Commissioner Coyne said that he supported the concept of a consent agenda and felt that it should be tried. He also wanted to know if the City Commission agenda could be put on the City Hall channel on cable television. He also expressed a desire for more information on changes in the cable television law and how it will affect the City.

Commissioner Johnson said that she had received a petition from people who want the sanitary landfill open on more than just Saturday. She commented on problems caused by pets running loose and creating messes, especially on schoolgrounds, and said that the public is genuinely concerned about the City budget and the millage increase and that the City Commission should work with the public in trying to make them aware of the scope of the problem and the difficulties in solving it.

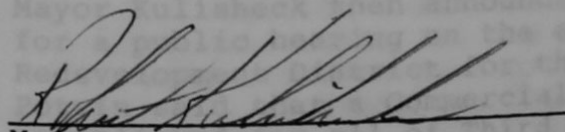
Commissioner LaBrecque commented on the City cleanup and asked if the drivers of the Marquette Transit Authority handicapped buses should be allowed to smoke while driving the buses.

Commissioner Leadbetter said that the consent agenda was a good idea and that he had seen several City administrators picking up trash during the Citywide cleanup on Saturday.

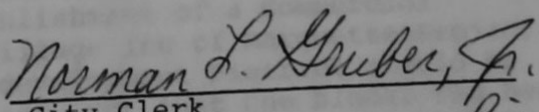
City Manager Svanda asked if the Commission wanted to try the consent agenda format in the future. Commissioners agreed that they did.

Commissioner Berube said that Peninsula Sanitation should identify on their Type III container what kind of materials are considered Type III. City Manager Svanda explained the three types of solid waste materials.

There being no citizens wishing to address the Commission, the meeting was adjourned at 10:15 p.m.



Mayor
Robert Kulisheck


City Clerk
Norman L. Gruber, Jr.

WHEREAS, Act 255 of 1978 provides for the

to May 18 in the Commission Chambers where the Lower Harbor Improvement
Committee would discuss their plans for this summer's development
by activities and other projects.

Commissioner Acker questioned the schedule of completion of the work
this year. He said that the contractor would be starting May 20 and
should be done in about three weeks.

Commissioner Johnson said that he supported the concept of a consent
agenda and felt that it should be tried. He also wanted to know if
the City Commission agenda could be put on the City Hall channel on
cable television. He also expressed a desire for more information on
changes in the cable television law and how it will affect the City.

Commissioner Johnson said that she had received a petition from
people who want the sanitary landfill open on more than just
Saturdays. She commented on problems caused by pet running loose and
creating messes, especially on school grounds, and said that the
public is generally concerned about the City budget and the millage
increase and that the City Commission should work with the public in
trying to make them aware of the scope of the problem and the
difficulties in solving it.

Commissioner Johnson commented on the City cleanup and asked if the
drivers of the Marquette Transit Authority handicapped buses should
be allowed to smoke while driving the buses.

Commissioner Leadbetter said that the consent agenda was a good idea
and that he had seen several City administrators picking up trash
during the Citywide cleanup on Saturday.

Commissioner Svanberg asked if the Commission wanted to try the consent
agenda format in the future. Commissioners agreed that they did.

Commissioner Berube said that Peninsula Sanitation should identify on
the landfill what kind of materials are considered Type
I materials. City Manager Svanberg explained the three types of solid waste
materials.

Commissioner Johnson said that she was willing to address the Commission the
next time. She said that she was willing to address the Commission the
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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, May 28, 1985

A regular meeting of the Marquette City Commission was duly called and held on Tuesday, May 28, 1985, at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Kulisheck. Commissioners Acocks,
Berube, Coyne, Johnson, LaBrecque.
Absent: Commissioner Leadbetter.

It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to excuse Commissioner Leadbetter as he is out of the City.

During the time set for announcing additional agenda items, Mayor Kulisheck added item 15, setting a time for a work session on the water and sewer rate study and item 16, discussion of complaints about the use of Hurley Field. Commissioner Coyne added item 17, an update on the McClellan Avenue extension. Commissioner Johnson added item 18, an explanation from the City Attorney regarding the validity of restricting rock concerts at the Arena. Mayor Kulisheck also noted the receipt of correspondence from Sands Township and the consent agenda which is being used for the first time this evening. Commissioner Berube asked that the bills payable be removed from the consent agenda.

Total bills payable in the amount of \$68,065.72 were presented. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to pay the bills as presented with the exception of the one to Commissioner Coyne in the amount of \$186.34. It was then moved by Commissioner Berube and supported by Commissioner Johnson to pay the above excluded bill to Commissioner Coyne and to allow him to abstain from voting. The following vote was taken:

Ayes: Commissioners Acocks, Berube, Johnson,
LaBrecque.

Nays: None.

Abstention: Commissioner Coyne.
The motion was carried.

Mayor Kulisheck then announced that this was the time and date set for a public hearing on the establishment of a Commercial Redevelopment District for the Village Inn of Marquette Project. Don Potvin said that a Commercial Redevelopment District should be established for all of Third Street, not just one block. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to adopt the resolution establishing this district and schedule a public hearing for the June 10 City Commission meeting to receive comment and consider the application for an exemption in this district. The following resolution was adopted:

WHEREAS, Act 255 of 1978 provides for the

establishment of commercial redevelopment districts in local government units; for exemption from certain taxes, for a levy and collection of a specific tax upon the owners of certain facilities; for the disposition of the tax; for the obtaining and transferring of an exemption certificate and for administration of the Act; and

WHEREAS, Act 255 is designed to assist communities in commercial redevelopment efforts by granting the benefits to companies which rehabilitate obsolete commercial facilities or build new commercial facilities in previously developed areas or areas characterized by obsolete property and a decline in commercial activity; and

WHEREAS, the City Commission may establish a commercial redevelopment district upon a request filed by the owner or owners of 75% of the state equalized value of the commercial property located within a proposed district; and

WHEREAS, Village Inn of Marquette, owner of 100% of the property in the proposed commercial redevelopment district described below, has requested the establishment of said district; and

WHEREAS, the proposed District fulfills the requirements of a Commercial Redevelopment District as set forth in Section 5(1) of Act 255 in that the property with the District is obsolete commercial property which is part of an existing, developed commercial zone which has been zoned commercial for three years before June 21, 1978, and the area is or was characterized by obsolete commercial property and a decline in commercial activity; and

WHEREAS, all owners of real property within the proposed district have been notified by certified mail of the City Commission's intention to consider establishment of this area as a Commercial Redevelopment District and have been afforded an opportunity to comment on establishment of said District at a Public Hearing; and all other taxpayers were informed of said Hearing through advertisement in the local newspaper and invited to comment on establishment of the District,

NOW, THEREFORE, BE IT RESOLVED, that the District described below be established as a Commercial Redevelopment District for the purpose of granting tax exemptions to properties within said District according to the provisions of Act 255 and the guidelines established by the Marquette City Commission at its regular meeting on August 31, 1981.

PROPOSED COMMERCIAL REDEVELOPMENT DISTRICT

The East One Hundred (100) feet of Lots Numbered Twenty One (21) and Twenty Two (22), and all of Lots numbered Twenty three (23) and Twenty four (24), of Adams Addition Number Two (2) to the City of Marquette, County of Marquette, and State of Michigan.

Mayor Kulisheck then announced that this was the time set for a public hearing on a Small Cities Grant Application for the Village Inn of Marquette Project. City Manager Svanda explained the proposed grant application and its relationship to the previous hearing. Mr. Potvin said that this grant should be sought for the entire City and that if there is an assessment for repair of infrastructure in the future, the properties benefitting from this grant should also be assessed. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to adopt the following resolution:

WHEREAS, the City of Marquette is an eligible applicant for funding under the Michigan Department of Commerce Small Cities Block Grant Program; and

WHEREAS, funding is available through the Block Grant Program to fund economic development infrastructure projects; and

WHEREAS, the City of Marquette has, through its Community Development Plan, identified the need for repair and maintenance of all public facilities; and

WHEREAS, the City of Marquette has, at a regular Public Hearing, considered the Economic and Community Development needs of the City of Marquette;

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette authorizes it's Manager, Mr. David A. Svanda, as designated signatory, to submit an application to the Michigan Department of Commerce for the Small Cities Program in the amount of \$332,350.00 to be used for public improvements to the public infrastructure serving a motel to be constructed by The Village Inn of Marquette, a Limited Partnership at a site located on the northwest corner of Kaye Avenue and Third Street in the City of Marquette; and

1. to the maximum extent feasible, the project will principally benefit persons of low and moderate income through increased employment opportunities; and

2. local funds and any other funds to be invested in the project have not been expended and will not be expended prior to the date of the beginning of the project period if a grant is awarded; and

3. that such funds are an integral part of a funding package for the project using Developer's equity as further identified in the application.

Mayor Kulisheck then announced that this was the time and date set for a public hearing on a special assessment district for the downtown parking structure. Carl Elder, representing the Presbyterian Church, asked if they would be included in this district. Mayor Kulisheck said that they would not. Pat Frenn, Chairwoman of the Downtown Development Authority, said that they are making good progress on developing a formula for these assessments but that the formula is not ready yet. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried that this project go forward, with appropriate documents to be prepared for the next meeting.

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

A communication from the Lower Harbor Telethon Committee was read. It was moved by Commissioner Acocks, supported by Commissioner LaBrecque, and carried to approve the request from this Committee and to waive the customary fee for use of the Russell Arena on Sunday, June 23, for a Telethon sponsored by Bresnan Communications to raise funds for the Lower Harbor Renovation Project.

Mayor Kulisheck announced that this was the time set for a presentation by the Lower Harbor Improvement Committee. Ellwood Mattson described progress on the project to date and said that a meeting had been held on May 18 with various groups concerned with the project describing the work done on the cleanup to date and reviewing the interests of the various groups. He said that the activities taking place at the Lower Harbor Park are following the plan developed by R.S. Scott and approved by the City Commission in 1978. He requested permission from the City Commission to allow the public to purchase square yards of sod to be placed in the park and that an area be set aside for the placement of specially identified bricks similar to those used in the downtown area. Don Klimmek displayed the most recent plans for the redevelopment effort and outlined the work that is expected to be done this summer. The Commission commended the Committee for their work in improving the Lower Harbor Park.

A communication from Powell Township, regarding solid waste, was read. It was moved by Commissioner Johnson, supported by Commissioner LaBrecque, and carried to authorize the administration to proceed with negotiations with Powell Township regarding deposit of solid waste in the City's solid waste handling system.

Mayor Kulisheck announced that this was the time set to discuss use of the neck of Presque Isle Park. Barry Polzin presented possible alternatives and additional uses for the Shiras Pool, the Shiras Pool changehouse, and surrounding areas. He said that this work had been

done on behalf of the City using a grant from the Shiras Institute. He said that this report will be presented to the Shiras Institute in the near future and that meetings involving various City Committees need to be held.

City Attorney Martin then presented a summation of his report on water and sewer collection practices. Water and Sewer Accountant Foulks presented information indicating the effect of the current policies regarding service shut-off and deposits. The Commission discussed this issue at length and agreed that it should be considered further at the work session to be scheduled on water and sewer rates.

A report and recommendation from the City Manager, regarding architectural services for renovations in the Marquette Transportation Center for the State Police Crime Lab, was read. It was moved by Commissioner Berube, supported by Commissioner LaBrecque, and carried to concur in this recommendation and award a contract to Sundberg, Carlson, and Associates and to authorize the Mayor and City Clerk to execute this contract.

A report and recommendation from the City Manager, regarding the sale of bonds for construction of the downtown parking structure, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried to concur with the recommendation to approve the resolution adopting the Articles of Incorporation of a City of Marquette Building Authority, to authorize the Mayor and City Clerk to execute these Articles of Incorporation, and to retain the firm of Dickinson, Wright, Moon, VanDusen, and Freeman as bond counsel for this bond issue. The following resolution was adopted:

WHEREAS, there has been presented to this Commission, proposed Articles of Incorporation for the City of Marquette Building Authority to be formed pursuant to the provisions of Act 31 of the Michigan Public Acts of 1948, First Extra Session, as amended; and

WHEREAS, this Commission has been advised of the necessity for the formation of such an authority in order to obtain needed public improvements for the benefit and use of the residents of the City of Marquette; and

WHEREAS, the initial project proposed to be provided by the authority and leased to the City is a parking structure; and

WHEREAS, it is hereby determined by this Commission that the most expedient and satisfactory method of providing the parking structure is through the incorporation and utilization of an authority pursuant to Act 31, P.A. 1948, as amended; and

WHEREAS, this Commission has fully reviewed the provisions of the proposed Articles of Incorporation.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARQUETTE, COUNTY OF MARQUETTE, MICHIGAN, AS FOLLOWS:

1. The Commission does hereby express and record its determination and judgement that it is necessary to incorporate a building authority under the provisions of Act 31 of the Michigan Public Acts of 1948, First Extra Session, as amended, which authority will acquire necessary public improvements and lease such improvements to the City of Marquette.

2. The attached Articles of Incorporation for the City of Marquette Building Authority are hereby adopted and authorized to be executed on behalf of the City of Marquette by its Mayor and City Clerk.

3. The City Clerk is hereby authorized and directed to publish the Articles of Incorporation in full in THE MINING JOURNAL, a newspaper of general circulation within the City of Marquette and so designated in the Articles of Incorporation, which publication shall be accompanied by a statement that the right exists to question the incorporation of such Authority in a court of competent jurisdiction within 60 days after the filing of certified copies of the Articles of Incorporation with the Secretary of State and the Clerk of the County of Marquette.

4. The City Clerk is further directed to cause the Articles of Incorporation to be filed as provided by law.

A report and recommendation from the City Manager, regarding repairs to the Presque Isle Marina piers, was read. John Batchelder, representing Gourdie, Fraser, and Associates, described the proposed project to repair these piers. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried to concur with the recommendation and to retain Gourdie, Fraser, and Associates to complete the engineering phase for this project with the funding to come from the loan that will be secured to complete the reconstruction with cash temporarily advanced to the Marina Fund only if necessary to advance the project.

A report and recommendation from the City Manager, regarding an application for a grant from the Michigan Land Trust Fund to acquire property north of Hawley Street and south of the Dead River along Lakeshore Boulevard, was read. City Manager Svanda, City Planner Gruber, Attorney Martin, and Parks and Recreation Director Turausky all answered questions regarding the proposed acquisition of this property and the process of applying for the grant. It was moved by Commissioner Johnson to adopt the resolution approving the application. The motion died for lack of support.

Mayor Kulisheck announced that this was the time set for consideration of the consent agenda. It was moved by Commissioner LaBrecque, supported by Commissioner Johnson, and carried to approve the consent agenda as follows:

A. Approval of the minutes of May 13, 1985.

C. Request from the A-Heads Motorcycle Club for a 24-hour liquor license for the annual "Wheels for Charity" Motorcycle Show at the Marquette Armory on June 9, 1985.

D. Approval of a public crossing agreement with the L.S. & I. Railroad for the River Park Complex and authorization of the Mayor and City Clerk to execute it.

E. Award of a bid for a 1985 2-wheel drive pickup truck to the low bidder, Superior Ford of Marquette, Michigan at \$14,022.21.

Mayor Kulisheck then made the following appointments:

HANDICAPPED CITIZENS ADVISORY BOARD: Rose Tourville for a term expiring December 11, 1987.

PETER WHITE PUBLIC LIBRARY BOARD: Moira Reynolds reappointed for a term expiring May 1, 1990.

The Commission then agreed to schedule a work session for 7:00 p.m. on Monday, June 3, 1985 to discuss the water and sewer utility study with emphasis on the rates and charges.

Mayor Kulisheck then said that he had received a complaint from a neighbor of Hurley Field regarding parking, drinking, and other problems created by the use of the field for softball games. The Parks and Recreation Advisory Board was directed to review this problem in depth and to present both short and long term solutions.

Mayor Kulisheck announced that this was the time set for discussion of the McClellan Avenue Project. Commissioner Coyne said that it is his understanding that the project had been delayed. City Manager Svanda said that the funding is in place but that the project is being held up by the environmental review process and that the project probably will not be completed this season.

Mayor Kulisheck noted a response from Mr. Grashoff, Attorney for Sands Township, on the landfill issue. He said that the Township Board, which had requested an extension of time for review of alternative sites until the end of August, had rejected the City's condition that if the time was extended that they drop objection to the City site if an alternative site was not found. He said that the City is therefore still working on the deadline of June 30 established previously.

Mayor Kulisheck then announced that this was the time set for the City Attorney to discuss the process of selecting rock concerts. Mr. Martin said that the City could apparently restrict specific groups from using the Arena but not specific kinds of entertainment. He explained the basis for this opinion on a court case in California. Parks and Recreation Director Turausky reported on dealings with promoters and using the promoters to screen the groups coming to the Arena. Commissioner Berube encouraged the public to follow all safety procedures during the boating season and specifically to wear personal flotation devices.

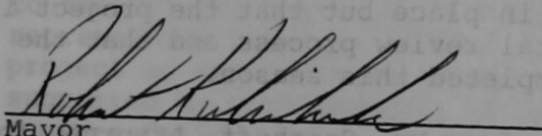
Commissioner Coyne reported on the meetings held Thursday with the

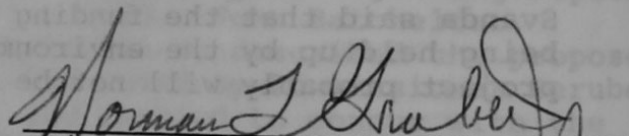
Substance Abuse Consultant who had come from Sudbury, Ontario. He also said that the meeting with the Library Board had been very productive and reported that on his visit to Cadillac with the City Commission he had received valuable information on funding for the arts, fire departments supported by volunteers, and a very viable small industrial development program.

Commissioner Johnson said that the parks looked particularly good over the Memorial Day weekend, commended Officer Stanton for his public relations program on shoplifting, said that the geese are back on Presque Isle and are being fed in violation of the signs posted there, that the entrance to the River Park Complex is very pleasing, that some of the trees planted last year in the downtown do not look very healthy, and that the progress on the Anyta Meyland Gazebo is going well. She asked who owns the locomotives at the Marquette and Huron Mountain Depot, said she had received several calls about dogs and about junk cars.

City Manager Svanda noted the special meeting on Thursday with the members of the Cadillac City Council visiting Marquette, thanked Colonel Pace and his family for their work on the City Auction for the past several years, and noted that Police Chief George Johnson had coordinated this auction, said that the Public Works Advisory Board wants to have a work session with the Commission, and that Jacobetti Veteran's Facility Administrator Tony Wedal has offered a tour of the facility to Commissioners. He also noted information on the Michigan Municipal League Region X meeting in Ironwood.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:50 p.m.


Mayor
Robert Kulisheck


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday, May 30, 1985

A special meeting of the Marquette City Commission was duly called and held at 6:00 p.m. on Thursday, May 30, 1985 in joint session with the members of the Cadillac City Council.

Present: Mayor Kulisheck. Commissioners Acocks, Berube, Johnson, LaBrecque, Leadbetter.
Absent: Commissioner Coyne.

Present from Cadillac: Mayor Darrell Becker, Mayor Pro Tem Keith McKellop, and Councilman David Crawford. Mayor Kulisheck welcomed members of the Cadillac City Commission to Marquette and introduced members of the Marquette City Commission, the Marquette City Administration, the Cadillac City Manager, Mr. Hamilton, and various spouses who were present. He commented on the Commission's excellent visit to Cadillac two weeks ago and on the itinerary that that Cadillac Councilmen would follow here in Marquette. He then presented Mayor Becker with a key to the City of Marquette, a check for one day's salary as the Mayor of Marquette in the amount of \$2.74, and a Blue Spruce tree to be replanted in Cadillac accompanied by a bronze plaque noting the presentation. Mayor Becker thanked the City Commission for the gift of the tree. He recognized Mayor Pro Tem McKellop for his efforts in tree planting along the lake shore in Cadillac. He said that the meetings in Cadillac had served to allow the Commissioners and Councilmen to become more acquainted and that he expected a very open exchange of ideas here in Marquette with much useful information being gained by both sides.

Mayor Kulisheck announced that this was the time set for the media to answer questions. Laura Teicher from WDMJ asked Mayor Becker what he expected to get out of the visit to Marquette. Mayor Becker said that he was particularly interested in information on the downtown renewal program and on solid waste disposal.

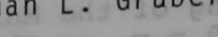
Mrs. McKellop said that she was glad to see two women sitting on the Marquette City Commission and thanked the Commission for their hospitality. Mayor Becker acknowledged Mrs. McKellop as a community leader in Cadillac.

Commissioner Johnson said that she was pleased with the visit in hopes that it is profitable for the Cadillac Councilmembers. She said that Marquette prides itself on being the Queen City of the North and a part of Michigan, that she is looking forward to a good exchange of ideas, and that she is glad that the wives were able to accompany the representatives from Cadillac.

Commissioner Acocks welcomed the representatives from Cadillac and said that she had had a good exchange when she was in Cadillac.

The meeting was adjourned at 6:15 p.m.

Robert K. Hill


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 10, 1985

A regular meeting of the Marquette City Commission was duly called and held on Monday, June 10, 1985 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Pro Tem Berube. Commissioners Acocks, Coyne, Johnson, LaBrecque, Leadbetter.
Absent: Mayor Kulisheck.

It was moved by Mayor Pro Tem Berube, supported by Commissioner Acocks, and carried to excuse the absence of Mayor Kulisheck as he is out of town.

During the time set to note additional agenda items, Mayor Pro Tem Berube moved the time set for citizens to address the Commission to item 1a, and added item 2b, a presentation from the Lower Harbor Development Committee and item 8f, the addition of the bills payable to the consent agenda. He also removed items 8a and 8c from the consent agenda and said that they would be considered after item 7.

Mayor Pro Tem Berube then said that this was the time set for a public hearing on an application for a Commercial Facilities Exemption Certificate for the Village Inn Project. There being no citizens to address the Commission, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to adopt the following resolution:

WHEREAS, Act No. 255 of the Public Acts of Michigan of 1978, MCL 207.651, et seq., authorizes the City of Marquette to approve applications for Commercial Facilities Exemption Certificates; and

WHEREAS, pursuant to Act 255, and after a duly noticed public hearing held on May 28, 1985, this City Commission, by resolution, established a Commercial Redevelopment District in the City of Marquette; and

WHEREAS, The Village Inn of Marquette (hereinafter called "Applicant"), has filed an application for a Commercial Facilities Exemption Certificate under the provisions of Act 255 and this City Commission set June 10, 1985 to give the City Assessor and a representative of each affected taxing unit and the general public an opportunity to be heard regarding said application; and

WHEREAS, written notification of this hearing has been given to the City Assessor and to the legislative body of each taxing unit which levies ad valorem property taxes within the City of Marquette and the general public; and

WHEREAS, the City Assessor and a representative of the

affected taxing units and the general public have been given an opportunity to be heard and the City Commission has considered any objection with regard to the approval of a Commercial Facilities Exemption Certificate for the Applicant.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That this City Commission finds as follows:

(a) The commencement of the restoration, replacement, or construction of the intended facilities did not occur before the establishment of the Commercial Redevelopment District.

(b) The application relates to construction which when completed shall constitute a new, replacement, or restored facility within the meaning of Act 255 and which is situated within a Commercial Redevelopment District.

(c) The facilities are calculated to and will have the reasonable likelihood to create employment, retain employment, or prevent a loss of employment in the City of Marquette.

(d) The granting of the certificate, together with the aggregate amount of certificates previously granted and currently in force under Act 255 or Act No. 198 of the Public Acts of 1974, as amended, will not have the effect of impeding the operation of the City of Marquette or impair the financial soundness of the taxing unit in the government unit in which the facility is located or is to be located.

2. The application of the Village Inn of Marquette for a Commercial Facilities Exemption Certificate be and is hereby approved.

3. The date of completion of the restored facilities subject to the Commercial Facilities Exemption Certificate shall be in November, 1985.

4. The cost of the Facilities is estimated to be \$1,020,000.

5. The Exemption Certificate shall be approved for a period of eight years, pursuant to Act 255, P.A. 1978.

Mayor Pro Tem Berube then announced that this was the time set for citizens wishing to address the Commission. Ruth Melchiori of 421 Lakewood Lane said that she was concerned about justice in water rates. John Dursma addressed the Commission regarding a water supply problem on North Front Street saying that it would cost too much to replace his private water line and asking for City help. The Public Works Director was directed to study and report on this situation. John Weber asked to speak on item 4 as did Robert Bordeau, Pat Frenn, Dave Clark, and Pete Kelly. Bob Grove asked to speak on item 2b.

Mayor Pro Tem Berube then announced that this was the time set for a presentation from the Sister City Delegation. Pryse Duerfeldt, Director of Sister City Relations, introduced the Delegation leader Paulette Lindberg, who in turn introduced the delegates who were

present: Dr. Fillmore Earney, Joan and Lou Myefski, Gloria Coughlin, Iris Katers, Laura Sodner, Linda Berry, and Mark, Tom, John, and Karen Teichman. Members of the delegation then addressed the Commission regarding their visit to Marquette's Sister City Yokaichi in Japan. In their comments, the delegates thanked the City and Mr. Duerfeldt for their support of the Sister City Program and aid in setting up the visit, urged more involvement on the part of Marquette citizens in the Sister City Program, told about the activities of Japanese youngsters including school, discussed the warmth of the Japanese people and their unique ability to work together, and discussed the gifts that had been exchanged by the delegation during their visit. They also noted the opening of an art gallery at the First of America Bank which will display gifts received during the visit. They urged increased support from local groups and businesses for the Sister City Program.

Mayor Pro Tem Berube then announced that this was the time set for a presentation on the Lower Harbor development. Mike Pond, a member of the Lower Harbor Development Committee, described the latest plans for work to be done in and around the Lower Harbor Park. He described how these plans had grown since the conception of the project in response to the large amount of support that the Committee has received. He said that these plans call for a stairway from the foot of Washington Street to the park level and filling and sodding of the bank area along the railroad tracks, the development of a gravel parking lot, and the provision of electric, sewer, and water service to the site. Two bike paths will be constructed and it is anticipated that the National Guard will provide equipment and labor for enlargement of the Cinder Pond Marina area. Bob Grove, representing Bresnan Communications, urged people to watch the Telethon being produced by Bresnan on Sunday, June 23 to raise funds for support of this project. He introduced John Dagenais, the producer of the Telethon, who said that plans are going as scheduled and that a great deal of the talent needed to fill the ten-hour Telethon is already scheduled. The Commission directed City Manager Svanda to prepare a report and recommendation on methods to implement the Committee's request for approval to sell bricks for a pathway and square yards of sod in the park to help fund the project.

A communication from Marquette Township, regarding the solid waste landfill agreement, was read. Mayor Pro Tem Berube responded to this request. He said that safety and good operation of the Dafter Landfill were one of the City's primary concerns as well as the City's partial financing of the Solid Waste Transfer Facility and Compactor owned by Peninsula Sanitation. He said that the City felt it was in everyone's interest to direct activities towards cooperation on the part of local governments in handling solid waste matters. He also said that the County Solid Waste Plan and economics dictate that there only be one transfer facility for eastern Marquette County. He also noted that the City had signed the contract with Mr. Reid, owner of the Dafter Landfill, prior to the adoption of the Chippewa County Solid Waste Plan and that a judge had ruled that that is the only reason that Marquette is allowed to dump at the Dafter Landfill now. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to forward this response to

Marquette Township.

A recommendation from the Downtown Development Authority, regarding a formula for the parking ramp special assessment, was read. John Weber claimed that there were vested interests on the part of the committee devising the formula, discussed the basis for the formula, and proposed what he felt was a more equitable solution. Robert Bordeau supported the concept of assessment, but said that he was concerned about the unidentified amount to be credited to people having existing parking lots. He said that he should not be assessed for his parking lot. Peter Kelly, one of the owners of the Savings Bank Building, stated the same concerns as Mr. Bordeau, and said that it costs a great deal to maintain their parking lot and that they could not build on their parking lot without providing other parking. Ted Stokke, representing the Lake Superior and Ishpeming Railroad, said that they feel they should have some credit for the parking they provide. Eric Durham, representing First of America Bank, agreed with the comments made already and said that the formula should be developed by an impartial committee which would allow credit for parking. Pat Frenn, Chairwoman of the Downtown Development Authority, read a letter of addendum describing the history of the proposed formula and how it was developed. She said that many formulas have been discarded as unworkable or unfair and that the present formula was the most fair that had been arrived at so far. Commissioner Leadbetter asked for an opinion from the City Attorney on conflict of interest in this matter. Mr. Martin said that Commissioners owning property or businesses in the assessment district would be able to vote to set hearings, but could not debate or vote on the issue. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried to direct City staff to develop a fair formula for making this assessment. David Clark explained the formulas that are in use in two other cities in Michigan and reasons why those formulas would not work in Marquette. Mr. Weber said that he wants an unbiased formula. Pat Frenn offered the assistance of the Downtown Development Authority to the City staff in working on the formula. Dave Clark answered questions about how the formula was developed. The Commissioners thanked the people from the Downtown Development Authority who have worked long and hard in recent weeks on the development of this formula. Laura Teicher, representing WDMJ radio, announced that Dr. Ahmad and Miss Ramseth had won the School Board election. It was moved by Mayor Pro Tem Berube, supported by Commissioner Johnson, and carried to schedule a public hearing to accept and discuss the formula for the proposed special assessment and to allow citizen comment for the Commission's regular meeting on July 8, 1985. It was then moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to adopt the following resolution:

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

CONSTRUCTION OF A DOWNTOWN PARKING STRUCTURE

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

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

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

RESOLVED, That the City Commission determines that such project and improvements are necessary and proper and that a special assessment district is established as follows:

DOWNTOWN PARKING STRUCTURE SPECIAL ASSESSMENT

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

Property - \$283,000	City - \$717,000
	State - \$400,000

FURTHER RESOLVED, That the report of the City Manager, the report of the City Engineer, and the preliminary plans, specifications, and cost estimates are hereby approved; that said special assessments may be paid in 15 annual installments, at a rate not exceeding 10% per annum, or the actual cost of borrowing; that the City Engineer is directed to proceed with preparations of final plans and specifications, that the City Manager is directed to proceed with the advertising and taking of bids, and that the City Assessor is directed to prepare a special assessment roll and report of the same to the City Commission for confirmation.

A communication from Johnson and Barbieri, Inc., regarding proposed sale of Lots 1 and 2 in the Marquette Industrial Park, was read. It was moved by Commissioner Johnson and supported by Commissioner Leadbetter to approve this sale as proposed. The Commission discussed precedent established in approval of prior sales of lots in this industrial park. Dan Cook addressed the Commission saying that he was the proposed purchaser and that he did not object to the sale price. The motion was withdrawn. It was moved by Mayor Pro Tem Berube, supported by Commissioner Acocks, and carried to refer this matter to the City Manager for a report and recommendation.

CONSTRUCTION OF A DOWNTOWN PARKING STRUCTURE
Mayor Pro Tem Berube called a five-minute recess at 9:20 p.m.

Following the recess, a report and recommendation from the City Manager, regarding the 1984-85 fiscal year budget adjustments, was read. City Attorney Martin noted a change in his budget adjustment. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to adopt the budget revisions to the individual line items as proposed creating the following fund changes:

General Fund (101) Revenues + \$373,075.00
General Fund (101) Expenditures + \$144,973.00
Major Street Fund (202) Revenues: + \$923,825
Major Street Fund (202) Expenditures: + \$48,904

No revisions to the following:

Local Street Fund (203)
Federal Revenue Sharing (249)
Community Development (278,281,282,283)
Criminal Justice Fund (285)
Intermodal Transportation Terminal Fund (580)
Marquette Wastewater Treatment Facility (590)
Water and Sewer Disposal Fund (592)
Marina Fund (594)

A report and recommendation from the City Manager, regarding the acquisition of balcony seating for the Lakeview Arena, was read. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried to waive the bidding procedures for the acquisition of this seating based on the same price as the seating acquired last year and to negotiate locally for the same seating at the same or lower price, and, if a local vendor cannot be found, to award the bid to Irwin Seating Company as recommended.

A report and recommendation from the City Manager, regarding bids for a 1984 articulated four-wheel drive municipal tractor with attachments, was read. It was moved by Commissioner LaBrecque, supported by Commissioner Johnson, and carried to table action on this bid until the Public Works Advisory Board can look at the unit proposed to be purchased.

A recommendation from the City Attorney, regarding an amendment to the garbage, rubbish, and special material ordinance, was read. Following a discussion regarding the proposed change in the fees proposed by this ordinance, it was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to schedule a public hearing on this amendment for the regular Commission meeting on Monday, June 24, 1985.

The City Clerk presented the items on the consent agenda. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to approve the consent agenda. The following items were approved:

-Scheduling a public hearing for the June 24

Commission meeting on an amendment to the zoning ordinance regarding required parking on Third Street.

- Award of bids for Fiscal Year 1985-86 Street Projects in the amounts of \$654,914 for the Fisher Street Project, and \$440,679.34 for the Fourth-Bluff Street Project to O'Dovero Construction.

- Award of a bid to Superior Ford-Lincoln-Mercury Sales for a two-wheel drive pickup truck in the amount of \$8,624.94.

- Approval of the bills payable in the amount of \$403,022.57.

Mayor Pro Tem Berube then made the following appointments with the Commission's concurrence:

ELECTIONS BOARD: Ruby Pedakis reappointed to a four-year term on the Elections Board expiring April 11, 1989.

CANVASS BOARD: Ray Camilli to a new term expiring January 1, 1989.

PARKING ADVISORY COMMITTEE: Neil Nystrom and Ray Beauchamp for terms expiring May 30, 1988.

TREE COMMITTEE: Marion Lovewell to replace David Olsen for a term expiring February 11, 1987.

PUBLIC WORKS ADVISORY BOARD: Peter O'Dovero.

He also noted a vacancy on the Handicapped Citizens Advisory Board and the resignation of Stan Baranowski from the Lakeview Arena Advisory Board creating a vacancy on that board.

Commissioner Johnson said that she had appeared as the City's representative at the recent "TOPS" convention and that the people attending the convention had agreed that it had been a very nice convention and had directed that a letter of thanks be sent to the Arena staff. She commended the owners of the property at the corner of Ohio and Lake Shore for their cleanup of the fire damage in that location, noted many complaints about dogs, especially the messes they cause in public parks, said that the speeds on Hewitt Avenue are too high and that this is resulting in accidents at the corner of Sixth Street, and commended the City's contractor for his work in cleaning up the corner of Third and Ridge Streets.

Commissioner Coyne reported on the visit of the Substance Abuse Consultant. He said it was very informative and positive and that the City Ad Hoc Committee would continue to work in this area.

Commissioner Acocks said that she was concerned about a letter from Superintendent of Schools Klahn regarding a drainage problem at the High School. City Manager Svanda reported that the engineering for the project to correct this situation would proceed this summer, but that sufficient funding to build the required drains had not been budgeted during the coming fiscal year.

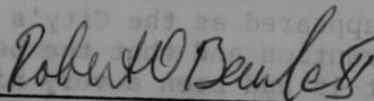
Commission meeting on an amendment to the zoning
Mayor Pro Tem Berube noted a proposed meeting with the County Board, with Sands Township, and with the East Marquette Solid Waste Disposal Authority on June 27, 1985. He also supported the Lower Harbor Improvement Project and said that it is a very worthwhile project. He thanked all parties for patience with his inexperience at running the meeting this evening. Commissioners concurred that he had done a good job.

Commissioner Johnson said that she was concerned with the water rates after attending a meeting this afternoon with the persons preparing a petition for amending the water rate ordinance. She said the Commission must listen to the citizens' concerns in this area.

It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to schedule a special meeting on the landfill issue with the Marquette County Board, the Sands Township Board, and the East Marquette Solid Waste Disposal Authority for the County Commission Chambers at the Courthouse on Thursday, June 27, 1985 at 7:00 p.m.

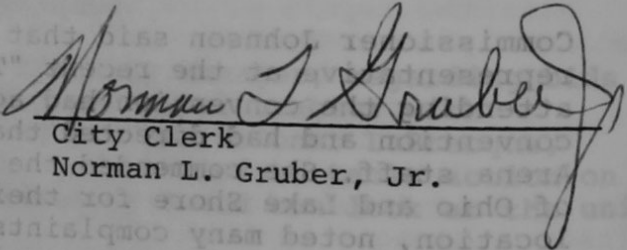
During the time set for citizens wishing to address the Commission, Sam Elder said that he is greatly concerned about the dumping of garbage and rubbish on side roads just outside of Marquette and wanted to know how much it costs the City to produce a unit of water. He questioned the existence of the depreciation reserve account in the water and sewer utility. Ruth Melchiori said that the water rate equity committee has a petition to change the water and sewer rate ordinance which the Commission should pass or it will be voted in anyway.

The meeting was adjourned at 10:08 p.m.



Mayor Pro Tem

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

Commissioner Acocks said that she was concerned about a letter from the Superintendent of Schools. She said that the engineering for the project to correct this situation would proceed this summer, but that sufficient funding to build the required drains had not been budgeted during the coming fiscal year.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 24, 1985

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, June 24, 1985 in Commission Chambers of City Hall.

Present: Mayor Pro Tem Berube. Commissioners Acocks, Coyne, Johnson, LaBrecque.

Absent: Mayor Kulisheck, Commissioner Leadbetter.

It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to excuse the absences of Mayor Kulisheck and Commissioner Leadbetter as they are out of the City.

During the time set for announcing additional agenda items, Commissioner Johnson said that she wanted early in the meeting to express the City's thanks to Bresnan Communications for their great effort on the Lower Harbor Telethon last Sunday and the \$5,000 contribution they made towards that effort. She said that \$30,000 had been raised for redevelopment of the lower harbor by this telethon. Commissioner Coyne asked that item 15i be removed from the consent agenda and placed as item 14a.

Mayor Pro Tem Berube announced that this was the time and date set for an amendment to the zoning ordinance. Dan Trotochaud, a member of the North Third Street Development Coordinating Committee, supported this amendment. The hearing was closed. It was moved by Commissioner LaBrecque, supported by Mayor Pro Tem Berube, and carried to adopt the following ordinance:

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AN AMENDMENT TO CHAPTER 80, TITLE XII OF THE MARQUETTE CITY ZONING ORDINANCE BY ADDING SECTION 80.24.3.D AND AMENDING SECTION 80.42.2.A, RELATING TO THE REDUCTION OF REQUIRED PARKING.

Mayor Pro Tem Berube then announced that this was the time and date set for a public hearing on a proposed amendment to the Garbage, Rubbish, and Special Materials Ordinance. Mrs. Stebbins requested a roll call vote. Ruth Melchiori said that this was a tax on the water utility. Russ Dootree was concerned about the schedules for solid waste pickup. Sam Elder said that the ordinance was not consistent with the City Charter, and that the rates were too high. Peter Embley said that there needs to be a utility board. Tom Bullock said that raising this fee would lower the value of apartment buildings in Marquette. The hearing was closed. Following comments and questions by the Commission, City Attorney Martin expressed his opinion of the legality of this ordinance based upon the Charter and the basis for the landfill closure fee. City Manager Svanda said that there is an annual audit report completed by the City and that this is available through his office or the City Clerk's office. Mayor Pro Tem Berube

said that the City needs to act in an environmentally safe manner in disposing of its solid waste. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to continue this public hearing until the next regular meeting because the proper rates had not been available in the Clerk's office prior to the hearing.

Mayor Pro Tem Berube announced that this was the time set for a presentation by the Richard M. Jopling American Legion Auxilliary Unit 44. June Brown, the Children Aids Coordinator, presented Pat Lampinen, President, and Bonnie Belmore, Chairman of the Unit. They presented the City Commission with a check for \$2,000 to be used for the purchase of wooden playground equipment for Williams Park. Mayor Pro Tem Berube accepted the check on behalf of the citizens of Marquette, noting that his children and many others make use of that park and that this contribution is greatly appreciated by the City and its residents.

During the time set for citizens wishing to address the Commission, Chris Melgaard said that he had had three warnings for not using the shoreline bike path and said that he doesn't use it because he feels it is unsafe at the speed he rides his bicycle. He said that he felt there are design, construction, and maintenance problems for this bike path. The City Commission asked for a report and recommendation on this issue. Kent Bourland complained about the time limit for speaking and discussed the payment in lieu of taxes. Joe VanDine and Peter Kelly asked to speak on item 8. Brett Stephenson asked to speak on item 7. Sam Elder said that he is not able to get a cost for treating a unit of water or wastewater. Joe Isabelle complained about illegal apartments and too many occupants in apartments.

A communication from the Marquette Public Schools regarding the 1985-86 tax rate was read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to apply the requested rates of 22.250 voted plus 7.365 allocated for operating purposes and 2.350 for debt requirement as requested by the school board on the tax bills.

A communication from the Marquette-Alger Intermediate School District, regarding their tax rate for the 1985 year, was read. City Manager Svanda said that the City is obliged by statute to place their tax on the tax bill.

A communication from the Hiawatha Music Co-op, requesting approval for a 24-hour liquor license and permission to consume alcoholic beverages at the Tourist Park on the dates of July 19, 20, and 21, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to approve the sale of beer as requested.

A communication from Dan Jarvis and Brett Stephenson requesting permission to use the bandshell at Presque Isle for a protest involving Nicaragua was read. It was moved by Commissioner Johnson and supported by Commissioner Acocks not to allow use of the bandshell at this time due to the heavy use of the park during the holiday season. Brett Stephenson answered questions regarding the

proposal. The following vote was taken:

Ayes: Commissioners Acocks, Johnson, LaBrecque.

Nays: Mayor Pro Tem Berube, Commissioner Coyne.

The motion was carried.

Commissioner Coyne said that they have a right to demonstrate in any City park without Commission approval.

A report and recommendation from the City Manager, regarding a proposed special assessment formula for the Bluff Street Parking Structure, was read. Joe Van Dine said that the formula needs further study because lot size does not affect the actual demand for parking and that there is no credit for parking already provided. Peter Kelly said that there should be a credit for parking provided by businesses. The Commissioners asked questions and made comments regarding this formula and discussed alternate schemes at length. Mayor Pro Tem Berube relinquished the chair to Commissioner Coyne and stepped to the podium. He said that he will abstain from voting on this matter due to a financial interest but that he wished to speak as a member of the public. He supported the concept of assessing on the basis of building use and total area of the building modified by the time that the building spaces are used. It was moved by Commissioner Acocks to proceed with the restructuring of the formula. The motion was withdrawn. It was moved by Commissioner Coyne and supported by Commissioner Acocks to continue with the scheduled public hearing for the July 8, 1985 Commission meeting and to direct the administration to continue to study alternative assessment formulas. The following vote was taken:

Ayes: Commissioners Acocks, Coyne, Johnson, LaBrecque.

Nays: None.

Abstention: Mayor Pro Tem Berube.

The motion was carried.

Mayor Pro Tem Berube then called a five-minute recess at 9:25 p.m.

Following the recess, a report and recommendation from the City Manager, regarding solid waste system operations, was read. City Manager Svanda said that this should be approved as an ordinance, not as a resolution. He explained the elements contained in this proposal. Russ Doutree addressed the Commission asking why the compactor operations would be limited to five days a week. Bill Niepoth, representing Peninsula Sanitation, explained the concerns that are prompting the proposed changes. Following a lengthy discussion, it was moved by Commissioner Berube, supported by Commissioner Coyne, and carried to ask the City Manager to study this matter further and report at the next meeting.

A report and recommendation from the City Manager, regarding new water service at 920 North Front Street, was read. John Dursma said that the proposal was not adequate assistance in helping him to put in a new water lateral to his house. It was moved by Commissioner Berube and supported by Commissioner Acocks to concur in the City Manager's recommendation to offer Mr. Dursma single lot assessment for 10 years at a 10 percent interest rate. The following vote was taken:

Ayes: Mayor Pro Tem Berube. Commissioner Acocks.
Nays: Commissioners Coyne, Johnson, LaBrecque.
The motion was defeated. It was then moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to table this matter until the next meeting and to try to work out a better solution that will include the three houses on the other side of Front Street.

A report and recommendation from the City Manager, regarding the sale of lots 1 and 2 in the Marquette Industrial Park from Johnson and Barbieri to Cook Sign Service, was read. It was moved by Commissioner Acocks, supported by Commissioner LaBrecque, and carried to approve the sale of these lots at the price of \$24,400.

A report and recommendation from the City Manager, regarding amendment #1 to the contract for engineering services for the Dead River Bridge Project, was read. Ray Roberts, representing Sundberg, Carlson, and Associates, answered questions at length regarding the proposed change in this contract. Public Works Director Etelamaki said that the increased engineering costs were all justifiable. It was moved by Commissioner Coyne and supported by Commissioner Acocks to concur with the recommendation to approve amendment #1 in the amount of \$24,540.72 and to authorize the Mayor and City Clerk to execute it. The following vote was taken:

Ayes: Mayor Pro Tem Berube. Commissioners Acocks, Coyne.

Nays: Commissioners Johnson, LaBrecque.
The motion was carried.

A report and recommendation from the City Manager, regarding retaining professional construction engineering services for the Fisher, Front, Fourth, and Bluff Street reconstruction projects, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to approve these contracts with Sundberg, Carlson, and Associates in the amount of \$94,913.90 for the Fisher and Front Street project, and \$63,599.44 for the Bluff and Fourth Street project, and to authorize the Mayor and City Clerk to execute the contracts.

A report and recommendation from the City Manager, regarding bids for comprehensive liability and property insurance, was read. It was moved by Mayor Pro Tem Berube, supported by Commissioner Coyne, and carried to award this bid to the Michigan Municipal Risk Management Authority at the low bid price of \$250,000. Purchasing Director Ron Cardone said that many insurance companies were not issuing any municipal insurance at all this year.

A report and recommendation from the City Manager, regarding a use agreement for the Lower Harbor Park, was read. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to approve the agreement as submitted with the addition of Section 21 as follows:

"The users shall return the facility to the condition in which it was prior to the use hereof included in this contract. This shall include, but not be limited to, rubbish removal, repair or replacement of damaged

property, trees or turf." and to authorize the Mayor and City Clerk to execute the agreement.

Mayor Pro Tem Berube announced that this was the time set for consideration of the consent agenda. City Attorney Martin noted that in relation to item 15c, the new leaseholders have agreed to pay the amount of rent due on the property from the prior lease. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to approve the consent agenda. The following items were approved:

- A. Minutes of the May 28, May 30, and June 10 City Commission meetings.
- B. Total bills payable in the amount of \$586,258.97.
- C. Approval of a lease for the Depot parcel on Lakeshore Boulevard with Terry Gilfoy and Mike Horton dba Acorn Renovations and authorization of the Mayor Pro Tem and City Clerk to execute it on behalf of the City.
- D. Acquisition of an IBM System 34 computer memory upgrade from Diskcomp Computer Sales Limited in the amount of \$4,100.
- E. Award of a bid for portable folding staging and stand trucks to U.P. Office Supply Co. in the amount of \$6,698.00.
- F. Award of bids for miscellaneous concrete construction projects to Pajula and Maki Contractors of Ishpeming.
- G. The adoption of the following resolution regarding the Village Inn of Marquette EDC Project.
- H. Calling a public hearing on the following proposed ordinance for the next regular Commission meeting:

A PROPOSED AMENDMENT TO TITLE IV, CHAPTER 28 WHICH PROVIDES FOR THE REGULATION OF ANIMALS, FOWL, AND INSECTS BY ADDING THERETO A NEW SECTION 28.05 TO PROHIBIT THE FEEDING OF GEESE IN THE CITY OF MARQUETTE.

G. RESOLUTION:

WHEREAS, there exists in the City of Marquette, County of Marquette, Michigan (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provided needed services and facilities to the City and its residents and to retain employment opportunities in the City; and

WHEREAS, a program to alleviate the aforesaid conditions and accomplish said purposes has been initiated by The Economic Development Corporation of the City of Marquette (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act 338 of the Public Acts of Michigan, 1974, as amended ("Act

338"), and the Internal Revenue Code of 1954, as amended, has prepared and submitted a project plan (the "Project Plan") involving a motel facility to be undertaken on behalf of Village Inn Limited Partnership, a Michigan limited partnership with Daniel J. Trotochaud, Jr., as its general partner (the "Project"); and

WHEREAS, pursuant to Act 338 it is necessary to hold a public hearing concerning the Project, the Project Plan and the bonds proposed therein to be issued by the Corporation (the "Bonds"), prior to taking legislative action relating to it;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the aforesaid Act 338 the Commission shall meet on Monday, July 28, 1985, at seven o'clock p.m., at which time it shall conduct a public hearing on the Corporation's submission of the Project Plan and the issuance by the Corporation of the Bonds.
2. The Clerk be and is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in The Mining Journal, a newspaper of general circulation in the City; (2) posting in at least ten (10) conspicuous and public places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which notices shall be published and given at least fourteen (14) full days prior to the date set for said hearing.
3. Said notice shall be in substantially the form specified.
4. The Commission does hereby determine that the foregoing form of notice and the manner of publication directed is adequate notice to the citizens of the City and is well calculated to inform them of the intention of the Commission to hold a public hearing and the purpose of the public hearing.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Commissioner Johnson said that she had received many calls of concern about the upcoming rock concert, commended the Marquette First Federal Credit Union for beautification of their office site on North Third Street, commended the Parks and Recreation Department for placing covers on garbage cans at Presque Isle Park, urged that a key to the Park Cemetery be placed at the Police Department, and asked when the next work session on the water and sewer rates would be. Commissioners agreed to set 7:00 p.m. on Wednesday, July 10, as the time for this work session. Commissioner Johnson also thanked the American Legion Auxilliary for their contribution to Williams Park and noted the excellent telethon held which raised \$30,000 for the Lower Harbor Improvement Project this weekend.

Commissioner LaBrecque said that there was dirt piled between the

sidewalk and Washington Street in the area across from Spears lumberyard. He also said that there was a davenport that had been placed out with the garbage on Bluff Street.

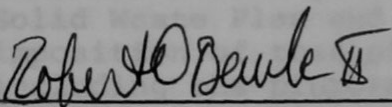
Commissioner Coyne commended Bresnan Communications for the Telethon and noted that they are following through on their commitment made by Andy Smalls and TCI during the exchange of the franchise last year.

Mayor Pro Tem Berube noted that there had been a Heritage tree dumped in the area at the Arena set for disposal of tree limbs and branches and that this is unspeakable activity on the part of whoever is doing it, thanked the American Legion Auxilliary and noted that contributions such as these are what makes Marquette a good place to live, noted that there had been support from citizens throughout the area for the Lower Harbor Telethon, and commented on errors made in a letter to the editor in the Mining Journal.

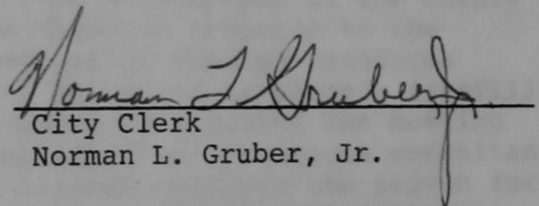
City Manager Svanda asked if he should report on a water and sewer authority for the July 10 meeting. Commissioners agreed that only the rates would be discussed at this meeting.

Ruth Melchiori asked about dates for various meetings and for other information.

There being no other citizens to address the Commission, the meeting was adjourned at 11:15 p.m.



Mayor Pro Tem
Robert O. Berube, II



City Clerk
Norman L. Gruber, Jr.

sidewalk and Washington Street in the area across from Spence
lumberyard. He also said that there was a driveway that had been
placed out with the garage in Blue Street.

Commissioner Cohn commented on the exchange of the telephone
and noted that they are following through on their commitment made by
Andy Smalls and TCI during the exchange of the franchise last year.

Mayor Pro Tem Bernick noted that there had been a Heritage tree
planting in the lower Harbor Park yesterday, that garage has been
dumped in the area at the same set for disposal of tree limbs and
branches and that this is unacceptable activity on the part of whoever
is doing it, thanked the American Legion Auxiliary and noted that
contributions such as these are what makes Marquette a good place to
live, noted that there had been support from citizens throughout the
area for the lower Harbor Telephone, and commented on errors made in a
letter to the editor in the Mining Journal.

City Manager Svendsen asked if he should report on a water and sewer
authority for the July 10 meeting. Commissioners agreed that only the
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Ruth Melchior asked about dates for various meetings and for other
information.

There being no other citizens to address the Commission, the meeting
was adjourned at 11:15 p.m.

Mayor Pro Tem Bernick
Robert Kulisek
City Clerk
Norman L. Girber, Jr.

Commissioner Cohn commented on the exchange of the telephone
and noted that they are following through on their commitment made by
Andy Smalls and TCI during the exchange of the franchise last year.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday, June 27, 1985

A special meeting of the Marquette City Commission was duly called and held on Thursday, June 27, 1985 at 7:00 p.m. in the Circuit Courtroom of the Marquette County Courthouse at a joint meeting called by the Marquette County Board of Commissioners regarding the solid waste landfill issue.

The meeting was called to order by Chairman DeFant of the County Executive and Intergovernmental Relations Committee. She introduced County Board Members D. Roberts, F. Valente, and L. Berglund along with County staff who were present.

Mayor Pro Tem Berube then called to order the special meeting of the City Commission and introduced Commissioners Acocks, Coyne, Johnson, LaBrecque, and Leadbetter along with City staff members who were present. Sands Township Supervisor Earl Yelle was recognized along with members of the Township Board who did not constitute a quorum of the Board. Marquette County Planning Commission Members Seppanen, Peterson, and Timmons were recognized as were Department of Natural Resources Regional Director Opolka and Solid Waste Specialist Earl Olsen and East Marquette County Solid Waste Disposal Authority Chairman Fende.

Chairman DeFant gave a background of the development of the County Solid Waste Plan and various actions taken in response to the imposition of that plan by the Department of Natural Resources including the proposal by the City of Marquette to place a landfill in Sands Township on the Russell Property. She turned the meeting over to Mr. Yelle, who turned the meeting over to various consultants employed by Sands Township. The consultants outlined the search for a site for a landfill at locations other than the Russell Property which would be comparable to the Russell Property. They said that two alternate sites were being proposed; one in sections 12 and 13 in Forsyth Township, and another in sections 29 and 32 of Sands Township. Various environmental and economic factors that had been determined for these two sites were discussed at great length.

Following the presentation by the consultants, Chairman DeFant opened the meeting to questions from participants in the meeting. Planning Commissioner Timmons asked what the zoning of the two sites is. They are both zoned forestry. She also asked the distance to the three sites including the Russell site. The distances from the south City limits are 5 miles to the Russell site, 6 miles to the section 29 site, and 17 miles to the section 12 site. Commissioner LaBrecque questioned the extra cost for the longer haul to the section 12 site. Sands Township consultants said that there would be more expense in the long run. Chairman DeFant asked if the DNR had stated that they could evaluate the sites within two weeks. Mr. Olsen said that they would be able to provide evaluation in that time span. Commissioner Coyne asked about the comparability between the road construction costs between the section 29 site and the Russell site. The

consultants responded that the costs are similar and that the tradeoffs in better environmental factors in the section 29 site offset any additional cost of road construction. Mayor Pro Tem Berube thanked the Township for their very fast work in finding two sites that appear to be very comparable to the Russell site. He asked questions regarding how fast decisions could be made and what the cost of the alternative sites would be. He said that the soonest the City Commission would be able to make a decision on the alternate sites would be at the July 8 regular Commission meeting. He emphasized that the fast work on the part of all parties concerned in this matter was not to avoid a lawsuit but to be good neighbors. He indicated that the two sites proposed by the township appear to be comparable as required by the points of the March 22 letter between the City and Sands Township but he indicated questions about points 3 and 4 regarding environmental effects and comparable costs. He also questioned the land availability, especially of the section 29 site. The consultants responded that CCI is cooperating with consideration of this site but that terms and conditions for purchase had not been established.

The group discussed the possibilities of road maintenance by the County and the delay of development necessitated by building a road into the section 29 site. Mayor Pro Tem Berube said that much of the City's expenditure of engineering would be transferrable to a new site but that the land acquisition would perhaps not be transferrable. He said the City needs to act quickly because of the cost of transporting the solid waste to Dafter in the meantime. He asked how much the township would be willing to help development of one of the other sites. Commissioner Coyne thanked Sands Township for coming up with the goods and said that this is a positive step. He said that both the City and the Township would benefit by a more environmentally sound site and that Sands benefits more due to the isolation. He suggested that this has a value to both Sands and to the City and said that the two governments must get together on matters of economic benefit.

Commissioner LaBrecque asked about mineral rights on the section 29 site. Commissioner Leadbetter said that the cost of the road is small in comparison to the total cost of developing a landfill. Commissioner Johnson said she wants what is quickest and best for the community. Mr. Fende expressed concern for his constituents on environmental pollution and said that the environmental factors of the section 29 make it more acceptable than the Russell site. He also said the two miles of road to be maintained should be plowed by the County since they maintain long roads for isolated residential uses. Marquette County Planning Commissioner Seppanen said that he feels positive and will wait for an outcome of the City Commission's deliberations.

DNR Director Opolka said that he was pleased at the cooperation and would do everything possible to aid resolution of the problem. Chairman DeFant asked about the monies expended in the purchase of the Russell site. Attorney Martin said that there may be some instance in which the remainder to be paid to the Russells would not have to be paid and that this would be a further savings. Mayor Pro

Tem Berube asked if Forsyth Township was represented at this meeting. Forsyth Township Supervisor Evelyn Heikkila asked that, in siting the landfill, consideration be given to travel distance of other population groups such as the Gwinn area since the site will have to serve most of the County, not just the City.

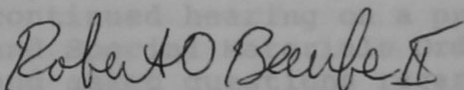
Chairman DeFant asked if another meeting would be advisable. Following some discussion, a recess was called at 8:50 p.m.

Following the recess, Chairman DeFant noted that there were no group discussions during the recess, but that individuals from the various bodies present had talked. She said that there would be no need for another meeting pending the outcome of the July 8 City Commission meeting.

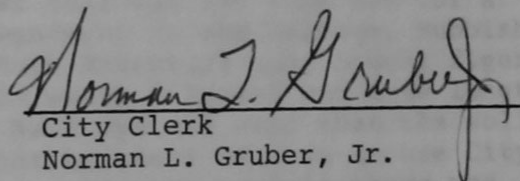
During the time set for public comment, Sands Township Attorney Grashoff said that Sands will continue to cooperate and make its consultants available. County Board Member Berglund said that things appear to be going well. Dave Kallio, a member of the Sands Township Board, urged continued recognition that this will be an East Marquette County Landfill and that there are many tradeoffs in costs as well as other factors in its location. Robert Atkins said that there was good cooperation but that the audience had not been able to hear much of the discussion.

Chairman DeFant congratulated all on a fruitful exchange and said that the County Board was pleased to have a part in facilitating this exchange.

The meeting was adjourned at 9:10 p.m.



Mayor Pro Tem
Robert O. Berube, II



City Clerk
Norman L. Gruber, Jr.

Temperatures asked if Forsyth Township was represented at this meeting. Forsyth Township Supervisor Evelyn Heston asked that, in stating the township had no representation, he be given to travel distance of other east population groups such as the Green area since the site will have to be in the County, not just the City.

Chairman DeBart asked if another meeting would be advisable. Following the recess, Chairman DeBart noted that there were no group representatives during the recess, but that individuals from the various bodies present had talked. She said that there would be no need for another meeting pending the outcome of the July 8 City Commission meeting. Another discussion was held about the site and the proposed site. During the time for public comment, Sandra Township Attorney Gustafson said that she would like to continue to cooperate and make the consultants available. County Board member Berghand said that things appear to be going well. Dave Kallio, a member of the Sandra Township Board, urged continued recognition that this will be an East Marquette County landfill and that there are many residents in the area as well as other factors in the location. Robert Atkins said that the waste management cooperation between the audience had not been able to be reached at the discussion.

Chairman DeBart congratulated all on a fruitful exchange and said that the County Board was pleased to have a fair in facilitating this exchange. The meeting was adjourned at 9:10 p.m.

The meeting was adjourned at 9:10 p.m.

Robert O. Berube, II
Mayor Pro Tem
Norman L. Gruber, Jr.
City Clerk

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, July 8, 1985

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, July 8, 1985 in Commission Chambers of City Hall.

PRESENT: Mayor Kulisheck. Commissioners Acocks,
Berube, Coyne, Johnson, LaBrecque, Leadbetter.
ABSENT: None.

During the time set for adding additional agenda items, Mayor Kulisheck added comments from Jim Stevens regarding the 4th of July celebration at the beginning of the agenda and moved items 7 and 10 to the end of the public comment session at which time the persons affected by those two items and Mayor Kulisheck would present statements to the Commission. Commissioner LaBrecque asked that item 11L be removed from the consent agenda.

Jim Stevens, representing the American Legion Fourth of July Corporation, thanked the Mayor and Commissioners for their support of this year's Fourth of July celebration. He said that all City departments had been involved in the support of this celebration at some time during the past year. He said he thought it was an excellent celebration. Mayor Kulisheck thanked Mr. Stevens and all others who worked this weekend for the excellent Fourth of July celebration.

Mayor Kulisheck then announced that this was the time set for a continued hearing on a proposed amendment to the Garbage, Rubbish, and Special Materials Ordinance. Ruth Melchiori gave budget figures and asked questions regarding solid waste disposal and made lengthy comments relating to water rates. Neil Nystrom said that the solid waste disposal fees are so high that he won't be able to use City disposal facilities. Kent Bourland said that he felt there was something wrong with the City's contract with Peninsula Sanitation. He also said that he feels the City was protecting large property owners from taxes and putting the burden on small property owners. John Hessel complained about the water and sewer rates and the proposed transfer and disposal fee. Sam Elder said that this fee must be adopted by ordinance, not resolution. The hearing was closed.

The Commissioners asked questions of the staff regarding the comments at the hearing. City Attorney Martin said that this is not a utility charge and that it is being adopted by ordinance. City Manager Svanda and Mayor Kulisheck said that if this amount of money was to be collected through the property tax structure, the University, the Hospital, and the Prison would not pay anything for disposal of their solid waste, and that is why the Commission wants to make it a fee that would also be charged against those three entities. Mayor Kulisheck said that the fee structure is adjusted so that large volume users will have to pay more for disposal and that this is only fair. He said that there is no landfill in Marquette County that the

City has access to and that the City has worked for years with the County and the townships to find a landfill site in Marquette County. He said that the City currently has no alternative but to dispose of the solid waste in Dafter. City Manager Svanda said that the fee does not cover the collection charges for solid waste pickup. Public Works Director Etelamaki outlined the costs for transfer and disposal of solid waste. Mayor Kulisheck asked if the University, the Hospital, and the Prison were paying their fair share under the fee structure. Mr. Etelamaki said that the volumes for these institutions are audited on an annual basis and that their fees are adjusted according to the volume of solid waste that they place into the system. Commissioner Berube said that the cost of disposal of solid waste by compacting it and hauling it to Dafter is more expensive but that the expenditure of this money is necessary to protect the environment. Commissioner Johnson said that she felt the fee was too high and urged changing the collection deadline from 25 days to 30 days. Mayor Kulisheck noted the meeting coming on Wednesday regarding the water and sewer fee structure. Commissioner Coyne said that Mr. Nystrom's expenses are high due to the large volume of cardboard that it is necessary for him to dispose of. There was some discussion over the cost of transfer versus disposal of the solid waste. It was moved by Commissioner Johnson and supported by Commissioner Acocks to adopt the ordinance using the current landfill closure fee schedule to omit the last sentence of Section 49.10(a), to change the 25-day period to 30 days in Section 39.10(b), and to ask for a review of the income from this fee structure at the end of the two-month period. The following vote was taken:

Ayes: Commissioners Johnson, LaBrecque.

Nays: Mayor Kulisheck. Commissioners Acocks, Berube, Coyne, Leadbetter.

The motion was defeated. It was then moved by Commissioner Berube and supported by Commissioner Coyne to adopt the ordinance with the omission of the last sentence of Section 49.10(a). The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Berube, Coyne, Leadbetter.

Nays: Commissioners Johnson, LaBrecque.

The motion was carried. The following ordinance was adopted:

#382

AN ORDINANCE TO AMEND TITLE VI, CHAPTER 49 OF THE MARQUETTE CITY CODE BY ADDING THERETO SECTION 49.10(a) and (b) TO PROVIDE FOR THE IMPOSITION OF A SOLID WASTE TRANSFER AND DISPOSAL FEE.

Mayor Kulisheck then announced that this was the time set for a public hearing on the adoption of Special Assessment Rolls #490 and #491. Six letters opposing all or part of the assessments were read. A report and recommendation from the City Manager was also read. Rosemary Glenn, Carl Nelson, and Robert Glenn all opposed the assessment on the Presbyterian Church. Peter Kelly said that parking lot owners should receive a credit for the parking areas that they have provided. Ellwood Mattson, Vice-President of the Downtown Development Authority, said that the majority of property owners

support this assessment, especially if the final figures are close to the amounts that were mailed to each property owner. He said that most property owners assume that churches would be exempt from assessment. Robert Berube, speaking as a citizen, supported proposal 4a and said that churches should be exempt. He proposed a credit for parking lot owners. Jack Leadbetter, speaking as a citizen, said that churches should be exempt and he thinks that there are errors in the computation of the two assessment rolls. Bob Bolton, Pastor of the Bethesda Baptist Church, said that churches should not be assessed. Neil Nystrom was opposed to the parking ramp but said that since it has been started, it is necessary to complete it and the churches should not be assessed. He said the property owners on Spring Street and Baraga Avenue would not benefit from construction of this ramp and he was worried that the assessments would go up next year. David Clark said that the entire area would benefit him, although churches should not be assessed for the construction of the parking lot. John Stevenson was concerned that the rental space fees in the parking ramp would not return the cost of these spaces. He feels that there is no economic value to the Baraga Avenue property owners. Ray Beauchamp said that churches should not be assessed, but that all others should, and said that there is general acceptance of the assessments on the part of most property owners. David Clark supported alternate 4a and concurred with Mr. Beauchamp's comments. Joe Constance said that not all buildings provide customer parking and that only 19 out of 101 buildings in the Central Business District provide one or more customer parking spaces. He said many businesses use only City-owned parking and don't pay for anything. He said that there should be a parking authority and that buildings should be assessed on the basis of their parking needs. Joseph VanDine, representing the First of America Bank, supported option 4a. Sam Elder said that the structure is good and there should be credit for parking lots and no assessments on churches. Ted Stokke, representing the L.S. & I. Railroad wanted consideration for parking already provided by property owners. The hearing was closed. It was moved by Commissioner Coyne and supported by Commissioner Acocks to adopt the resolution of determination for necessity for the operation, maintenance, and replacement of the parking ramp and to spread special assesment rolls #490 and #491 using method 4a which excludes churches. Commissioners Berube and Leadbetter declared conflicts of interest due to ownership of property in the assessment district. There was a lengthy discussion regarding assessment of churches and the fact that the Library is not included in this assessment district because it is not in the Downtown Development District. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Coyne, Johnson, LaBrecque.

Abstention: Commissioners Berube, Leadbetter.

The motion was carried. The following resolutions were adopted:

WHEREAS, It appears by the affidavit of the City Clerk that due publication has been made of notice, as required by the City Charter, of the filing with the City Clerk of the special assessment roll for the following improvement:

DOWNTOWN PARKING STRUCTURE - CAPITAL COSTS

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

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

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

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

RESOLVED, that said special assessment roll, to-wit: Special Assessment Roll #490 and the respective assessments therein, are hereby confirmed;

FURTHER RESOLVED, that such assessments may be paid in 15 equal annual installments at the time fixed for the payment of regular City taxes, except that the initial installment shall be due October 1, 1985 with all such unpaid installments to bear interest at the rate of 10% per annum from October 1, 1985.

AND

WHEREAS, It appears by the affidavit of the City Clerk that due publication has been made of notice, as required by the City Charter, of the filing with the City Clerk of the special assessment roll for the following improvement:

DOWNTOWN PARKING STRUCTURE - OPERATIONS, MAINTENANCE, AND REPLACEMENT.

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

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

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

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

RESOLVED, that said special assessment roll, to-wit: Special Assessment Roll #491 and the respective assessments therein, are hereby confirmed;

FURTHER RESOLVED, that the initial assessment shall be due on October 1, 1985 and that all subsequent assessments shall be due annually at the time fixed for the payment of regular City taxes, after which date interest at the rate of 10% per annum shall be added.

Mayor Kulisheck announced that this was the time and date set for a public hearing on an ordinance to prohibit the feeding of geese in the City. A report and recommendation from the City Manager was read. A letter from Kenneth Lowe noting the nuisance that could be caused by geese in urban areas was also read. Priscilla Chappell of Woodland Avenue said that she lives on the Dead River and feeds the water fowl including the geese that are there in the winter. She suggested that the prohibition apply only in limited areas. The hearing was closed. Following the discussion, it was moved by Commissioner Coyne and supported by Commissioner Acocks to adopt the ordinance as proposed. The following vote was taken:

Ayes: Mayor Kulisheck, Commissioners Acocks, Berube, Coyne, LaBrecque, Leadbetter.
Nay: Commissioner Johnson.

The motion was carried. The following ordinance was adopted:

#383
A PROPOSED AMENDMENT TO TITLE IV, CHAPTER 28 WHICH PROVIDES FOR THE REGULATION OF ANIMALS, FOWL, AND INSECTS BY ADDING THERETO A NEW SECTION 28.05 TO PROHIBIT THE FEEDING OF GEESE IN THE CITY OF MARQUETTE.

Mayor Kulisheck announced that this was the time set for citizens wishing to address the Commission. He noted that due to the length of the agenda, this would be limited to two minutes per person. Robert Larabee of 1304 Sherman Street complained about the lack of action on his petition for a special assessment district for sewer and water. City Manager Svanda noted that under the ordinance, this petition had been received too late for action during this construction season and that this had been pointed out to the City Commission when the petition was received. He noted concern over compliance with the zoning and housing codes by Mr. Larabee. Philip Grashoff asked to speak on item 8. Ivan Fende, representing the East Marquette Solid Waste Disposal Authority, said that Forsyth Township has joined the Authority. He then read a letter regarding the locations for the landfill proposed by Sands Township.

Paul Churchville, on behalf of the North State BMX Track, said that they have been running a good program and that they need to look for a new site for their tracks because some of the property where it is located is being sold. He said they have received good support from both the Community and the City. He also said that this could eventually draw people into the area to compete in national level races. Commissioner Kulisheck thanked Mr. Churchville and others for their efforts on the BMX track and asked the staff to work with them.

Mayor Kulisheck then called a five-minute recess at 9:57 p.m.

Following the recess, Mayor Kulisheck made a presentation relative to items 7 and 10 on the agenda. He gave a history of the watermain difficulties on Front Street and Crescent Street and said that they represented problems that were common in the older part of town. He said that it is necessary to solve these problems equitably and establish a long-range policy regarding similar situations. He described options for solving these problems and proposed that the City Commission establish the policy that where the property has been connected to the City mains for a long period, that the City be responsible for replacing either the mains or long water laterals up to the curbstop or property line. John Boxer and John Dursma both discussed the locations of the curbstops and property lines in relation to their water laterals. Public Works Director Etelamaki said that this solution does not address technical concerns and State Health Department rules such as those requiring adequate fire flow. Commissioner Coyne pointed out that this indicates the City's intent to deal with the problem but that these solutions have a cost and the money must come from somewhere. The City Manager was directed to prepare a detailed written report setting forth this policy.

A communication from the Central Upper Peninsula Planning and Development District was read. City Manager Svanda reported on the benefits received by the City for membership in CUPPAD. It was moved by Commissioner Acocks, supported by Mayor Kulisheck, and carried unanimously to adopt the following resolution:

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

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

NOW, THEREFORE, BE IT RESOLVED THAT THE City of Marquette

1. Be a member of the County OEDP Committee and the CUPPAD Regional Commission through December 31, 1986.

2. Name Robert Kulisheck and David Svanda to represent the City on the County OEDP Committee.

3. Pay the FY85-86 local share contribution of \$3,493.

A communication from the Citizens to Save the Janzen, regarding an application for a Small Cities Housing Grant in the amount of \$49,320 to replace the heating system at the hotel, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried unanimously to support this application.

A communication from St. Vincent DePaul, regarding a reduction of solid waste transfer and disposal fees, was read. The Commissioners expressed reluctance to make exceptions, however, the City Manager was directed to report back on the cost per year for St. Vincent DePaul and options for reducing the fee including the kinds of refuse that might be accepted.

Mayor Kulisheck announced that this was the time set for discussion of solid waste disposal site options. Philip Grashoff, representing Sands Township, said that they want to move the process forward with all due haste and that they have made the offers of these two locations in good faith and will stand by the proposals. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to go into closed session to discuss pending litigation and the acquisition of additional land for a solid waste disposal site.

The meeting was recessed at 10:53 p.m.

The Commission returned to open session at 11:11 p.m. It was moved by Commission Leadbetter, supported by Commissioner Johnson, and carried unanimously to authorize Mayor Kulisheck to present the City's counter offer to Sands Township. Mayor Kulisheck said that the Forsyth Township site is not acceptable because there is not adequate depth to groundwater, the cost of transportation would be much longer for the City including the length of the haul road into the site, and that the site is too close to the K.I. Sawyer AFB runway. He said the other three sites were all considered good by the City; those sites being: #1. the Russell Site, #2. the Section 32 Site, which was the Sands Township proposal, and #3. a site in Sections 28, 29, 32, and 33, which is the City's alternate proposal. He said Site 1 has good environmental standards and that it is close to the road. Site 2 has very good environmental standards but has a very long access road which would require development by the County. He said that Site 3 is closer to County Road 553, has even better environmental standards, and that there is an extra 40-acre site adjacent to this site which would be suitable for disposal of Type III material in a very economical manner. Mayor Kulisheck said that there should be a 30-day limit to acquire property options on one of these sites, that DNR review of the sites should be completed within 30 days, that Sands Township should deliver all permits and waivers required for development of Site 3, and that the Mayor and Mayor Pro Tem with the City Manager will serve as the team for the City to work on this process with the Township. He said that the City wants to pursue a mutually acceptable solution to this problem. Mr. Grashoff said that options 2 and 3 are included within the Township proposal. He said that the DNR should already have sent a letter of commitment to the City regarding their review and that the Township will have to react to the separate area for Type III disposal as they have not had the

opportunity to review that. He said that time is of the essence especially regarding the proposed land exchange between CCI and the federal government.

A report and recommendation from the City Attorney, regarding an amendment to the Interlocal Agreement to establish the Marquette County Transit Authority, was read. It was moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously to approve this amendment and to authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager, regarding bids for an articulated municipal tractor, was read. Commissioner LaBrecque said that he preferred the option of leasing this tractor for a year with the option of purchasing it at the end of that time. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to award the bid to Wenberg Sales, Inc. at the low bid price of \$49,268 including option 2, a buyback of the tractor by Wenberg for \$30,000 at the end of one year. Carl Lassila, representing Wenberg Sales, described the advantages of this tractor.

Mayor Kulisheck announced that this was the time set for consideration of the consent agenda. It was moved by Commissioner Coyne, supported by Commissioner Berube, and carried unanimously to adopt the items on the consent agenda with the exception of item 11L. The following items were adopted:

- A. Approval of a use agreement for the Seafood Festival at the Lower Harbor Park and authorization of the Mayor and City Clerk to sign it.
- B. Approval of an agreement with the Michigan National Guard for dredging at the Cinder Pond and authorization of the Mayor and City Clerk to sign it.
- C. Approval of an agreement with the Michigan National Guard for vessel transportation for the Maritime Museum and authorization of the Mayor and City Clerk to sign it.
- D. Approval of an agreement with Sundberg, Carlson, and Associates for engineering for the Lower Harbor Park improvements and authorization of the Mayor and City Clerk to sign it.
- E. Grant of an easement to Dan Trotochaud, proprietor of the Village Inn, for an easement on the Third Street right-of-way and authorization of the Mayor and City Clerk to sign it.
- F. Transferring \$149,653 from the 1985-86 Fiscal Year Budget to the 1984-85 Fiscal Year Budget in account 101-546-974 for construction of the downtown parking structure.
- G. Setting July 29 as the time and date for a public hearing on a proposed farm produce vendor ordinance.
- H. Awarding the bid for water treatment chemicals to Hydrite Chemical Company of Oshkosh, Wisconsin at the low bid unit prices.
- I. Awarding the bid for air, oil, and fuel filters to

Fabco Equipment, Inc. at the low bid amount of \$3,446.07.

J. Awarding the bid for sanitary sewer cleaning and televising to Visu-Sewer Cleaning and Televising of Menominee Falls, Wisconsin for the low bid price of \$18,524.50.

K. Waiving the competitive bidding requirements of the Charter and using the local government volume purchase agreement through the State of Michigan to purchase IBM microcomputer equipment with a total cost of \$6,335.30 during the current fiscal year.

M. Approval of the minutes of the June 24 regular and June 27 special Commission meetings.

N. Approval of the total bills payable in the amount of \$341,315.88 for the 1984-85 budget and \$145,253.93 for the 1985-86 fiscal year budget.

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

DOWNTOWN DEVELOPMENT AUTHORITY: Gary Bantle to replace John Dorais.

LAKEVIEW ARENA ADVISORY BOARD: Yvonne Dorais to replace Stan Baranowski.

Commissioner Acocks said that she was excited by recent community events such as the Cultural Center which has been established at the First of America Bank and is currently displaying artworks from Marquette's Sister City in Japan, the telethon that raised \$30,000 for development of the Lower Harbor Park, the International Food Fest at the Lower Harbor Park, and the very good fireworks show. She said that there is excellent cooperation on the part of local citizens in sponsoring these events. She said there are problems with bicycles going the wrong way on Third Street and that ticketing does prevent this to a certain extent, and said that the corner of Third and Magnetic is a dangerous intersection for ambulance cross-traffic.

Commissioner Berube thanked the American Legion for a great Fourth of July celebration and the Chamber of Commerce for their hard work on the International Food Festival.

Commissioner Coyne complimented the excellent events held recently throughout the City and said that the Commission Chambers are still hot during Commission meetings. He complimented the Downtown Development Authority for their work on the downtown parking ramp and displayed a paper bag from Thunder Bay, Ontario which discourages drinking and driving. He said local liquor dealers should consider using similar materials.

Commissioner Johnson said that the International Food Fest had been very good, said that she had received complaints about dogs being where food was served at the Food Fest, said that she is concerned about progress towards the opening of Shiras Pool, said that the Anita Meyland Gazebo is very beautiful and a work of art, and reminded citizens about the meeting on Wednesday to discuss water

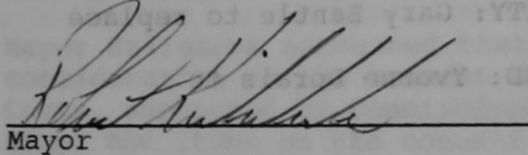
rates. She encouraged public participation in the process.

Commissioner Leadbetter suggested that the City take out an ad in the paper regarding what can be taken to Peninsula Sanitation by Marquette citizens and the hours that it will be accepted.

Mayor Kulisheck said that young children driving motorcycles or three-wheelers are very dangerous and that the Commission does listen to comments made at the public hearings and tries to take these comments into consideration but that it is impossible to satisfy everybody all the time.

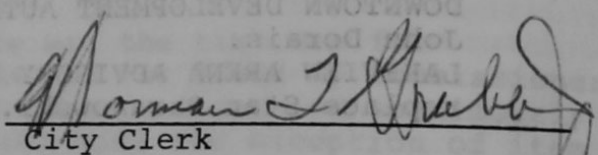
During the time set for citizens wishing to address the Commission, Dennis Aloia, County Administrator, said he was concerned that the County had not been involved in the meeting with Sands Township this evening since they were a party to the letter signed in February. He asked that a detailed report on the City's proposal be mailed to the County Commissioners.

The meeting was adjourned at 11:53 p.m.



Mayor

Robert Kulisheck



City Clerk

Norman L. Gruber, Jr.

Commissioner Berube thanked the American Legion for a great Fourth of July celebration and the Chamber of Commerce for their hard work on the International Food Festival.

Commissioner Coyne complimented the excellent events held recently throughout the City and said that the Commission Chambers are still hot during Commission meetings. He complimented the Downtown Development Authority for their work on the downtown parking ramp and displayed a paper from Thunder Bay, Ontario which discourages drinking and driving. He said local liquor dealers should consider using similar materials.

Commissioner Johnson said that the International Food Fest had been very good, said that the food was excellent and that the Commission where food was served at the Food Fest, said that the Commission about progress towards the opening of St. Ignace, said that the Anita Meyland Gazebo is very beautiful and a beautiful area, and reminded citizens about the meeting on Wednesday to discuss water

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, July 29, 1985

A regular meeting of the Marquette City Commission was duly called and held on Monday, July 29, 1985 at 7:00 p.m. in Commission Chambers of City Hall.

Present: Mayor Pro Tem Berube. Commissioners Acocks, Coyne, Johnson, LaBrecque, Leadbetter.
Absent: Mayor Kulisheck.

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

During the time set for announcing additional agenda items, Mayor Pro Tem Berube added item 15, a discussion of who will determine the revenue from the proposed water rate structure and item 16, discussion of a user fee letter.

Mayor Pro Tem Berube then announced that this is the time and date set for a public hearing on the Village Inn EDC Project. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to adopt the resolution approving the project plan as follows:

WHEREAS, there exists in the City of Marquette (the "City") the need for certain programs to alleviate and prevent conditions of unemployment and to revitalize the City's economy, and to assist industrial and commercial enterprises, and to encourage the location, expansion or retention of industrial and commercial enterprises to provide needed services and facilities to the City and its residents; and

WHEREAS, a program to alleviate the aforesaid conditions has been initiated by The Economic Development Corporation of the City of Marquette (the "Corporation"); and

WHEREAS, the Corporation in conformity with Act No. 338, Public Acts of Michigan, 1974, as amended ("Act No. 338"), has prepared and submitted a project plan (the "Project Plan"), providing all information and requirements necessary for a project involving the acquisition, construction and equipping of an approximately 6000 square foot, 40-unit motel facility to be owned by and operated by and for the benefit of Village Inn Limited Partnership, a Michigan limited partnership with Daniel J. Trotochaud, Jr. as its general partner and located at 1301 North Third Street, Marquette, Michigan 49855 (the "Project"); and

WHEREAS, in conformity with Act No. 338 and the Internal Revenue Code of 1954, as amended (the "Code"), this legislative body has conducted a public hearing on the Project, the Project Plan, and the bonds in the maximum aggregate principal amount of not to exceed \$900,000 proposed therein to be issued by the Corporation to finance all or part of the costs of the Project (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED:

1. The Project Plan, as submitted and approved by the Corporation, meets the requirements set forth in Section 8 of Act 338, and is hereby approved,
2. The persons who will be active in the management of the Project for not less than one year after approval of the Project Plan have sufficient ability and experience to manage the plan properly.
3. The proposed methods of financing the Project as outlined in the Project Plan are feasible and this Corporation has the ability to arrange, or cause to be arranged, the financing.
4. The Project as submitted is reasonable and necessary to carry out the purposes of Act No. 338, and is hereby approved.
5. Issuance by the Corporation of the Bonds in an amount not to exceed \$900,000, in accordance with the terms set forth in the Project Plan, to finance all or part of the costs of the Project as described herein and in the Project Plan, is hereby approved.
6. Based upon the information submitted and obtained, the Project Plan as submitted and the Project to which it relates serves to alleviate and prevent conditions of unemployment and strengthen and revitalize the City's economy and, therefore, constitutes a vital and necessary public purpose.
7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Mayor Pro Tem Berube then announced that this was the time and date set for a public hearing on an amendment to the farm produce vendor ordinance. Gwen Timmons offered to answer questions. Dave Wagner of Peshtigo, Wisconsin said he was opposed to the ordinance because it is too restrictive, and his business would not hurt local stores. A communication from County Extension Director Phillip Seitz, was read. The hearing was closed. During a lengthy discussion, Gwen Timmons answered questions about the proposed farmer's market organization. It was moved by Commissioner Coyne and supported by Commissioner Acocks to approve the ordinance as proposed. The following vote was taken:

Ayes: Mayor Pro Tem Berube. Commissioners Acocks, Coyne.

Nays: Commissioners Johnson, LaBrecque, Leadbetter.

The motion was not carried. It was then moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to designate

the John R. Jilbert property at the corner of Ridge and Meeske as a farmers market under the present ordinance and to remove the designation of the Lower Harbor Park as a farmer's market.

During the time set for citizens wishing to address the Commission, Joe Isabelle complained about cars in the Marina parking lot not being ticketed. Robert Larabee asked to speak on item 9, Jack Boxer asked to speak on item 8, and Paul Churchville asked to speak on item 6. Ruth Melchori said that there are three corrections that should be made in the water rate ordinance as a result of a 1980 memo. Pastor Bob Bolton, representing Bethesda Baptist Church, asked for support for Bible Awareness Week August 4 - 9, and asked City officials to come to a program on August 8, and Sam Elder urged the Commission to watch the costs on the new landfill and asked why our proposed landfill would be more expensive than Escanaba's landfill.

A communication from Cal's Party Store Softball Team was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to waive the fee for a three-day benefit Co-ed Softball Tournament at Hurley Field on August 9, 10, and 11.

A communication from Peninsula Sanitation, regarding requested changes in operating procedures, was read. Bill Niepoth, representing Peninsula Sanitation, said that the proposed changes would be phased in over a 60-day transitional period and that if long lines develop during the time for private citizens to come to the transfer station, additional time would be added. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to approve the amended proposal for changes in the operating procedures at the Transfer Facility. City Manager Svanda, Public Works Director Etelamaki, and Mr. Niepoth then discussed the billing methods for the Transfer Facility. They said that NMU had been billed within \$100 of the approximately \$48,000 they should have been billed for fiscal 1983-84 so that there was no large amount left to be billed at the end of the year.

A communication from the Liquor Control Commission was read. George Hazeres answered questions about the proposed liquor license transfer. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to approve the request from Forsberg, Inc. for transfer ownership of 1985 Class C license with entertainment permit located at Lakeshore Boulevard, Marquette, Michigan, Marquette County from St. Cyr, Inc.

A communication from Paul Churchville, regarding relocation of the North State BMX track, was read. Mr. Churchville addressed the Commission at length supporting the request to use the property west of the River Park Complex Industrial Park. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to refer this request to the Parks and Recreation Advisory Board for consideration.

A report and recommendation from the City Attorney, regarding an easement for gaslines at the new parking structure, was read. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and

carried to grant the easement as recommended and to authorize the Mayor and City Clerk to execute them.

A report and recommendation from the City Manager, regarding the water service line replacement policy, was read. Following a lengthy discussion over the procedure to be followed in replacing two specific waterlines and the timing of these projects related to the adoption of the ordinance amendment, it was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to direct the City Engineer to have bids ready for the August 12 regular Commission meeting for replacement of the Boxer and Dursema service lines. It was then moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to set the regular Commission meeting on August 12, 1985 as the time and date for a public hearing on a proposed amendment to the Water Ordinance. Jack Boxer addressed the Commission thanking them for their support and asking what else could come up that would delay replacement of his water line.

A report and recommendation from the City Manager, regarding water and sewer service for the building built by Robert Larabee at 1304 Sherman Street, was read. Mr. Larabee addressed the Commission stating his opposition to putting the water and sewer main all the way through to West Avenue. Public Works Director Etelamaki answered questions regarding this proposal at length. City Planner Gruber said that Mr. Larabee's house had been built with a building permit for a shed and that a permit for a home would not have been issued in this location because sewer and water service was not available. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to set the regular Commission meeting on August 12, 1985 as the time and date for a public hearing for the determination of necessity on the extension of water and sewer mains from McClellan to West Avenue on Sherman Street and to direct that the City Engineer do an investigation to determine if there is undevelopable land which would not be assessed in this project.

A report and recommendation from the City Manager, regarding the St. Vincent DePaul Society Solid Waste charges, was read. A letter from William Green supporting this request, was also read. Following a lengthy discussion, it was moved by Commissioner Leadbetter and supported by Commissioner Johnson that the St. Vincent DePaul Society and the Salvation Army pay 60% of the standard rate for solid waste disposal including any outstanding balances that they have. The following vote was taken:

Ayes: Commissioners Acocks, Coyne, Johnson, LaBrecque, Leadbetter.

Nay: Mayor Pro Tem Berube.

The motion was carried.

A report and recommendation from the City Manager, regarding bids for reconstruction of Crescent and Ohio Streets, was read. It was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried that this bid be awarded to Associated Constructors for the low bid amount of \$333,234.50.

The Commission then scheduled a work session to discuss the neck of

presque Isle Study for Wednesday, September 4, 1985 at 7:00 p.m. in Commission Chambers. It was then moved by Commissioner Leadbetter, supported by Commissioner LaBrecque, and carried to approve the consent agenda as follows:

- A. Approval of the regular and closed minutes of the July 8, 1985 Commission meetings.
- B. Approval of total bills payable in the amount of \$230,597.75 for the 1984-85 fiscal year budget and \$300,264.46 for the 1985-86 fiscal year budget.
- C. Approval of the DNR Division of waterways transient fee schedule of 52 cents per foot per day for all boats over 60 feet for the Lower Harbor dock.
- D. Approval of an agreement with Northern Michigan University for use of their radio tower at the Pine Ridge Apartments and authorization of the Mayor and City Clerk to execute the agreement.
- E. Award of bids for snowplow and grader blades to the low bidders, Fabco of Marquette and Paper Calmenson of St. Paul, Minnesota.
- F. Award of low bids for stock steel to Paper Calmenson of St. Paul, Minnesota.
- G. Award of bids for office remodeling and consolidation at the City Hall to First Liberty Construction Co. of Marquette for the low bid of \$13,424.
- H. Approval of a use agreement for a circus in the Lower Harbor Park and authorization of the Mayor and City Clerk to execute it.

Mayor Pro Tem Berube then appointed Robert Phillips to the Police-Fire Retirement Board with the City Commission's concurrence.

Mayor Pro Tem Berube said that the Commission should find out what revenues would be received from the proposed water rate structure and in the petitions filed last week. Commissioner Coyne also asked what the costs of converting to the new rate system would be and said that more information was needed on rate comparisons with other Michigan cities. Commissioner Johnson also asked about the cost of monthly billing. They asked the City Manager to have a report on this information at the August 7 work session on the water rate structure.

Mayor Pro Tem Berube then said that one response to a letter he had written about user fees was; what about people who live outside of the City who pay higher user fees even though they own business properties inside the City and pay taxes on them. In response, Commissioner Leadbetter said that he owns two business properties in the City, and that if people outside the City are going to get a credit, he wants a double credit. Commissioners agreed that this philosophy was unacceptable.

Commissioner LaBrecque asked Parks and Recreation Director Turausky what problems the City was having in the McCarty's Cove area. Mr. Turausky said that boaters had been coming too close to the bathing beach and that the Police Department and Coast Guard were working on

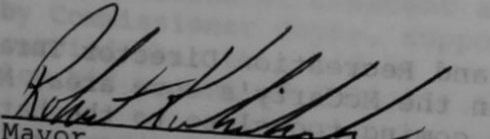
this problem. Commissioner LaBrecque also gave details of a visit to the Escanaba landfill. He said that their landfill would be cheaper than ours and asked why. Public Works Director Etelamaki said that the estimate for the Marquette Landfill included the first 20 years of operation and maintenance and that the initial construction cost was \$800,000 which is considerably less than Escanaba's. The Commission asked for a report and recommendation on the estimates for the new landfill from the administration.

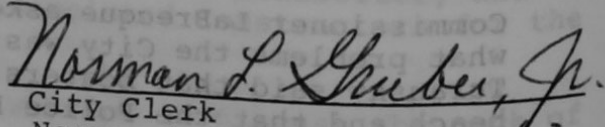
Commissioner Johnson said that we had a beautiful weekend for the dedication of the Anita Meyland Gazebo and Art on the Rocks but that the lavatories near the bandshell were not working. She said it was good that the Police are tightening up on the beaches and that the cleanup job at Hurley Field had been excellent. She suggested the City give a meal to the volunteers who did this cleanup. She noted lots of complaints about garbage being put out early, and said that seagulls are a real problem this summer, especially where people don't put covers on garbage cans. She said that the City's parks look very nice this weekend. City Manager Svanda said that Mayor Kulisheck had reported that we have received notice from Sands Township of their acceptance of the alternate landfill site proposed by the City. He said the administration will provide as much information as possible about the possible conversion of the water and sewer rate system but that not all the data required to make a complete analysis is available. Commissioner LaBrecque said that the joint meeting between the Public Works Advisory Board and the Commission had never been scheduled. Commissioners agreed to hold this meeting at 7:00 p.m. on Thursday, August 22 in Commission Chambers.

During the time set for citizens wishing to address the Commission, Ruth Melchiori said that the proposed rate structure in the petitions would be equitable, and that the people would use more water because of it. She also said the Federal Government said that large users should pay a surcharge, that the City is in the business of selling water so that the units should be the same, and that there were three errors in the water rate structure. Sam Elder complimented the City Commission for allowing the Hiawatha Music Festival to use the Tourist Park and said he wants a unit cost for wastewater treatment charges. Frank Culvertis, representing WDMJ Radio, advised all Commissioners of the talk show at 9:00 a.m. each morning on WDMJ and encouraged their participation and use of this show to provide public information.

Commissioner Johnson said on behalf of the Beautification Committee that City residents and businesses have really gone all out to improve the looks of the City.

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


Mayor
Robert Kulisheck


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

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, August 12, 1985

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, August 12, 1985 in Commission Chambers of City Hall.

Present: Mayor Kulisheck. Commissioners Acocks,
Berube, Coyne, Johnson, LaBrecque, Leadbetter.
Absent: None.

During the time set for announcing additional agenda items, Mayor Kulisheck said that the bills payable should be taken off the consent agenda. Commissioner Johnson asked for discussion of the farmers market ordinance and Commissioner Coyne asked for discussion of the transient boat mooring fee for the Lower Harbor.

Mayor Kulisheck announced that this was the time set for a public hearing on a Water Service Line Ordinance amendment. There being no citizens wishing to address the Commission, the hearing was closed. Public Works Superintendent Lawry answered questions regarding the effect of this ordinance on water service lines. It was moved by Commissioner Berube, supported by Commissioner Leadbetter, and carried unanimously to adopt ordinance # 384 as follows:

AN ORDINANCE TO AMEND TITLE VII, CHAPTER 56 TO PROVIDE
FOR THE REGULATION AND REPLACEMENT OF WATER SERVICE
LINES BY ADDING THERETO SECTIONS 56.26 THROUGH 56.34.

Mayor Kulisheck announced that this was the time and date set for a public hearing on a special assessment district on Sherman Street between McClellan Avenue and West Avenue. City Manager Svanda explained the feasibility of this project and the estimated costs and how they would be assessed. One letter of support for the project was read. Robert Larabee addressed the Commission opposing the assessment district. The hearing was closed. During a lengthy discussion, the Commission considered the fact that Mr. Larabee had erected a residence without a proper permit and that the City's priority for utility expenditures is not in this area. It was then moved by Commissioner Berube and supported by Commissioner Acocks to build the water and sewer lines to the line between lots 5 and 6 owned by Mr. Larabee at the property owner's expense including removal of the existing manhole at the end of the sewer as it is currently built and also including removal of the manhole that would be built at the end of the new sewer if and when the sewer is extended further to the west. Following a lengthy discussion during which Commissioners agreed that Mr. Larabee had gotten into the position of requiring sewer and water by building a residence without a permit and the fact that Mrs. Krebs, who would be assessed for this project also had opposed the assessment, the following vote was taken:

Ayes: Commissioner Berube.
Nays: Mayor Kulisheck. Commissioners Acocks, Coyne,

Johnson, LaBrecque, Leadbetter.
The motion was defeated.

It was then moved by Mayor Kulisheck and supported by Commissioner Acocks that the water and sewer laterals be extended to the property in question at the owner's expense with a requirement that if and when the water and sewer goes through, the property will be assessed, and with the property owner to be responsible for all future maintenance and repair of the long laterals to be built at this time. Following a discussion regarding the cost of this option versus the cost of constructing proper water and sewer mains in Sherman Street and the need for an agreement with Mr. Larabee to limit the City's potential for future expenditures, it was moved by Commissioner Leadbetter, supported by Commissioner Berube, and carried unanimously to table this matter until the next regular meeting.

Mayor Kulisheck then announced that this was the time set for a presentation by "Walk Michigan". Vince Rose, representing Blue Cross/Blue Shield explained that the contestants in this drawing have participated in a walk around Presque Isle. City Clerk Gruber announced that the winner of the drawing would win Sunday night lodging for two on Mackinac Island with dinner for two on Sunday night and breakfast for two on Monday morning and two windbreakers. Mayor Kulisheck then drew the card of Connie Pearson of Marquette as the winner of this contest.

Mayor Kulisheck then announced that this was the time set for citizens wishing to address the Commission. Ruth Melchiori said that her committee wants a monthly profit and loss statement from July, 1983 to July, 1984 for the sewer and water utility. She listed the exact figures that they expect to receive. Dewayne Stebbins said that there was discrimination in the City's water rates. Mrs. Charles Stobbelaar discussed a problem with water bills at her residence.

A communication from the Michigan Municipal League, regarding the League's annual meeting to be held September 11 through 13 in Flint, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to designate Mayor Kulisheck as the official delegate to the Michigan Municipal League convention. It was then moved by Mayor Kulisheck, supported by Commissioner Johnson, and carried unanimously to designate Commissioner Berube as the alternate delegate to this convention.

A recommendation from the City Planning Commission regarding parking near Marquette General Hospital was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to accept the Planning Commission's recommendation and to remove parking on the north side of Magnetic Street from Hebard Court west to the driveway for the EMS garage and on the east side of Lee Street from Piqua Street to Magnetic Street.

A communication from the City Clerk, presenting an initiatory petition for adoption of a water rate ordinance, was read. It was moved by Commissioner Berube and supported by Commissioner Acocks to place these petitions on the ballot for the 1985 City General

Election. The possibility of a legal challenge against this petition because it might violate the City Charter was discussed. City Manager Svanda outlined the material from the August 7 work session on the water and sewer rate structure. He said that the current water rates yield revenues amounting to \$3,046,000 per year, that the petition rate structure would yield revenues of \$1,906,000 per year, and that this would result in an annual shortfall of approximately \$1,100,000. He also gave examples of how the new rate structure would affect various sizes of utility accounts. Under the new ordinance, a small user would pay 67 percent of the amount paid under the current rate structure. A medium user would pay 52 percent of the rates under the current rate structure, and a large user, such as the prison, would pay 66 percent of the current rates. He said that Northern Michigan University would pay approximately 46 percent of their current rates under the proposed rate structure. Mayor Kulisheck said that the petition seems to have the opposite effect of what was intended by the petitioners. City Attorney Martin said that under Section 13.3 of the City Charter, the rates of the water and sewer utility are required to be fixed so as to at least meet all the costs of such utility. He said that for this reason, a declaratory ruling from a judge could be sought as to whether the petition violated the Charter or not. The motion was withdrawn. It was then moved by Commissioner Leadbetter, supported by Commissioner Berube, and carried unanimously to authorize the City Attorney to seek a declaratory judgement within 30 days as to whether the proposed ordinance will violate the City Charter.

Mayor Kulisheck announced that this was the time set for discussion of development of a new water and sewer rate structure. City Manager Svanda reported verbally on Mrs. Melchiori's three concerns about items in a letter from the EPA to Mrs. Melchiori in 1980. He said that these items were addressed by internal City communications, by discussion at City Commission meetings, and by changes in the rate structure. He also noted a 1984 letter from the EPA approving the City's rates. He explained what would have to be done to change the rate structure. He recommended creating a new rate class called non-taxpaying customers. He said that this could be done as an internal change. He also recommended smoothing out the curve and blending the fire protection charges into the rate structure. He said that doing this would require changing from a volume to a meter size rate base with declining block rates. He said that the Mayer report does not cover sewer costs and that the information to properly establish sewer rates would have to be generated internally. He said the administration is recommending using Mr. Mayer as an hourly consultant to be sure that the water and sewer rates are consistent. He also said that to go to a monthly versus a bimonthly billing cycle would cost the utility at least \$35,000 per year. He felt that the information could be available by early October. Following a discussion, Mayor Kulisheck directed the administration to proceed with this work and to have it done by September 15 if possible. Commissioners also authorized the use of Mr. Mayer as a consultant with his total reimbursement to be kept at less than \$4,500.

A report and recommendation from the City Manager, regarding bids for service line replacements for the Boxer and Dursema residences, was

read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously to award the bid for this replacement work to Associated Constructors in the amount of \$26,797.75 and to appropriate \$28,275.00 from the general fund from the current year contingency fund to cover this expenditure.

A report and recommendation from the City Manager, regarding property transfers for the Propylon Housing Project, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to approve the recommendation and the attached documents, and to authorize the Mayor and City Clerk to execute them.

A report and recommendation from the City Manager, regarding engineering services agreements for the Crescent and Ohio Streets reconstruction projects, was read. It was moved by Commissioner Berube, supported by Commissioner Leadbetter, and carried unanimously to concur in this recommendation, to approve the agreements with Gourdie, Fraser, and Associates, and to authorize the Mayor and City Clerk to execute them.

A report from the City Manager comparing landfill costs between Marquette and Delta Counties, was read. City Manager Svanda briefly summarized this material.

Total bills payable in the amount of \$30,892.16 on the 1984-85 fiscal year and \$476,235.84 in the 1985-86 fiscal year were presented. It was moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously to pay these bills as presented with the exception of the one to Loretta's Craft Corner in the amount of \$35.37. It was then moved by Commissioner Berube and supported by Commissioner Coyne to pay the above excluded bill to Loretta's Craft Corner and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Berube, Coyne, Johnson, LaBrecque, Leadbetter.

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

It was then moved by Commissioner Johnson and supported by Commissioner Berube to reconsider the motion for adoption of the farmers market from the last regular meeting. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Berube, Coyne, Johnson, LaBrecque.

Nay: Commissioner Leadbetter.

The motion was carried. It was then moved by Commissioner Johnson and supported by Commissioner Berube to adopt the farmers market ordinance as proposed. Following a discussion, this motion was withdrawn. It was then moved by Commissioner Johnson and supported by Commissioner Berube to set the next regular meeting as the time and date for a public hearing on the proposed farmers market ordinance. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Berube, Coyne, Johnson, LaBrecque.

Nays: Commissioner Leadbetter.
The motion was carried.

Commissioner Coyne then said that he had received several complaints from people that the rates for transient boaters at the Lower Harbor dock were far too high. During the discussion, it was noted that these rates had recently been set by the City Commission upon recommendation from the Harbor Committee. Commissioner Coyne said that the rates were okay for large commercial vessels but that they were discouraging transient recreational boaters from coming to Marquette and that this was contrary to the City's policy of encouraging tourism. It was moved by Commissioner Coyne and supported by Commissioner Berube to refer this matter to the Harbor Committee and to ask them to also look into revenue lost from boats mooring at the Lower Harbor dock for less than a 24-hour period. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Acocks, Berube, Johnson, LaBrecque, Leadbetter.

Nay: Commissioner Coyne.

The motion was carried.

The City Clerk then presented the consent agenda. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve the consent agenda as follows:

- A. Approval of the minutes of the July 29 regular City Commission meeting.
- B. Bills payable previously handled.
- C. Approve an agreement for the use of park land in the Shiras Hills area with Northern Michigan University and authorizing the Mayor and City Clerk to execute it.
- D. Awarding the bids for tires to Firestone Tire Sales and Service in the amount of \$15,080.78.
- E. Waiving the circus license fee for the Toby Tyler Circus in the Lower Harbor Park on August 16, 1985.
- F. Setting a public hearing on an amendment to the Marquette General Hospital planned unit development for the regular Commission meeting on September 9, 1985.
- G. Setting a public hearing on proposed amendments to the zoning ordinance for the regular meeting on September 9, 1985.
- H. Approval of a request from Marquette General Hospital for a 24-hour liquor license for the Marquette Tourist Park on September 7, 1985.
- I. Adoption of a resolution to publish a notice of intent to enter into a lease contract with the Marquette Building Authority.

Mayor Kulisheck then noted the resignation of Sue Martin Kingston from the Substance Abuse Advisory Committee. He appointed Marilyn Cook, Bill Davis, and Harvey Wallace to the Substance Abuse Committee, none of whom are to replace Ms. Kingston. He also appointed Rick Shaeffer to the Police-Fire Retirement Board.

Commissioner Berube noted that there is a problem with the sidewalk on the east side of Front Street at the new railroad crossing at Baraga Avenue. He also said that there is a bad curb cut near the bike path near the new Dead River Bridge.

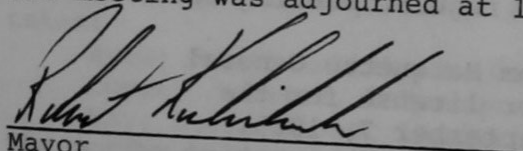
Commissioner Johnson noted many complaints about poor replacement of lawn, curb, and sidewalk following the installation of Bell Telephone underground conduit on College Avenue. City Manager Svanda said that the Administration is aware of this problem and is working on it. Commissioner Johnson also noted complaints about a car repair business on the corner of Spruce and Magnetic. She said that bicycles are going the wrong way against traffic all over town, that there are inconsiderate motorcyclists using two lanes of four-lane streets, that there are a lot of weeds on the east side of South Champion Street, and that she has received many complaints about backup beepers on equipment working at night. Commissioner LaBrecque said that the backup beepers are required by the Federal Occupational Safety and Health Administration. Commissioner Johnson also noted concerns about the dangerous canopy at the Rosewood and said that the new Front Street railroad crossing is very smooth to drive on. City Attorney Martin said that the City has been enjoined by the Circuit Court from doing anything about demolishing the Rosewood.

Commissioner LaBrecque said that he would not be able to make the work session on August 22 with the Public Works Advisory Board. Other Commissioners said they could not attend either. It was agreed to hold this meeting at 7:00 p.m. on Tuesday, August 27 in Commission Chambers.

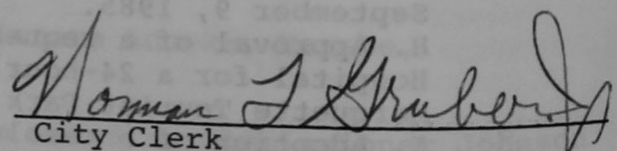
City Manager Svanda said that the State Waterways Commission will be meeting in Escanaba and asked if Commissioners would like to have input for this meeting.

During the time set for citizens wishing to address the Commission, Jim Shelby said that he was the low bidder on the tire bid. He discussed the state tire bidding process and the reason he could not hold his bids for the full year required by the bid specifications. Ruth Melchiori complained about three supposed errors in the water rate structure.

The meeting was adjourned at 10:22 p.m.



Mayor
Robert Kulisheck



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, August 26, 1985

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, August 26, 1985 in Commission Chambers of City Hall.

PRESENT: Mayor Kulisheck. Commissioners Acocks,
Berube, Coyne, Johnson, LaBrecque, Leadbetter.
ABSENT: None.

During the time set for announcing additional agenda items, Mayor Kulisheck said that the bills payable would have to be removed from the consent agenda and that they would be item 10.

Mayor Kulisheck announced that this was the time and date set for a public hearing on a proposed farm produce vendors ordinance. There being no citizens wishing to address the Commission, the hearing was closed. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to adopt ordinance # 385 as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 6 OF THE
MARQUETTE CITY CODE BY REPEALING PROVISIONS OF CHAPTER
6, SECTION 9 ADOPTED IN ORDINANCE #366 RELATING TO
FARM PRODUCE VENDORS AND FARMERS MARKETS, AND ADOPTING
A NEW CHAPTER 6, SECTION 16 ESTABLISHING REGULATIONS
AND LICENSING PROCEDURES FOR FARMERS MARKETS AND FARM
PRODUCE VENDORS.

During the time set for citizens wishing to address the Commission, Robert Larabee asked to speak on agenda item 5. DeWayne Stebbins claimed that water rate figures are being tampered with during City Commission work sessions.

A communication from the Downtown Development Authority, requesting to be named as the operating entity for downtown parking including the new downtown parking structure, was read. City Manager Svanda answered questions regarding this proposal. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried unanimously to follow the wishes of the Downtown Development Authority and approve that body as the operators of the downtown parking structure and all other downtown public parking.

A communication from Peninsula Sanitation, requesting approval to haul refuse from Vandeenboom School in Marquette Township to the City's transfer facility for disposal, was read. It was moved by Commissioner Kulisheck, supported by Commissioner Berube, and carried unanimously to encourage the Township and the School District to approach the City with a request for disposal of this waste and to authorize the City Manager and Public Works Director to negotiate with them. Bill Niepoth of Peninsula Sanitation said that the solid waste from Silver Creek School, which is in Chocolay Township, is

collected by Chocolay Township and would not have to come into the City system.

A communication from the Harbor Committee, regarding Presque Isle Marina pier repairs, was read. City Manager Svanda answered questions regarding the financing of the Marina and the maintenance reserve fund. Mayor Kulisheck directed the Manager to prepare a report and recommendation on the possible financing alternatives for the required engineering study and repairs to the Marina piers. Parks and Recreation Director John Turausky was requested to survey other U.P. Marinas to see how our rates compare. Following a lengthy discussion, the Commission agreed that the cost of the repair and a re-establishment of the maintenance reserve fund should be at the expense of the Marina users and that the Marina Fund should resume making payments in lieu of taxes to the City Treasurer.

A report and recommendation from the City Manager, regarding water and sewer service for the Robert Larabee residence on Sherman Street, was read. During a very lengthy discussion, Mr. Larabee addressed the Commission and answered questions about his attitude towards the various proposals. Public Works Director Etelamaki also answered questions at length. Following the discussion and a consideration of each of the alternatives for providing water and sewer service to Mr. Larabee's new residence, Mr. Larabee indicated that he preferred to have the water and sewer mains built to the far side of his property so that he would not have to pay an assessment in the future. It was moved by Commissioner Kulisheck, supported by Commissioner Johnson, and carried unanimously to allow the property owners 10 years to repay this assessment. It was then moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to adopt the following resolution:

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

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

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

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

RESOLVED, That the City Commission determines that such project and improvements are necessary and proper and that a special assessment district is established as follows:

SHERMAN STREET WATERMAIN AND SANITARY SEWER TO A POINT
250 FEET WEST OF MCLELLAN AVENUE.

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

Property - \$17,614 City - \$4,000

FURTHER RESOLVED, That the report of the City Manager, the report of the City Engineer, and the preliminary plans, specifications, and the cost estimates are hereby approved; that said special assessments may be paid in 10 annual installments, at a rate not exceeding 10% per annum, or the actual cost of borrowing; that the City Engineer is directed to proceed with preparations of final plans and specifications, that the City Manager is directed to proceed with the advertising and taking of bids, and that the City Assessor is directed to prepare a special assessment roll and report of the same to the City Commission for confirmation.

It was moved by Mayor Kulisheck, supported by Commissioner Johnson, and carried unanimously to waive the ordinance provision on filing deadlines for special assessment projects so that this project could go forward this year. Mayor Kulisheck said that this item is a good example of how the City Commission works for the benefit of the City and its residents in open session for all to see.

A report and recommendation from the City Manager, regarding Lower Harbor mooring fees, was read. Commissioner Coyne said that in view of the poor facilities, the same rates should not be charged in the Lower Harbor as in the Upper Harbor. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to direct the Harbor Committee to take under advisement developing a fairer and lower scale of rates for use of the Lower Harbor dock with an appropriate time limit on the length of stays allowed there. The Harbor Committee was also urged to look into more mooring cleats for small vessels along the Lower Harbor dock.

A report and recommendation from the City Manager, regarding a proposed solid waste disposal agreement with Powell Township, was read. It was moved by Commissioner Berube, supported by Commissioner LaBrecque, and carried unanimously to approve this agreement and to authorize the Mayor and City Clerk to execute it. Commissioners agreed that this agreement could serve as a guideline for development of an agreement for the Vandenboom School solid waste.

Commissioners then agreed to hold a work session at 7:00 p.m. on Wednesday, September 18 to discuss proposed water and sewer rates.

Mayor Kulisheck then announced that this was the time set for consideration of a lease for a billboard on City-owned property. City Attorney Martin noted that the lease had been executed with the bank and that the City had purchased this property this year from the bank. He said that the three-year term on the lease had expired and that it could be terminated within a 90 day period. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to terminate this lease as soon as possible.

Total bills payable in the amount of \$405,486.78 were presented. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to pay these bills as presented with the exception of the one to Loretta's Craft Corner in the amount of \$109.01. It was then moved by Commissioner Johnson and supported by Commissioner Berube to pay the above excluded bill and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

Ayes: Mayor Kulisheck. Commissioners Berube, Coyne, Johnson, LaBrecque, Leadbetter.

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

It was then moved by Commissioner Coyne, supported by Commissioner Berube, and carried unanimously to approve the consent agenda as follows:

- A. Approval of the minutes of the August 12 City Commission meeting.
- B. Authorization of the City Administration to negotiate with the L.S. & I. and Soo Line Railroads for track removal and renovation along Lakeshore Boulevard in the Lower Harbor area.
- D. Approval of a deed revision for the U.S.D.A Forestry Sciences Laboratory property and authorization of the Mayor and City Clerk to execute the deed.
- E. Award of bids for water system repairs to the low bidder, Associated Constructors, in the amount of \$224,342.
- F. Accepting assignment of Spur Track agreements from the Soo Line Railroad and authorization of the Mayor and City Clerk to execute them.

Mayor Kulisheck noted the resignation of Ray Camilli from the City Board of Canvassers and asked Commissioners for suggestions as to a replacement for him. He then made the following appointments with the Commission's concurrence.

LAKEVIEW ARENA ADVISORY BOARD - reappointments of William Chalfont, Irving Wagner, and Robert Nystrom all for terms expiring August 13, 1988.

VILLAGE COORDINATING COMMITTEE - reappointments of Irving Wagner, Alfred Joyal, and David Svanda all for terms expiring July 30, 1988.

HOSPITAL FINANCE AUTHORITY - reappointment of Lincoln

Frazier for a term expiring July 1, 1990.

Mayor Kulisheck said that there is a vacancy on the Local Officer's Compensation Commission.

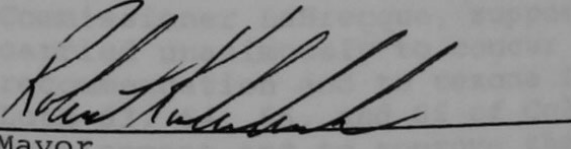
Commissioner Johnson said that there are still problems with bicycles going the wrong way on one-way streets. She urged the City Manager to meet with the student government at Northern Michigan University upon the occasion of the start of a new school year and inform the students of City ordinances that are most commonly violated by new students. She asked how financially successful the Toby Tyler Circus had been and said that she had received many complaints about the appearance of the circus at the Lower Harbor Park. Commissioner Johnson also said that NBC News reports that other cities have problems with Canada Geese besides Marquette. She said that the administration is working with Bell Telephone on problems resulting from their installation of a conduit under the sidewalk on College Avenue.

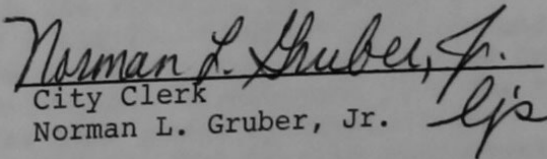
Commissioner LaBrecque said that we should invite cruise boats to come to Marquette as a port of call on their cruises. It was moved by Commissioner LaBrecque, supported by Commissioner Acocks, and carried unanimously to stop using the stapler on agenda packets.

City Manager Svanda said that the administration is working on transparency maps of project areas that can be viewed by Commissioners. Commissioner Johnson asked if bikes and all-terrain vehicles are subject to trespass laws. Attorney Martin said they are, but that the land would have to be posted.

During the time set for citizens wishing to address the Commission, Jim Dalglesh said that ordinances should be enforced in a non-discriminatory manner and asked what the legal status of bicycles are in areas where there is a bikepath. Police Chief Johnson said that he would have to check the ordinances to determine that status.

The meeting was adjourned at 9:14 p.m.


Mayor
Robert Kulisheck


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