

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, May 5, 1986

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, May 5, 1986 in Commission Chambers of City Hall.

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

It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to approve the minutes of the April 28, 1986 regular meeting as presented and to waive their reading.

Total bills payable in the amount of \$275,093.81 were presented. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously that these bills be paid as presented.

During the time set for announcing additional agenda items, Mayor Coyne added item 2a, a proclamation on Tourism Week and item 16, scheduling a public hearing on a special assessment district for Whetstone Brook improvements.

Mayor Coyne then made the following proclamations:

MENTAL HEALTH MONTH

WHEREAS, a recent study by the National Institute of Mental Health indicates that 20% of the adult U.S. population is in need of general mental health services at any one time; and

WHEREAS, at least 2 million of our nation's population are diagnosed as severely mentally ill; and

WHEREAS, as many as 12 million U.S. children under 18 suffer from some form of mental illness; and

WHEREAS, community mental health agencies served some 1.4 million young people last year, significantly enhancing the accessibility of quality mental health care to this group; and

WHEREAS, suicide is the third leading cause of death in teenagers; and

WHEREAS, the Michigan public psychiatric inpatient population has been reduced from approximately 20,000 in 1960 to 4,000 today through a process called deinstitutionalization; and

WHEREAS, the process of deinstitutionalization has created a greater need for local community services; and

WHEREAS, Michigan Community Mental Health agencies provide outpatient treatment for nearly 150,000 cases each year; and

WHEREAS, the Alger-Marquette Community Mental Health Center has significantly enhanced the accessibility of quality, community-based, mental health services to the people of the City and County of Marquette;

THEREFORE, BE IT RESOLVED, that the Marquette City Commission designate May, 1986 as "Mental Health Month" to be observed with appropriate community programs, ceremonies and activities.

ARBOR DAY

WHEREAS, Trees are a vital part of urban living because of their beauty which gives aesthetic quality to the lives of City dwellers, and because of their functionalism which provides such things as lower heating and cooling costs, wind breaks, temperature modification, oxygen production, and air cleaning; and

WHEREAS, The people in the City of Marquette are desirous of protecting their existing trees and adding more trees so that the quality of life in Marquette is sustained and enhanced; and,

WHEREAS, To effect this goal, the City of Marquette has pursued an increasingly active role in the maintenance and planting of trees in the City including the purchase of specialized equipment, the employment of personnel specifically assigned to the tree maintenance program, and the adoption of an ordinance establishing authority and standards for tree maintenance; and

WHEREAS, similar goals are pursued by the citizens throughout the United States of America by the celebration of Arbor Day,

NOW, THEREFORE, I, J. MICHAEL COYNE, Mayor of the City of Marquette, Michigan, do hereby proclaim Wednesday, May 21, 1986 as ARBOR DAY in the City of Marquette, and urge all citizens of the City to support and participate in the City's efforts to sustain and enhance the Trees of Marquette, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well being of present and future generations.

Following the Arbor Day proclamation, Tree Committee Chairman Marion Lovewell presented a placque designating Marquette as a Tree City U.S.A. and a Tree City U.S.A. Flag to Mayor Coyne. He noted that the Tree Committee has completed work on a Master Tree Plan and sent it to the Planning Commission for adoption. He said that there would be an Arbor Day tree planting at 7:00 p.m. on Wednesday, May 21 in the Lower Harbor Park and urged anyone interested to attend. He also said that people concerned about street trees should contact the City because the City's tree ordinance regulates planting, pruning, and maintenance of these trees.

Mayor Coyne also made the following proclamation:

MARQUETTE TOURISM WEEK

WHEREAS, the tourism industry is extremely important to the City of Marquette, contributing to our employment, economic prosperity, and international trade and understanding,

WHEREAS, each of us benefits from the effects of tourism. It substantially enhances our personal growth and education. Tourism also promotes intercultural understanding and appreciation of the geography, history and people of the Marquette area. With the economy growing, personal incomes and leisure will increase more rapidly. Tourism therefore can be expected to play an even greater role in the lives of the people of Marquette, and

WHEREAS, in recognition of the significance of the tourism industry to the enhancement of trade, understanding, and goodwill to the City of Marquette,

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, do hereby proclaim the week beginning May 18 - 24, 1986 as Marquette Tourism Week, and I call upon the

people of Marquette to observe such week with appropriate ceremonies and activities.

Mayor Coyne then announced that this was the time and date set for a public hearing on the Fiscal Year 1986-87 Budget. He said that there would be three separate hearings involving various aspects of this budget. He then opened a public hearing on the Fiscal Year 1986-87 Federal Revenue Sharing Budget. There being no one to address the Commission, the hearing was closed. He then opened the public hearing on the Fiscal Year 1986-87 budget and fee schedule. There being no one to address the Commission, the hearing was closed.

Mayor Coyne then opened the public hearing on an amendment to the Water and Sewer Rate Ordinance. There being no one to address the Commission, the hearing was closed.

It was then moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to adopt the Fiscal Year 1986-87 Federal Revenue Sharing Budget as proposed. It was moved by Commissioner Johnson, supported by Commissioner Berube, 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 service to the residents of the City; and

WHEREAS, Act 5 of the Public Acts of 1982 provide that the base operating rate for the Library in 1986 be reduced from 1.35 to 1.34941; and,

WHEREAS, in order to fund the Library's proposed 1986-87 budget and to maintain essential services, the Library finds it necessary to restore the levy reduction and return the total operating rate to 1.35 mills; 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 at its regular meeting on April 28, 1986 held a public hearing in accordance with Public Act 5 of 1982 on restoring the Library millage to its authorized level,

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 1986-87.

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

WHEREAS, it is the desire of the Downtown Development Authority (DDA) to continue to provide essential services; and

WHEREAS, Act 5 of Public Acts of 1982 provides that the base operating rate within the DDA be reduced from 2.00 to 1.96939 mills; and

WHEREAS, to fund the proposed DDA's 1986-87 budget and maintain the services it provides, the DDA finds it

necessary to restore the levy reduction and return the total operating rate to 2.00; and,

WHEREAS, the DDA 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 DDA millage in accordance with Act 197 of 1975; and,

WHEREAS, the City Commission held a public hearing in accordance with Public Act 5 of 1982 on restoring the millage on April 28, 1986,

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette establish a DDA operating tax rate of 2.00 for fiscal year 1986-87.

It was then moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to adopt the 1986-87 City Fee Schedule as proposed. It was then moved by Commissioner Leadbetter and supported by Commissioner LaBrecque to adopt the resolution approving the property tax administration fee. Following a lengthy discussion, the following vote was taken:

Ayes: Commissioner LaBrecque.

Nays: Mayor Coyne. Commissioners Acocks, Berube, Constance, Johnson, Leadbetter.

The motion was defeated. Mayor Coyne said that because of the lack of revenue resulting from not adopting the property tax administration fee, the budget would have to be adjusted so that it would still be in balance. Commissioners agreed to do this as item 17 at the end of the agenda.

It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to adopt the amendment to the water and sewer rate ordinance as follows:

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AN ORDINANCE TO AMEND CHAPTER 58, TITLE VII OF THE CODE OF THE CITY OF MARQUETTE BY AMENDING SECTIONS 58.01(1), 58.03(1), AND 58.07 OF CHAPTER 58 (ORDINANCE #390) TO CHANGE THE WATER AND WASTEWATER VARIABLE RATES AND ADMINISTRATIVE PROCEDURES FOR THE WATER AND WASTEWATER UTILITY.

Mayor Coyne then announced that this was the time and date set for a public hearing on an ordinance to establish a Downtown Development Authority for the Village Development District. Three persons supported the ordinance and two asked questions. The hearing was closed. The report and recommendation from the City Manager was read. Following discussion, it was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to adopt the ordinance as proposed and to

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make the initial appointments to the Board as recommended by the City Manager. The following ordinance was adopted:

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AN ORDINANCE TO AMEND TITLE XI, BY ADDING A NEW CHAPTER 75 ESTABLISHING A DOWNTOWN DEVELOPMENT AUTHORITY AND DESIGNATING THE BOUNDARIES OF THE DOWNTOWN DISTRICT WITHIN WHICH THE AUTHORITY SHALL EXERCISE ITS POWER

and the following appointments made: Dan Trotochaud, Fred Joyal, Jim Otto, Gerry Pinkos, Jim Johnson, Irv Wagner, Carol Pinkos, and Jim Bielinski.

Mayor Coyne thanked the persons who had appeared at the hearing for coming to ask questions regarding the establishment of the Village Development Authority. It was then moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to schedule a public hearing for the May 27 Commission meeting on a proposal to levy up to 2 mills in the newly formed Village Development Authority.

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

A communication from Bay Cliff Health Camp, regarding waiver of the carnival license fee, was read. It was moved by Commissioner Coyne and supported by Commissioner Johnson to waive the fee for the Skerbeck Brothers Amusement Company for May 24 to May 31 this year. Commissioners discussed whether or not waiving this fee was a direct subsidy to Bay Cliff Health Camp. The following vote was taken:

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

Nay: Commissioners Acocks, Berube, Constance.
The motion was carried.

A communication from the Winthrop Committee, regarding a grant application for a Michigan Sesquicentennial Project, was read. It was moved by Commissioner Acocks, supported by Commissioner Berube and carried unanimously to ask that the Mayor and City Manager write a letter of support for this project.

A communication from the Chamber of Commerce, regarding an amendment to the Transient Merchant License Ordinance, was read. Following a brief discussion, it was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to refer this proposed ordinance to the Downtown Development Authority, the Village Development Authority, the Downtown Marquette Association, and the Marquette Mall Association for review and comment.

A report and recommendation from the City Manager, regarding bids for demolition of the Rosewood Inn, was read. The

Commission discussed the legalities of the City's demolition proceedings and the advisability of demolishing this structure at great length. Following the discussion, it was moved by Commissioner Leadbetter and supported by Commissioner Johnson to delay the award of the contract for this demolition until the completion of the court proceedings. The following vote was taken:

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

Nay: Commissioner Acocks.
The motion was carried.

Mayor Coyne then announced that this was the time set for a verbal report on engineering costs associated with the water line replacement project in the 800 block of North Front Street. Karr Baldwin from Engineering Consultants, Inc. discussed the costs of using ground penetrating radar to determine the depth of bedrock in this block of North Front Street. He said that the cost of getting the unit into the area was very high and that it would be advisable to use the unit extensively while it was here in order to keep unit costs down. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to request a report and recommendation from the City Manager on what streets should be surveyed using this method as well as determining an estimated cost of rock removal in these situations.

Mayor Coyne called a five minute recess at 9:05 p.m.

Following the recess, a report and recommendation from the City Manager, regarding requests for water service line replacements, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously that the City undertake to accomplish the replacements identified as 6-85, 8-85, 9-85, and 1-86, with these replacements to be accomplished after July 1, 1986 utilizing funds from the FY 1986-87 budget which are designated as: "replace laterals due to freezeups \$138,000.00".

A report and recommendation from the City Manager, regarding bids for concession items, was read. It was moved by Commissioner LaBrecque, supported by Commissioner Leadbetter, and carried unanimously to award the bids as recommended by the City Manager and purchasing agent.

A report and recommendation from the City Manager, regarding a request for a 24-hour liquor license, was read. It was moved by Commissioner Constance and supported by Commissioner Leadbetter to approve the request from the Downtown Marquette Association for a 24-hour liquor license for the Antique Car Show to be held in the 100 block of West Washington Street on Saturday, May 31, 1986. The following vote was taken:

Ayes: Mayor Coyne. Commissioners Acocks, Constance, Johnson, LaBrecque, Leadbetter.
Nays: Commissioner Berube.
The motion was carried.

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

HOUSING COMMISSION: The appointment of Dorothy Tousignant for a term expiring June 9, 1989 and the reappointment of Howard Bureau for a term expiring June 14, 1991.

A petition from property owners on Whetstone Brook requesting enclosure of the brook and construction of a private access drive was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to set the regular Commission meeting on May 27 as the time and date for a public hearing on this proposed special assessment district.

Mayor Coyne then announced that this was the time set to review the budget. City Manager Svanda explained the materials that were being distributed to the Commission as they relate to the non-adoption of the property tax administration fee and the need to reduce the budget expenditures by that amount. Commissioners discussed at length whether to work with the list of additional expenditures that had been approved at the time the property tax administration fee was proposed for adoption, or to go back into the hit and wish list, or to actually go back and review the entire budget itself. It was moved by Commissioner Berube and supported by Commissioner Constance to open the hit and wish list for discussion. The following vote was taken:

Ayes: Commissioners Berube, Constance.

Nays: Mayor Coyne. Commissioners Acocks, Johnson, LaBrecque, Leadbetter.

The motion was defeated.

The Commission then discussed at length which items on the list of additional expenditures should be included in the budget and which should be deleted. Agreement could not be reached to reduce the additional expenditures to the level of the funding available. It was moved by Mayor Coyne and supported by Commissioner LaBrecque to use some of the contingency fund to balance the list of additional items. The following vote was taken:

Ayes: Commissioners Johnson, LaBrecque, Leadbetter.

Nays: Mayor Coyne, Commissioners Acocks, Berube, Constance.

The motion was defeated.

The Commission then agreed to include the riot helmets, the disability alarm, the portable generator, the goal frames, and moving of the pavilion at Presque Isle Park. It was moved by Commissioner Acocks, supported by Commissioner LaBrecque, and carried unanimously to put the balance of the available fund

in the amount of \$2,460 into the contingency fund. It was then moved by Commissioner Acocks and supported by Commissioner Berube to reconsider the negative vote on the resolution to approve the property tax administration fee. The following vote was taken:

Ayes: Commissioners Acocks, Berube.
Nays: Mayor Coyne. Commissioners Constance, Johnson, LaBrecque, Leadbetter.
The motion to reconsider was defeated.

It was then moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to adopt the 1986-87 General Appropriations Act. The following vote was taken:

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

Nays: Commissioners Berube, Constance.
The motion was carried. The 1986-87 Fiscal Year General Appropriations Act was adopted:

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 1986-87 was prepared and submitted by the City Manager to the City Commission on April 14, 1986; and

WHEREAS, the City Commission has reviewed and revised the Tentative Budget and fee schedules 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 5, 1986;

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, 1986, and for the payment of interest and indebtedness to fall due during the year for the following functions and purposes respectively, viz:

General Fund Revenue by Source:

	\$ 2,506,458
Taxes	6,800
Licenses & Permits	25,436
Federal Grants	1,424,620
State Grants	13,630
Contributions from Local Units	2,145,843
Charges for Services	54,000
Fines & Forfeits	1,053,500
Interest and Rents	1,891,045
Other Revenues	

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Operating Transfers In	283,950
TOTAL	\$ 9,405,282

General Fund Expenditures by Function:

Legislative	\$ 30,455
General Government	816,523
Public Safety	1,978,893
Public Works	2,766,379
Health & Welfare	94,124
Recreation & Culture	1,223,460
Other Functions	1,113,080
Appropriations Transfers Out	1,307,368
Contingencies	75,000
TOTAL	\$ 9,405,282

Major Street & Trunkline Fund Revenue by Source:

State Grants	754,500
Interest	200
Other Revenues	167,000
Operating Transfers In	600,418
TOTAL	\$ 1,522,118

Major Street & Trunkline Fund Expenditures by Function:

Public Works	1,372,251
Debt Service	149,867
TOTAL	\$ 1,522,118

Local Street Fund Revenue by Source:

State Grants	\$ 210,000
Interest	150
Other Revenues	183,600
Operating Transfers In	616,950
TOTAL	\$ 1,010,700

Local Street Fund Expenditures by Function:

Public Works	\$ 982,700
Debt Service	28,000
TOTAL	\$ 1,010,700

Parking Structure Fund Revenue by Source:

Taxes	\$ 15,000
Interest and Rents	59,355
Other Revenues	53,079
TOTAL	\$ 127,434

Parking Structure Fund Expenditures by Function:

Public Works (Parking System)	\$ 44,434
Appropriation Transfers Out (Bldg Auth Debt)	83,000

TOTAL \$ 127,434

Federal Revenue Sharing Fund Revenue by Source:

Federal Grants	203,000
Interest	2,000
Transfer from Fund Balance	64,000
TOTAL	\$ 269,000

Federal Revenue Sharing Fund Expenditures by Function:

General Government	\$ 50
Appropriation Transfer Out	268,950
TOTAL	\$ 269,000

Library Fund Revenue by Source:

Taxes	\$ 322,972
Federal Grants	33,795
State Grants	33,944
Charges for Services	12,000
Fines & Forfeits	42,787
Interest & Rents	23,725
Other Revenues	270
Transfer from Fund Balance	168,337
TOTAL	\$ 637,830

Library Fund Expenditures: TOTAL \$ 637,830

Community Development (Small Cities 3H) Revenue by Source:

Federal Grants	TOTAL \$ 43,120
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Community Development (Small Cities 3H) Expenditures:

TOTAL	\$ 43,120
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Community Development (Small Cities 3E) Revenue by Source:

Federal Grants	TOTAL \$ 300,017
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Community Development (Small Cities 3E) Expenditures:

TOTAL	\$ 300,017
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Criminal Justice Training Fund Revenue by Source:

State Grants	\$ 6,000
Interest	450
Transfer from Fund Balance	7,498
TOTAL	\$ 13,948

Criminal Justice Training Fund Expenditures:

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TOTAL \$ 7,550

Intermodal Transportation Terminal Fund Revenue:

TOTAL \$ 584,700

Intermodal Transportation Terminal Fund Expenditures:

TOTAL \$ 513,800

Marquette Area Wastewater Treatment Facility Fund
Revenue:

TOTAL \$ 1,147,216

Marquette Area Wastewater Treatment Facility Fund
Expenditures:

TOTAL \$ 1,147,216

Water & Sewage Disposal System Fund Revenue:

TOTAL \$ 3,298,220

Water & Sewage Disposal System Fund Expenditures:

TOTAL \$ 3,298,220

Marina Fund Revenue:

TOTAL \$ 82,441

Marina Fund Expenditures:

TOTAL \$ 76,901

BE IT RESOLVED, that this Commission has estimated the revenue which will be forthcoming during Fiscal Year 1986-87, and has determined the amount necessary to balance the General Fund Budget to be the sum of two million, two hundred sixty-one thousand (\$2,261,000); and has determined the amount necessary to balance the Peter White Public Library budget to be the sum of Three hundred twenty-two thousand, eight hundred forty-five (\$322,845); 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 Two million, two hundred sixty-one thousand (\$2,261,000); is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1986-87 Fiscal Year for the General Fund; and the sum of Three hundred twenty-two thousand, eight hundred forty-five (\$322, 845); is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1986-87 Fiscal Year for the Peter White Public Library; and

BE IT FURTHER RESOLVED, that in accordance with the General Property Tax Law, Act 399 of 1984, as amended; MCL 211.44; MSA 7.87, Sec. 44, except as otherwise provided in said Act, on a sum voluntarily paid before March 1st of the succeeding year, the City Treasurer shall add 1% for a property tax administration fee; 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.

Commissioner Acocks then noted that MarqTran would be the site of the kickoff for Michigan Transportation Week on May 10 and that this was a distinct honor for the Marquette County Transportation System. She urged people to consider participating in the Adopt-A-Park program and to beautify their own homes as well as other areas in the City. She said that the Amoco Station on South Front Street has already put out flowers and cleaned up, and it looks very nice.

Commissioner Berube thanked the U.P. Steelheaders for an excellent Youth Fishing Tournament last weekend and said that the children who participated had enjoyed it a great deal. He asked for clarification on the spring cleanup as to which items would be picked up, which would not, and the schedule for pick up. City Manager Svanda gave detailed information in response to these questions. Commissioner Berube also said that he was glad to have the budget adopted and thanked the citizens for their faith in the Commission.

Commissioner Constance asked why demolition rubble has to go to the Dafter landfill. Bill Niepoth, representing Peninsula Sanitation, said that masonry only can be disposed of here in Marquette but that any demolition rubble containing wood or other materials has to be disposed of in a landfill. Commissioner Constance also said that the citizens water committee meetings are still being held, that they have had nine so far, and that progress is being made.

Commissioner Johnson said that she is pleased about the beautification efforts on South Front Street, noted many complaints about the leaf pickup this spring and about the water rates and taxes.

Commissioner LaBrecque said that a heat exchanger would not be needed to put U.P. Generating water into Shiras Pool. He also said that two apartment buildings on West Bluff Street had put out large furniture items for the spring pickup in violation of the spring pickup rules.

Mayor Coyne reminded people about the May 22 work session on the City Income Tax. He thanked Parks and Recreation Director Turausky for having fans in the Commission Chambers this

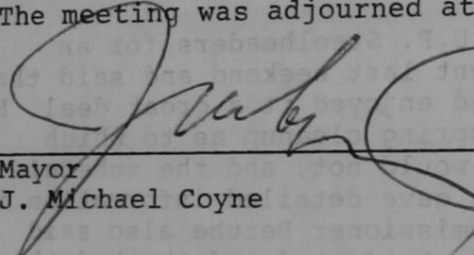
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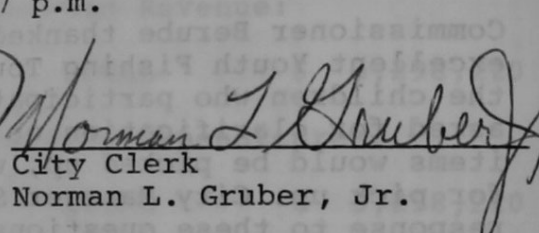
evening, saying that they added a great deal to the comfort of the meeting. He noted complaints about the City's new Aquatech sewer cleaner causing low water pressure when a certain hydrant is used to fill its water tank. He thanked Commissioners for their hard work on the budget and complimented the City Manager on a well organized budget. He said that the budget has been cut two million dollars and that it is balanced and that this has been accomplished with no cuts in services. He also said there are many capital outlay projects that need to be funded in the near future. City Manager Svanda reminded Commissioners that the first work session on the Lower Harbor Land Use Study is on Tuesday, May 31 at 7:00 p.m.

During the time set for citizens wishing to address the Commission, Bill Niepoth, representing Peninsula Sanitation, offered to answer questions on the spring cleanup. He urged that both Commissioners and citizens contact him with complaints of things not being picked up or of poor pickup activities.

The meeting was adjourned at 10:47 p.m.



Mayor
J. Michael Coyne



City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Tuesday, May 27, 1986

A regular meeting of the Marquette City Commission was duly called and held on Tuesday, May 27, 1986 at 7:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Acocks, Berube, Constance, Johnson, LaBrecque, Leadbetter.

ABSENT: None.

It was moved by Commissioner Acocks, supported by Commissioner LaBrecque, and carried unanimously to approve the minutes of the May 5, 1986 meeting as presented.

Total bills payable in the amount of \$611,842.45 were presented. It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried unanimously to pay these bills as presented.

During the time set for announcing additional agenda items, Mayor Coyne added item 20, a letter from Carolyn Crowley, item 21, appointments to boards and commissions, and item 22, a letter from Jack L'Huillier.

City Manager Svanda introduced new Finance Director Donna Kohut who started work last week.

Mayor Coyne then presented the following resolution honoring Dominic J. Jacobetti:

WHEREAS, Dominic J. Jacobetti, our State Representative of the 108th District of Michigan, will, on June 6, 1986, establish a new record for continuous service as a State Legislator, having served over 31 1/2 years, and,

WHEREAS, Representative Jacobetti, since being elected in 1954, has been an outstanding representative to his constituents living in Marquette as he has sought to improve the quality of life to make our community a Superior Location, and

WHEREAS, Representative Jacobetti, during his tenure of office, has worked diligently to support the goals of the City of Marquette to insure state funding for needed municipal programs such as construction, repair and maintenance of streets and highways and most recently for our downtown redevelopment, and,

WHEREAS, Representative Jacobetti has fought for many programs for the citizens of Marquette, including education, the veterans, senior citizens and the handicapped, and as a tribute to his support, the D.J.

Jacobetti Veterans Facility, and the Jacobetti Skill Center were named in his honor.

NOW, THEREFORE, BE IT RESOLVED, that I, J. Michael Coyne, Mayor of Marquette, on behalf of the City Commission and the citizens of our community, hereby extend to Representative Jacobetti our sincerest gratitude for his years of service and support for our community and our congratulations on setting a new record of continuous service as a State Legislator.

Mayor Coyne then presented certificates of completion of training to Planning Commissioners Rosemary Tourville, Howard McKie, and Scott Pinkard, and to Board of Zoning Appeals Members Colleen Walker, John Ashby, and Robert Dupras. He noted the very difficult job that each these boards has and thanked the board members for their hard work on these boards. He said that it took extra effort for them to attend this training session so that they could do their jobs better and expressed the City's appreciation for that extra effort.

Mayor Coyne then announced that this was the time and date set for a continued public hearing on the cost of studying a private sewer in the block bounded by Crescent, Front, Prospect, and High Streets. There being no one to speak, the hearing was closed. A report and recommendation from the City Manager was read. City Manager Svanda noted the receipt of a communication from Donald Bays representing the neighbors in that area. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously that, based on the neighborhood's position, no special assessment district be created at this time.

Mayor Coyne then announced that this was the time and date set for a public hearing on a proposed special assessment district for the repair of a private sewer on Palm Street. Jack Inch and Mark Tweedie addressed the Commission saying that the cost of this repair as done by the City was too high. The hearing was closed. A report and recommendation from the City Manager was read. Following lengthy discussion of this matter, it was moved by Commissioner Acocks and supported by Commissioner Constance to adopt the resolution determining the necessity of this project. The following vote was taken:

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

Nay: Commissioner Johnson.

The following resolution was adopted:

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

REPAIRS TO A PRIVATE SEWER LATERAL

AT 106 AND 108 PALMS STREET
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:

REPAIRS TO A PRIVATE SEWER LATERAL
AT 106 AND 108 PALMS STREET

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 by the general obligation of the City, if any, shall be as follows:

PROPERTY - \$2,243.13

CITY - 0

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 which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in five equal annual installments, those which are \$1,000 to \$5,000 may be paid in eight equal annual installments, and those which are over \$5,000 may be paid in ten equal annual installments; all such installments to be due at the time fixed for the payment of regular City taxes, together with interest on such installments at the rate of 10% per annum from the date of confirmation of such special assessment rolls.

It was then moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to set the regular meeting on June 9 as the time and date for a public hearing on the confirmation of special assessment roll #498 for this project.

Mayor Coyne then announced that this was the time and date set for a public hearing on establishing a millage rate in the Village Development Authority District. Three persons addressed the Commission in support of the proposed two-mill levy and one expressed no opposition as long as his property

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was not included. The hearing was closed. A report and recommendation from the City Manager was read. It was noted that 44 persons had signed the petition supporting the millage and that this is 49% of the property owners in the district. It was moved by Commissioner Acocks and supported by Commissioner Coyne to levy the two mills with the stipulation that if the signatures of more than 50% of the property owners in the district cannot be obtained by July 1, that the millage so collected will be rebated to the property owners.

Mayor Coyne announced that this was the time and date set for a public hearing on a special assessment district for the Whetstone Brook drainage improvements. Karl Shunk said that he was opposed to the project based upon his assessment being too high and more benefit to the other landowners in the area. Sharon Young, representing First of America, supported the project. The hearing was closed. A report and recommendation from the City Manager was read. Mayor Coyne suggested reducing the project to the drainage improvements only with the curbing and paving of the access drive to be considered following further discussions between the property owners in the district. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to adopt the resolution of necessity for the drainage improvements only and to defer action on the curbing and paving until a later date. The following resolution was adopted:

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

ENCLOSURE OF WHETSTONE BROOK WEST OF
MCCLELLAN AVENUE

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:

ENCLOSURE OF WHETSTONE BROOK WEST OF
MCCLELLAN 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 - \$65,500

CITY - 0

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 which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in five equal annual installments, those which are \$1,000 to \$5,000 may be paid in eight equal annual installments, and those which are over \$5,000 may be paid in ten equal annual installments; all such installments to be due at the time fixed for the payment of regular City taxes, together with interest on such installments at the rate of 10% per annum from the date of confirmation of such special assessment rolls.

It was then moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously to set the regular Commission meeting on June 9, 1986 as the time and date for a public hearing on the confirmation of special assessment roll # 497 as follows:

Enclosure of Whetstone Brook West of McClellan Avenue

It was then moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to approve the exchange of property as recommended by the City Manager and to authorize the Mayor and City Clerk to execute the deed. City Manager Svanda suggested that action on the curbing and paving in this project be deferred until the fall pending scheduling of the work on curbing and paving of McClellan Avenue.

During the time set for citizens wishing to address the Commission, Chris Swenor asked to speak on agenda item 16.

A communication from John Pace, regarding the successful conclusion of the annual City auction on May 10, was read. Mayor Coyne thanked Mr. Pace and his family for their volunteer work each year on the auction and noted that this year's receipts from the auction were \$38,000.

Mayor Coyne summarized a communication from the Michigan Municipal League regarding the Annual League Meeting to be held on Mackinac Island on September 18 through 20. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously that Mayor Coyne be designated as the City's delegate and Mayor Pro Tem Berube the alternate to the Michigan Municipal League Convention.

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Mayor Coyne then summarized a communication from the Michigan Municipal League regarding the Annual Region X meeting in Munising on June 12 and 13. Commissioners Berube and Leadbetter said that they would be attending this meeting.

A communication from the McCormick Grand Camp Advisory Committee was read. The Commission discussed the advisability of operating a bed and breakfast or motel in one of these buildings if they were to be located at the Tourist Park. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to support the McCormick Grand Camp Advisory Committee in the grant application for a \$10,000 grant from the YES-150 Grant Program.

A communication from Albert Trudgeon, regarding military service pension credits, was read. City Manager Svanda said that the history has been not to approve these transfers but that this particular one would not become a financial burden of the City because Mr. Trudgeon works for the Housing Commission. It was moved by Commissioner Johnson and supported by Mayor Coyne to approve the resolution with the stipulation that it must be approved by the Marquette Housing Commission and the Department of Housing and Urban Development. The following vote was taken:

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

Nay: Commissioner Berube.

The motion was carried and the following resolution adopted:

WHEREAS, Act No. 126, P.A. of 1980, permits members of the Michigan Municipal Employees' Retirement System to be credited with up to five years of their military service, upon approval of the local governing body, and

WHEREAS, Albert L. Trudgeon having at least ten years of credited service with the Michigan Municipal Employees' Retirement System in force, and having served two years and seven months in the military service during a time of war or national emergency, or was drafted into the armed service during a time of peace, and

WHEREAS, said member has deposited a total of \$2,417.79 with the Michigan Municipal Employees' Retirement System, as computed by the retirement office, and has furnished the retirement office with a copy of his military discharge papers, and

WHEREAS, the Marquette City Commission acknowledges that the total increase in unfunded accrued liabilities if paid in a lump sum at this time amounts to \$2,803.00, or if amortized over 20 years results in an annual contribution increase of \$166.00 per year (including 6% annual interest on the unpaid balance), now

THEREFORE, BE IT RESOLVED, that the Michigan Municipal Employees' Retirement System is hereby requested to grant Albert L. Trudgeon such military service as provided by Act No. 126, P.A. of 1980, and

BE IT FURTHER RESOLVED, that said employee has certified to the Michigan Municipal Employees' Retirement System that the military service credit being granted has not and will not be used in any other retirement system for the purpose of receiving a retirement benefit.

A communication from Lawrence Korpi, regarding military service pension credit, was read. It was moved by Commissioner Johnson and supported by Commissioner Coyne to approve the resolution granting the military service credit with the stipulation that it also be approved by the Marquette Housing Commission and the Department of Housing and Urban Development. The following vote was taken:

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

Nay: Commissioner Berube.

The motion was carried and the following resolution adopted:

WHEREAS, Act No. 126, P.A. of 1980, permits members of the Michigan Municipal Employees' Retirement System to be credited with up to five years of their military service, upon approval of the local governing body, and

WHEREAS, Lawrence Korpi having at least ten years of credited service with the Michigan Municipal Employees' Retirement System in force, and having served three years in the military service during a time of war or national emergency, or was drafted into the armed service during a time of peace, and

WHEREAS, said member has deposited a total of \$4,074.00 with the Michigan Municipal Employees' Retirement System, as computed by the retirement office, and has furnished the retirement office with a copy of his military discharge papers, and

WHEREAS, the Marquette City Commission acknowledges that the total increase in unfunded accrued liabilities if paid in a lump sum at this time amounts to \$4,588.00, or if amortized over 20 years results in an annual contribution increase of \$271.00 per year (including 6% annual interest on the unpaid balance), now

THEREFORE, BE IT RESOLVED, that the Michigan Municipal Employees' Retirement System is hereby requested to grant Lawrence Korpi such military service as provided by Act No. 126, P.A. of 1980, and

BE IT FURTHER RESOLVED, that said employee has certified to the Michigan Municipal Employees' Retirement System

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that the military service credit being granted has not and will not be used in any other retirement system for the purpose of receiving a retirement benefit.

A communication for Big Sisters of Marquette, requesting waiver of user and concession fees for a fund-raising softball tournament at the Tourist Park on July 26 and 27, was read. Following a discussion regarding the precedent and the number of other groups that might also request waiver of such fees, it was moved by Commissioner Johnson, and supported by Mayor Coyne to waive the normal user and concession fees for the Big Sisters' softball tournament as requested. The following vote was taken:

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

Nays: Commissioners Acocks, Berube, Constance.

The motion was carried.

Mayor Coyne called a five-minute recess at 9:04 p.m.

Following the recess, a communication from the Hiawatha Music Coop, requesting authorization for the sale of beer and wine at the Hiawatha Music Festival on July 18, 19, and 20 at the Tourist Park, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to authorize this sale and a 24-hour liquor license permit contingent upon the license being applied for and received.

A recommendation from the Planning Commission, regarding a proposed rezoning at 1605, 1615, 1617, and 1617 1/2 Presque Isle Avenue, was read. It was moved by Commissioner Berube, supported by Commissioner LaBrecque, and carried unanimously to set the regular Commission meeting on June 9, 1986 as the time and date for a public hearing on this proposed rezoning.

A report and recommendation from the City Manager, regarding vehicle congestion in the 400 block of Pine Street, was read. Chris Swenor addressed the Commission saying that the parking should be removed from this block of Pine Street and presenting several arguments in support of this position. It was moved by Commissioner Johnson and supported by Commissioner Leadbetter to concur with the recommendation of the Parking Advisory Committee not to remove parking in this block of Pine Street. The following vote was taken:

Ayes: Commissioners Constance, Johnson, LaBrecque, Leadbetter.

Nays: Mayor Coyne. Commissioners Acocks, Berube.

The motion was carried.

A report and recommendation from the City Manager, regarding water service in the 800 block of North Front Street, was read. There was lengthy discussion regarding the desires of the property owner for a normal water main to be installed in Front Street and for upgrading of their sewer laterals at the same time. City Engineer Robert Haapala answered questions

regarding the cost of installation of both sewer and water in one block of Front Street. It was moved by Commissioner LaBrecque and supported by Commissioner Constance to concur with the Manager's recommendation to construct a water submain following the approximate path of the existing joint service lines. The following vote was taken:

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

Nay: Commissioner Berube.
The motion was carried.

A report and recommendation from the City Manager, regarding construction engineering services for the Arch and Ridge Streets construction project, was read. Following a lengthy discussion regarding the process used to select engineering consultants, it was moved by Commissioner Berube and supported by Commissioner Acocks to approve the agreement with Sundberg, Carlson, and Associates for this work and to authorize the Mayor and City Clerk to execute it. The following vote was taken:

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

Nays: Commissioner Constance.

The motion was carried. It was then moved by Commissioner Constance and supported by Commissioner Acocks that in the future any consulting engineering services be awarded based on the recommendation of a committee made up of administration officials and members of the Commission. Following a discussion regarding Charter limitation on the amount of administration that can be done by the City Commission, the following vote was taken:

Ayes: Commissioner Constance.

Nays: Mayor Coyne. Commissioners Acocks, Berube, Johnson, LaBrecque, Leadbetter.

The motion was defeated.

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

A. Award the bid for sludge disposal to the low bidder, Sludge Management of Lansing, Michigan in the amount of \$40,040 and authorize the Mayor and City Clerk to execute the contract.

B. Award the bids for water supply system materials as recommended.

C. Award the bids for liquid chlorine at \$440/ton cylinder and the bid for liquid hydrofluosilicic acid at \$0.105/pound to Hydrite Chemical Company of Oshkosh, Wisconsin and the bid for liquid ferric chloride at \$238.80/ton to K.A. Steel Chemicals of Schiller Park, Illinois.

D. Award the bids for installation of flow monitors at the water pumping stations to Associated Constructors in the amount of \$11,985.

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E. Award the bid for construction of the bike path/sidewalk on the north side of Hawley Street to Custom Asphalt Paving of Negaunee in the amount of \$13,643.92.

A communication from Carolyn Crowley, regarding the location of the City's unused fire bell, was read. The Commissioners discussed possible locations for this bell at length. It was agreed that it was appropriate to use it at Northern Michigan University football games at Memorial Field where it is currently located.

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

PETER WHITE LIBRARY BOARD: Reappointment of Jim Hendrick for a term expiring May 1, 1991 and the appointment of John B. Anderson to fill the unexpired term of Glenn Morgan on the Marquette Housing Commission expiring May 8, 1987.

A communication from John L'Huillier, regarding damage to his house from activities at Hurley softball field, was read. Following a lengthy discussion regarding the condition of Hurley Field and problems experienced by the neighbors, it was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to direct the City Manager and the Parks and Recreation Director to prepare a policy on damages resulting from the use of City ballfields and to present it for consideration at the next regular Commission meeting.

Commissioner Johnson noted a call from a retired City fireman on Adams Street who, along with four neighbors, is having trouble with his water line. She said that she was happy to see the firemen hosing down Third and Washington Streets and that they are very clean now. She noted many calls about leaves and debris not picked up in the spring cleanup and said that the rules for the spring cleanup should be distributed in the water bills. She thanked the Library Board for an excellent report on the Library and said that the parks are very clean but that the geese are back and causing a problem at the hot pond.

Mayor Coyne complimented the Marquette High School wind ensemble on an excellent performance and representation of the City in a national competition.

Commissioner Constance asked the status of the Rosewood Inn. City Attorney Martin reported that an appeal has been filed and the case is not expected to proceed until August. Commissioner Constance asked if all of the work necessary to make the Rosewood building safe is done before August if the Commission would support not demolishing it. Commissioners agreed that they would. Commissioner Constance also said that

he had received many calls about the poor trash pickup and questions about the Village Pub expansion.

Commissioner Berube questioned a sign at the north end of Third Street designating the Village Business District. He also said that the City is very messy and that there should be a better spring cleanup. He said that he had received a call that the City should buy housepaint and give it away to people who want to paint their houses. He also said that he does not respond to anonymous letters.

Commissioner Acocks said that the City is trashy and dirty and asked if the majority of the material being picked up in the spring cleanup couldn't be burned. She asked about the Welcome to Marquette Township sign that had been erected in the City, what the status is of the study of costs for getting U.P. Generating warm water to Shiras Pool and thanked the Public Works Director for his report on financing street repairs in Marquette.

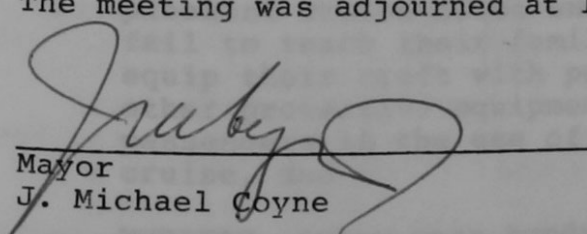
City Manager Svanda said that the City cleanup has been a problem because there is no nearby landfill and people are having trouble disposing of large items, that there was poor coordination between the City and Peninsula Sanitation, that an early spring thaw and lack of rain had resulted in people putting out material too soon, and that the public had not followed the published rules for the spring pickup.

Mayor Coyne reminded Commissioners about the visit to Menominee as part of the Commission Exchange on Friday.

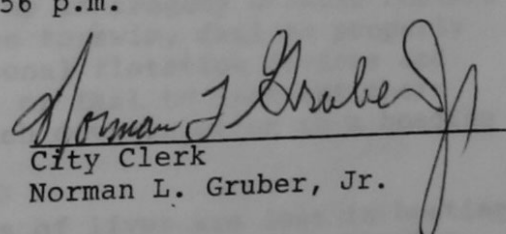
During the time set for citizens wishing to address the Commission, Robin Murphy said that the fire bell should be left at Memorial Field for use at the Northern Michigan University football games and that the bell has not been mistreated.

Mayor Coyne welcomed new City Finance Director Donna Kohut.

The meeting was adjourned at 11:56 p.m.



Mayor
J. Michael Coyne



City Clerk
Norman L. Gruber, Jr.

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 9, 1986

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, June 9, 1986 in Commission Chambers of City Hall.

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

It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried to approve the minutes of the May 27 Commission meeting as presented.

Total bills payable in the amount of \$548,916.98 were presented. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to pay these bills as presented.

During the time set for announcing additional agenda items, Mayor Coyne added item 1a, a proclamation, item 11a, a communication from the City Attorney regarding Jean Kays Pasty Shop, 11b, discussion of restrooms for Art on the Rocks, and 11c, a change order to the Hawley Street bike path construction contract. Commissioner Leadbetter asked that item 12e be removed from the consent agenda and placed as item 11d. Commissioner Constance asked that item 12a be removed from the consent agenda and be made item 11e and that item 12b be removed from the consent agenda and be made item 11f.

Mayor Coyne then made the following proclamation:

WHEREAS, more Americans each year are choosing recreational boating as an ideal way to relax with their families and friends, however, what starts out as a pleasant cruise often ends up in tragedy because boaters fail to teach their families to swim, fail to properly equip their craft with personal flotation devices and other protective equipment, or fail to instruct their passengers in the use of such devices prior to a boating cruise, and

WHEREAS, every year hundreds of lives are lost in boating accidents. These fatalities can be reduced and boating made more pleasurable if those who engage in it will emphasize knowledge, care and courtesy necessary for safe boating, and

WHEREAS, in 1939, the Congress of the United States authorized the Coast Guard to activate a non-military Coast Guard Reserve as a civilian component called the

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United States Coast Guard Auxiliary supporting the Coast Guard and promoting boating safety;

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, do designate June 21 as United States Coast Guard Auxiliary day. I urge all who use our waterways to acquire those skills and knowledge essential to their own safety and that of others and to apply them carefully.

Mayor Coyne then announced that this was the time set for a public hearing on the Palms Street special assessment district. Mark Tweedie said that the cost of this repair was far too high, that the interest rate was too high, and that the City should pay at least half the cost of the project. A report and recommendation from the City Manager, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Johnson that the total bill for this project be reduced by 50% and that each of the two property owners in the assessment district be assessed 25% of the cost of the project. The following vote was taken:

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

Nays: Commissioners Acocks, Berube, Constance.

The motion was carried and the following resolution 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:

REPAIRS TO A PRIVATE SEWER LATERAL AT
106 AND 108 PALMS STREET

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 all needful corrections of the same having been made;

RESOLVED, that said special assessment roll, to wit: Special Assessment Roll # 498 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in five equal annual installments, those which are \$1,000 to \$5,000 may be paid in eight equal annual installments, and those which are over \$5,000 may be paid in ten equal annual installments; all such installments to be due at the time fixed for the payment of regular City taxes, together with interest on such installments at the rate of 10% per annum from the date of confirmation of such special assessment roll.

Mayor Coyne announced that this was the time and date set for a public hearing on the Whetstone Brook special assessment project. There being no persons wishing to address the Commission, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to concur with the City Manager's recommendations and to adopt the following resolution:

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

ENCLOSURE OF WHETSTONE BROOK WEST OF MCCLELLAN AVENUE

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

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

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

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

RESOLVED, that said special assessment roll, to wit: Special Assessment Roll # 497 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in five equal annual installments, those which are \$1,000 to \$5,000 may be paid in eight equal annual installments, and those which are over \$5,000 may be paid in ten equal annual installments; all such installments to be due at the time

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fixed for the payment of regular City taxes, together with interest on such installments at the rate of 10% per annum from the date of confirmation of such special assessment roll.

Mayor Coyne then announced that this was the time and date set for a public hearing on a proposed rezoning on Presque Isle Avenue. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to concur in the recommendation of the Planning Commission and to rezone the north 49 feet of lot 36, the south 1 foot of the east 100 feet of lot 36, the east 100 feet of lot 37, and all of lots 46 and 47 of Ayres Addition in the City of Marquette from RG-General Residential to BC-Community Business.

Mayor Coyne then announced that this was the time set for citizens wishing to address the Commission. Slim Kampe asked to speak on item 9. Mike Gschwind, President of Marquette Little League, said that he is concerned about the field for the Little League tournament. Sam Elder said that he is concerned about the proposed landfill in Sands Township and the letter to the editor in the Mining Journal. William Roberts asked to speak on item 9, and Ruth Ann Boutell, President of the Marquette Soccer League, said that she would speak on the Little League request. Mayor Coyne asked City Manager Svanda to discuss the use of some soccer fields for the Little League tournament. Mr. Svanda said that a meeting of all interested parties is being called in an attempt to resolve this issue. Commissioners agreed that the City needs to help this state tournament as much as possible.

Commissioner Constance said that as a new Commissioner, he is confused on all of the landfill issues, but that he will be working to review all of the background material to develop a better understanding. There was a brief discussion of the factors that have caused the City to locate the landfill on its present proposed site in Sands Township.

A communication from the Big Bay Road Committee, regarding a meeting to seek funding for reconstruction of County Road 550, was read. Commissioner Leadbetter said that he would attend this meeting.

A communication from the Marquette Golf and Country Club was read. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to adopt a resolution recognizing the Marquette Golf and Country Club as a non-profit organization of long standing in Marquette.

A communication from Bresnan Communications requesting use of programming time on Channel 10 was read. It was moved by Commissioner LaBrecque, supported by Commissioner Johnson, and carried unanimously to approve Bresnan's request for use of

Channel 10 from 9:00 a.m. to 5:00 p.m. for the use of broadcasting C-Span II.

A report and recommendation from the City Manager, regarding primary election ballot language for the proposed City Income Tax, was read. It was moved by Commissioner Acocks and supported by Commissioner Leadbetter to place the wording on the ballot with the addition of drainage districts, the addition of option c: "reducing City services to provide for capital improvements", the addition of a sentence specifying that any increase in funds would be earmarked for capital improvements, and the addition of yes/no responses for each of the three options. Following very lengthy discussion, it was moved by Commissioner Acocks to call the question. The following vote was taken:

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

Nays: Commissioners Berube, Leadbetter.

The question was called. The vote on the motion was:

Ayes: Mayor Coyne. Commissioners Acocks, Berube.

Nays: Commissioners Constance, Johnson, LaBrecque, Leadbetter.

The motion was defeated. It was then moved by Commissioner Constance and supported by Mayor Coyne to adopt the wording as proposed in the last motion except for the reference to drainage districts. The following vote was taken:

Ayes: Mayor Coyne. Commissioners Acocks, Berube, Constance, LaBrecque.

Nay: Commissioners Johnson, Leadbetter.

The motion was carried and the following wording certified:

CITY OF MARQUETTE ADVISORY REFERENDUM

The City of Marquette must pay for capital improvement projects such as street reconstruction. Any increase in funds raised would be earmarked for capital improvements. Do you favor paying for these projects by:

A) Increasing property taxes in the City of Marquette, which would be levied only against taxable properties in the City.	Yes No
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B) Implementing an income tax which would be levied against the income of City residents as well as corporations and non-residents that have income generated in the City.	Yes No
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C) Reducing City services to provide for the needed capital improvements.	Yes No
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A report and recommendation from the City Manager, regarding the sale of \$8,000,000 of consolidated tax anticipation notes,

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was read. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously to adopt the preliminary borrowing resolution and to hire the firm of Dickinson, Wright, Moon, VanDusen, and Freeman as bond counsel for this project. The following resolution was adopted:

WHEREAS, the Issuer is authorized by Section 3b of Chapter IV of Act 202 of the Public Acts of Michigan of 1943, as amended, MCL 131.1 et seq. ("Act 202"), to borrow money and issue its notes ("Notes") in anticipation of the collection of all or part of the property taxes to be levied on July 1, 1986 (the "Levy Date"), on property located within the corporate boundaries of the Issuer by the Issuer and by any or all of the other units of government for which the Issuer is the local property tax collecting unit pursuant to Act 206 of the Public Acts of Michigan of 1893, as amended, MCL 211.1 et seq. ("Act 206") (collectively, the "Units"); and

WHEREAS, the Issuer is further authorized by Act 202 to distribute to itself and to the Units the proceeds of such Notes together with sufficient amounts of the initial tax collections, if needed, to effect a 100% funding of the taxes levied, thereby providing the Issuer and the Units with an improved cash flow for local budget purposes; and

WHEREAS, pursuant to Act 202, the Issuer has or will shortly provide notice to each of the Units of its intent to issue the Notes; and

WHEREAS, pursuant to such notice, the Units have each adopted or are expected to adopt a resolution to consent to and request the issuance of the Notes and to authorize the execution of an agreement with the Issuer (collectively, the "Tax Levy Agreements") to set forth the responsibilities of the City and each Unit with respect to the Notes; and

WHEREAS, the issuance of the Notes will serve a public purpose; and

WHEREAS, pursuant to Act 202, the Issuer hereby determines to borrow an amount to be determined and issue its tax anticipation notes to evidence such borrowing; and

WHEREAS, a proposal respecting the purchase and issuance of the Notes has been received and reviewed;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The proposal of the Michigan Municipal Bond Authority, a public body corporate and politic created pursuant to

Act No. 227 of the Public Acts of Michigan, 1985 ("Act 227"), (the "Authority") respecting the purchase and issuance of the Notes is hereby tentatively accepted.

2. The Issuer shall borrow an amount of up to \$8,000,000 and issue, in anticipation of the pledged portion of the Tax Levy, the Notes pursuant to Act 202. The Notes shall bear interest at a rate per annum to be determined by the City Manager and the City Accountant of the Issuer but not to exceed seven percent (7%) per annum and shall be issued and payable upon the terms and conditions as set forth in a trust indenture between the Issuer and the trustee of the Notes. The exact amount of the borrowing shall be determined by the City Manager and the City Accountant of the Issuer prior to issuance of the Notes and the amount of the borrowing and the interest rate shall be confirmed by this Commission prior to the issuance of the Notes.

3. The Notes shall be sold at a private sale to the Authority pursuant to Act 202 in accordance with a note purchase agreement to be negotiated. A notice of the sale of the Notes shall be published in a publication approved by the Michigan Department of Treasury within 45 days after delivery of the Notes of the Authority in conformity with Act 202.

4. The Notes shall be delivered with the unqualified legal opinion of Dickinson, Wright, Moon, VanDusen, & Freeman, bond attorneys of Detroit, Michigan, who are designated as note counsel with respect to the Notes.

5. The following officials of the Issuer are authorized and directed to negotiate the terms of such certificates, affidavits, documents or instruments as may be required or be convenient to effectuate the execution and delivery of such documents or the Notes: City Manager and City Accountant.

6. The City Manager be and is hereby directed to file Application to the Michigan Department of Treasury for approval or for exception from prior approval to issue the Notes and to pay for any required fees.

7. All actions taken on behalf of the Issuer by the above-listed officials, or other officials of the Issuer with respect to the issuance of the Notes, including negotiations with the Authority, are ratified.

8. This resolution shall be effective immediately upon adoption.

9. All resolutions or parts of resolutions in conflict with the Preliminary Borrowing Resolution shall be, and the same are, rescinded.

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A report and recommendation from the City Manager, regarding a request for special assessment improvements in Adams Street, was read. Mr. Kampe addressed the Commission saying that the need for this project was urgent as his water is coming through a garden hose. Mr. Roberts said that three of the neighbors on the street had each paid to hook up to the water line that he had installed at his own expense and that they don't feel that they need to have their sewers reconstructed. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to direct the City Manager to complete the report and recommendation on this project and to schedule a public hearing on a proposed special assessment district for the regular Commission meeting on June 30, 1986.

A report and recommendation from the City Manager, regarding the Village Development Authority, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to concur with the City Manager's recommendation to dissolve the Village Development Authority and to re-enact the Village Coordinating Committee as an Ad-Hoc Committee with the same members as the Village Development Authority.

A report and recommendation from the City Manager, regarding lease agreements in the Downtown Pocket Park, was read. It was moved by Commissioner Johnson and supported by Commissioner LaBrecque to allow Commissioner Constance to abstain from voting and to approve the agreements with Entre Amigos and the Downtown Development Authority for leases in the pocket park and to authorize the Mayor and City Clerk to execute these agreements. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Constance.

The motion was carried.

A recommendation from the City Attorney, regarding an easement for a barrier free ramp at Jean Kays Pasties, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to approve the easement and to authorize the Mayor and City Clerk to execute it.

Mayor Coyne announced that this was the time set for discussing the need for more restroom facilities for Art on the Rocks. Parks and Recreation Director Turausky explained the problem with holding tanks for some of the restrooms on Presque Isle. He said that possibility of providing "port-a-johns" is being investigated with the cost to be borne by Lake Superior Art Association.

A recommendation from City Engineer Haapala regarding change order #1 for the Hawley Street bike path sidewalk construction project was read. It was moved by Commissioner LaBrecque,

supported by Commissioner Johnson, and carried unanimously to approve this change order as proposed.

A report and recommendation from the City Manager, regarding bids for front end loaders, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Constance not to concur with the City Manager's recommendation but to purchase this equipment from the low bidder, Lake Shore, Inc. and to refer the specifics of the purchase to the Public Works Advisory Board for recommendation. Following a lengthy discussion, during which Tom Martin, representing Lake Shore, Inc., discussed delivery dates of the equipment, the following vote was taken:

Ayes: Commissioners Acocks, Berube, Constance, Johnson, LaBrecque, Leadbetter.

Nays: Mayor Coyne.

The motion was carried.

A report and recommendation from the City Manager, regarding an agreement with the Chamber of Commerce for use of the Lower Harbor Park for the International Food Festival, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Acocks to concur with the City Manager's recommendation to approve this agreement, to authorize the Mayor and City Clerk to execute it, and to allow Commissioner Constance to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Constance.

The motion was carried.

A report and recommendation from the City Manager, regarding an agreement with Peninsula Sanitation for funding of the City band, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve this agreement and to authorize the Mayor and City Clerk to execute it.

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

- C. Bid for bituminous aggregate and RS-2A emulsion awarded to Payne and Dolan, Inc. and the bid for CP-3 coldpatch awarded to George Hocking Construction Company of South Range as the low bidders at the unit prices bid.
- D. Approval of the snowmobile trail permit with the Department of Natural Resources and authorization of the Mayor and City Clerk to sign it.

Mayor Coyne then appointed Rosemary Tourville to the Downtown Development Authority for a term expiring January 12, 1987.

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Commissioner Berube said that the National Guard has been authorized to do dredging at the Lower Harbor Marina and that persons interested in boat slips in that location should contact the Guard to urge them to proceed promptly.

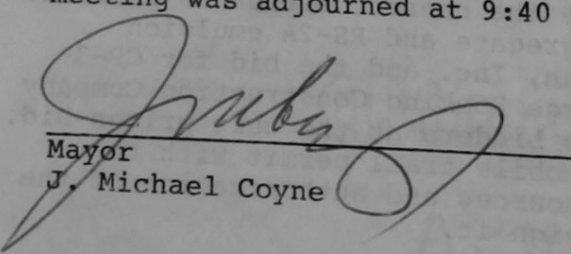
Mayor Coyne said that there would be a ceremony during Art on the Rocks to honor former Mayor Holly Greer and designate the shoreline bike path as the Holly Greer Shoreline Bike Path. He reminded Commissioners of the Exchange visit by elected and appointed officials from Menominee which would be held on Friday along with a special meeting at 5:00 p.m. on Friday. He said that the Commissioners who had visited Menominee were very interested in their utility board and said that the City should continue to investigate this option. He asked that the smoking ordinance that is being prepared be reviewed for conflicts with the State law that is being adopted regarding smoking and complimented the organizers of the all-night party for graduating senior high school students. He said that it had been an outstanding success.

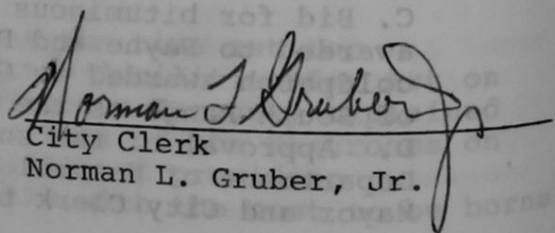
Commissioner Johnson said that the railroad tracks on Front Street south of Genesee are being removed and that that had been a hazardous location. She noted thanks to Peninsula Sanitation for cleaning up the remaining spring debris and said that now that the City has been picked up, citizens should not put out more debris. She said that Escanaba is beginning to sell bottled water, that the bike path is not just for bikers, but walkers are allowed, commended the high school, alternative high school, and adult education programs for their recent graduation ceremonies, said that she had received a call of concern that the cemetery grass was not being watered, and commended the Dog Warden and Police Departments for their efforts in controlling dogs in the City.

Commissioner LaBrecque said that Menominee also has an excellent arrangement on the operation of their Marina.

City Manager Svanda noted the passing of former City Treasurer Janet Melka and said that she had been an outstanding City employee.

There being no citizens wishing to address the Commission, the meeting was adjourned at 9:40 p.m.


Mayor
J. Michael Coyne


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Friday, June 13, 1986

A special meeting of the Marquette City Commission was duly called and held at 5:00 p.m. on Friday, June 13, 1986 in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Berube, Constance, Johnson, LaBrecque, Leadbetter.
ABSENT: Commissioner Acocks.

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

Mayor Coyne called the meeting to order and noted that there were two items on the agenda; reconsideration of the City income tax ballot language and conducting a joint meeting with officials from the City of Menominee as part of Commission Exchange activities. He then introduced Menominee Mayor Vernon Anderle, who in turn introduced President Pro Tem of the Menominee Council Jim Arkens and Aldermen Bob Pomrenke and Chuck Salewsky.

Mayor Coyne then called on Commissioner Berube to discuss the ballot language for the advisory referendum on City taxes. The City Clerk read a proposed revision to the language that had been approved on Monday night. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried to rescind the previous wording certified for an advisory referendum on Monday evening. It was then moved by Commissioner Leadbetter and supported by Commissioner Berube to adopt the proposed language and to direct the City Clerk to certify it to the County Clerk for inclusion on the August Primary Ballot. Various amendments to the wording were discussed at length and two amendments were approved by both the maker and supporter of the motion. City Clerk Gruber then presented material that he had obtained during the day regarding the legality of advisory referendums. The maker and supporter of the motion then agreed to amend the motion to make it subject to the approval of the City Attorney as being a legal action. The motion was then approved with no dissention and the following wording approved for certification to the County Clerk:

CITY OF MARQUETTE ADVISORY REFERENDUM

1. If the City of Marquette must pay for capital improvement projects such as street reconstruction and maintenance and any increase in funds raised would be earmarked for capital improvements, do you favor paying for these projects by:

A. Increasing property taxes in the City of Marquette, which would be levied only against taxable properties in the City,

or

B. Implementing an income tax which would be levied against the income of City residents as well as corporations and non-residents that have income generated in the City.

2. The City of Marquette could pay for a portion of capital improvement projects by reallocating present City spending to provide for some of the needed capital improvements.

Would you favor this method?

Yes

No

Mayor Coyne then welcomed Mayor Anderle, President Pro Tem Arkens, Aldermen Pomrenke and Salewsky, and visiting Department Heads from Menominee. He presented Mayor Anderle with photos of the tour of Marquette that the visitors from Menominee had taken that morning and noted the gift to Menominee of a Spruce tree and a brass plaque commemorating the Commission exchange. He noted the value of the Commission Exchange concept and said that much useful information was gathered in Menominee by representatives of the City Commission and Department Heads who visited it two weeks ago. Commissioner Johnson said this had been an excellent exchange. Commissioner Constance suggested that a two-day visit to each City would have been even more useful. Commissioner Berube said that it was good to talk with people who have similar problems and that such discussion reinforced good things and presented new ideas that are often useful to both sides. Mayor Anderle thanked the Commission for having the representatives from Menominee in Marquette. Mr. Arkens said that a two-day program would have been a good idea while Alderman Salewsky said that the day had been well spent and Alderman Pomrenke said that the visit had proved invaluable.

There were no citizens wishing to address the Commission.

City Manager Svanda gave credit to the Traverse City Commission, who had introduced Marquette to the Commission Exchange concept. He said that Marquette Commissioners had found it very useful over the years and had introduced it to the cities that we have been paired with since our exchange with Traverse City.

The meeting was adjourned at 5:36 p.m.

Mayor
J. Michael Coyne

City Clerk
Norman L. Gruber, Jr.

A special meeting of the Marquette City Commission was held and called and held on Monday, June 23, 1986 at 5:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Coyne, Commissioners Berube, Constantine,
Johnson, LaBroque,
ABSENT: Commissioners Acock, Goodbetter.

It was moved by Commissioner Johnson, supported by Commissioner LaBroque, and carried to secure the absence of Commissioners Acock and Goodbetter.

Mayor Coyne announced the three items on the agenda for this special meeting. He noted that there were no citizens present in the room to address the Commission.

The first item was consideration of resolutions regarding consolidated tax anticipation notes. It was moved by Commissioner Johnson, supported by Commissioner LaBroque, and carried to adopt the following resolution approving the issuance of tax anticipation notes and to approve the costs of issuance agreement, the tax levy agreement with Marquette Area Public Schools and the Marquette-Alpena Intermediate School District, and to authorize the Mayor and City Clerk to execute all necessary documents for this bond issue. The following resolution was adopted:

WHEREAS, the Municipality is authorized by Section 20 of Chapter IV of Act 202 of the Public Acts of Michigan, 1943 as amended, MCL 131.1 et seq. ("Act 202"), to borrow money and issue its notes ("Notes") in anticipation of the collection of all or part of the property taxes to be levied on July 1, 1986 (the " levy date "); and whereas the levies within the corporate boundaries of the Municipality by the Municipality and by any or all of the other units of government for which the Municipality is authorized to collect taxes are authorized by the local property tax collection unit pursuant to Act 202 of the Public Acts of Michigan, 1943 as amended, MCL 131.1 et seq. ("Act 202"), including those units set forth in Exhibit A attached hereto and now part hereof (collectively, the "Units");

WHEREAS, the Municipality is further authorized by Act 202 of the Public Acts of Michigan, 1943 as amended, MCL 131.1 et seq. to issue its notes in anticipation of the collection of all or part of the property taxes to be levied on July 1, 1986 (the " levy date "); and whereas the levies within the corporate boundaries of the Municipality by the Municipality and by any or all of the other units of government for which the Municipality is authorized to collect taxes are authorized by the local property tax collection unit pursuant to Act 202 of the Public Acts of Michigan, 1943 as amended, MCL 131.1 et seq. ("Act 202"), including those units set forth in Exhibit A attached hereto and now part hereof (collectively, the "Units");

[Handwritten signatures and notes at the top of the page, including "J. Michael Coyne" and "J. Michael Coyne" written upside down.]

...ed below which was ... as low as ... that have income ... to notion a ... for a portion ... City ... by ... present City ... needed capital ...

... President Pro Tem ... Department ... with photos of ... had ... from Menominee had ... to Menominee of a Spruce ... Commission ... said ... by ... in Menominee ... Department ... had this ... said this ... would ... it ... with ... that are ... Commission ... Mr. Marquette ... had ... had ... had ...

... the Commission ... City ... Commission ... had ... to ...

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 23, 1986

A special meeting of the Marquette City Commission was duly called and held on Monday, June 23, 1986 at 5:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Berube, Constance, Johnson, LaBrecque.

ABSENT: Commissioners Acocks, Leadbetter.

It was moved by Commissioner Johnson, supported by Commissioner LaBrecque, and carried to excuse the absences of Commissioners Acocks and Leadbetter.

Mayor Coyne announced the three items on the agenda for this special meeting. He noted that there were no citizens present in the room to address the Commission.

The first item was consideration of resolutions regarding consolidated tax anticipation notes. It was moved by Commissioner Johnson, supported by Commissioner LaBrecque, and carried to adopt the borrowing resolution approving the issuance of tax anticipation notes and to approve the costs of issuance agreement, the tax levy agreements with Marquette Area Public Schools and the Marquette-Alger Intermediate School District, and to authorize the Mayor and City Clerk to execute all necessary documents for this bond issue. The following resolution was adopted:

WHEREAS, the Municipality is authorized by Section 3b of Chapter IV of Act 202 of the Public Acts of Michigan, 1943 as amended, MCL 131.1 et seq. ("Act 202"), to borrow money and issue it notes ("Notes") in anticipation of the collection of all or part of the property taxes to be levied on July 1, 1986 (the "Levy Date"), on property located within the corporate boundaries of the Municipality by the Municipality and by any or all of the other units of government for which the Municipality is the local property tax collecting unit pursuant to Act 206 of the Public Acts of Michigan, 1893, as amended, MCL 211.1 et seq. ("Act 206"), including those units set forth in Exhibit A attached hereto and made part hereof (collectively, the "Units");

WHEREAS, the Municipality is further authorized by Act 202 to distribute to itself and to the Units the proceeds of the Notes together with sufficient amounts of the initial tax collections, if needed, to effect up to a 100% funding of the taxes levied, thereby providing the Municipality and the Units with an improved cash flow for local budget purposes; and

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WHEREAS, pursuant to Act 202, the Municipality has provided notice to each of the Units of its intent to issue such Notes; and

WHEREAS, pursuant to such notice, the Units have each adopted or are expected to adopt a resolution to consent to and request the issuance of the Notes and to authorize the execution of an agreement with the Municipality (collectively, the "Tax Levy Agreements") to set forth the responsibilities of the Municipality and each Unit with respect to the Notes; and

WHEREAS, the issuance of the Notes will serve a public purpose; and

WHEREAS, no other notes have been issued against the collection of taxes in anticipation of which the Notes herein authorized will be issued; and

WHEREAS, pursuant to Act 202, the Municipality hereby determines to borrow an amount of up to the amount shown in Exhibit A attached hereto and made part hereof (the "Financed Amount") and issue its Notes to evidence such borrowing;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. In addition to the words and terms defined in the preamble, the following words and terms as used in this resolution shall have the following meanings:

"Authority" refers to the Michigan Municipal Bond Authority created by Act No. 227 of the Public Acts of Michigan, 1985, the initial purchaser of the Notes.

"Commitment Letter" refers to the commitment letter dated June 20, 1986 from the Municipality to the Authority providing for the sale of the Notes to the Authority.

"Costs of Issuance Agreement" refers to the Costs of Issuance Agreement between the Municipality and the Authority dated as of July 1, 1986 regarding the reimbursement by the Municipality of its pro rata share of the costs of issuance incurred by the Authority in connection with the issuance of its Limited Obligation Pooled Revenue Notes, 1986 A, the proceeds of which are being used, in part, to purchase the Notes.

"Depository" refers to the State Treasurer, serving as depository under the Indenture.

"Indenture" refers to the Trust Indenture dated as of July 1, 1986, by and among the Municipality, the Trustee and the depository.

"Notes" refers to the Municipality's Tax Anticipation Notes, Series 1986.

"Purchaser" refers to Authority in such capacity.

"State Treasurer" means the State Treasurer of the State of Michigan.

"Tax Levy" means the real and personal property taxes levied by the Units and Municipality taxes levied by the Municipality as set forth in the Indenture on the Levy Date on property located within the corporate boundaries of the Municipality.

"Trustee" refers to the National Bank of Detroit, a national banking association.

2. The Municipality shall borrow an amount of up to the Financed Amount and issue, in anticipation of the pledged portion of the Tax Levy, the Notes pursuant to Act 202.

3. The Notes shall bear interest at the rate per annum as shown on Exhibit A attached hereto and made a part hereof and shall be issued and payable upon the terms and conditions, including certain rights and obligations as set forth in the Indenture and the form of Notes.

4. The principal of and interest on the Notes shall be payable primarily from and secured by the Security, as defined in the Indenture, including without limitation, (i) the Revenues, as defined in the Indenture, (ii) the rights of the Municipality under the Tax Levy Agreements, and (iii) all rights, title and contracts of the municipality in and to all moneys and securities from time to time held by the Depository and the Trustee under the terms of the Indenture, and investment income therefrom all in the manner and as set forth in the Indenture, which Security shall be granted and assigned pursuant to the Indenture by the Municipality to the Trustee for the benefit of the Authority, as the holder of the Notes.

5. The Notes and the obligations of the Municipality under the Indenture, the Tax Levy Agreement and the Costs of Issuance Agreement shall be general obligations of the Municipality, secured by its full faith and credit, which shall include the Municipality's limited tax obligation within applicable charter, statutory and constitutional limits. Should the Security if any, as defined in the Indenture, prove insufficient for the payment of principal or purchase price of and interest on the Notes or the satisfaction of the Municipality's obligations under the Indenture, the Tax Levy Agreement and the Costs of Issuance Agreement, the Municipality shall pay the principal of and interest on the Notes or satisfy such

June 23, 1986

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obligations as a first budget obligation from its general funds including the levy of ad valorem taxes on all taxable property in the Municipality, subject to charter, if any, statutory and constitutional tax limitations. The Municipality does not have the power to levy taxes for payment of principal of and interest on the Notes or to satisfy its obligations under the Indenture, the Tax Levy Agreement and the Costs of Issuance Agreement in excess of its charter, if any, statutory and constitutional limitations.

6. The Notes shall be sold at a private sale to the Purchaser pursuant to Act 202 in accordance with the Commitment Letter. A notice of the sale of the Notes shall be published in a publication approved by the Michigan Department of Treasury within 45 days after delivery of the Notes to the Purchaser in conformity with Act 202.

7. All fees, charges, and costs associated with the issuance of the Notes and the sale of the Notes to the Authority shall be paid in accordance with the terms of the Indenture and the Costs of Issuance Agreement.

8. The persons holding the offices of the Municipality set forth on Exhibit A hereto are authorized and directed to execute and deliver the Notes in the manner set forth in the Indenture with such necessary and appropriate immaterial variations, omissions, corrections, and insertions as required, for and on behalf of the Municipality.

9. The Trustee and the Depository are authorized to enter into the Investment Agreement (as defined in the Indenture) on behalf of the Issuer.

10. The form and substance of the Indenture, the Notes, Commitment Letter, Costs of Issuance Agreement and Tax Levy Agreements are filed with the Clerk of the Municipality be and are hereby approved or ratified. The persons holding the offices of the Municipality set forth on Exhibit A hereto are authorized and directed to execute and deliver the Indenture, Costs of Issuance Agreement, Tax Levy Agreements, and this resolution in substantially the form approved with such necessary variations, omissions, corrections, and insertions as they deem appropriate and are required, for and on behalf of the Municipality and the execution and delivery of the Commitment Letter is hereby ratified.

11. The Notes shall be delivered with the unqualified legal opinion of the firm of attorneys specified on Exhibit A hereto who are designated as note counsel with respect to the Notes.

12. The persons holding the offices and positions described on Exhibit A hereto are authorized and directed to execute and deliver on behalf of the Municipality such other certificates, affidavits, investment agreements or other documents or instruments as may be required by the Indenture, Tax Levy Agreements, and Costs of Issuance Agreement or convenient to effectuate the execution and delivery of such documents or the Notes.

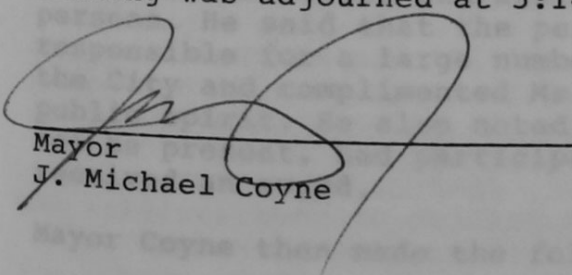
13. All actions taken on behalf of the Municipality by the officials of the Municipality with respect to the issuance of the Notes, including negotiations with the Authority, Trustee and Units, are ratified.

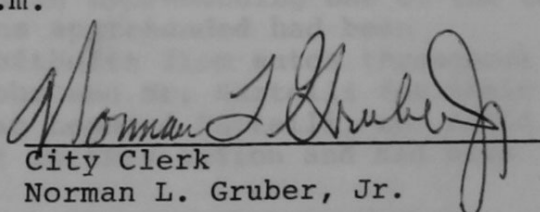
14. All resolutions or parts of resolutions in conflict with this resolution shall be, and the same are, rescinded.

Mayor Coyne said that this was the time set to consider a request for approval of a New Resort Class C Liquor License for the Vierling Restaurant. It was moved by Commissioner LaBrecque, supported by Commissioner Johnson, and carried that the request from Terry Hartung Doyle for a New Resort Class C License to be located at 119 South Front Street, Marquette, Michigan be approved.

Mayor Coyne then said that this was the time set to schedule a public hearing on a proposed ordinance to amend the solid waste disposal fee ordinance. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried to set the regular meeting on June 30 as the time and date for a public hearing on this ordinance.

There being no citizens wishing to address the Commission, the meeting was adjourned at 5:14 p.m.


Mayor
J. Michael Coyne


City Clerk
Norman L. Gruber, Jr.

June 23, 1986

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12. The persons holding the offices and positions described on Exhibit A herein are authorized and directed to execute and deliver on behalf of the Municipality such other documents or instruments as may be required by the Tax Levy Assessment, and Costs of Issuance Agreement or agreement to effectuate the execution and delivery of such documents or the notes.

13. All actions taken on behalf of the Municipality by the officials of the Municipality with respect to the issuance of the Notes, including negotiations with the Authority Taxpayer and Utility, are ratified.

14. All resolutions or parts of resolutions in conflict with this resolution shall be, and the same are, rescinded.

Mayor Coyne said that this was the time set to consider a request for approval of a New Resort Class C liquor license for the Victoria Restaurant. It was moved by Commissioner Labrecque, supported by Commissioner Johnson, and carried that the request from Terry Harland Boyle for a New Resort Class C license to be located at 443 South Front Street, Marquette, Michigan be approved.

Mayor Coyne then said that this was the time set to schedule a public hearing on a proposed ordinance to amend the solid waste disposal fee ordinance. It was moved by Commissioner Harada, supported by Commissioner Constance, and carried to set the regular meeting on June 30 as the time and date for a public hearing on this ordinance.

There being no citizens wishing to address the Commission, the meeting was adjourned at 5:14 p.m.

Attest:

Mayor Michael Coyne
Norman D. Graham, Jr.
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 30, 1986

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, June 30, 1986 in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Acocks, Berube, Constance, Johnson, LaBrecque, Leadbetter.

ABSENT: None.

It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to approve the minutes of the June 9 regular, June 13 special, and June 23 special meetings as presented.

Total bills payable in the amount of \$656,134.24 were presented. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to pay these bills as presented.

During the time set for announcing additional agenda items, Mayor Coyne asked that Item 21a, reconsideration of an agreement with the Yacht Club, be added. Commissioner Johnson asked that item 19 be considered as item 6. Commissioner Constance asked that item 21b, discussion of the Potvin property on Third Street, be added. Commissioner Leadbetter asked that item 21c, discussion of the Rosewood Inn, be added.

Mayor Coyne presented citizens' awards to Patty Mohr and Bart Bartelli who had observed two persons rummaging through motor vehicles parked on East Ridge Street last March and had notified the Police and assisted in apprehending one of the two persons. He said that the persons apprehended had been responsible for a large number of thefts from autos throughout the City and complimented Ms. Mohr and Mr. Bartelli for their public spirit. He also noted that Leonard Bartelli, who could not be present, had participated in this action and had also received an award.

Mayor Coyne then made the following proclamation:

2001 INFORMATION SYSTEMS SQUADRON DAY

WHEREAS, The Air Force Communications Command (AFCC) is one of the United States Air Force's major commands and an integral part of our national defense; and

WHEREAS, AFCC is the single manager of Information Systems, Data Automation and Air Traffic Control Services for the Air Force and other Government Agencies; and

WHEREAS, the 2001 Information Systems Squadron as a subordinate unit of AFCC manages those facilities, systems and services at K.I. Sawyer Air Force Base located in Marquette, Michigan, and is a vital social and economic asset to this area; and

WHEREAS, July 1, 1986 marks the Twenty-Fifth Anniversary of AFCC as a major command;

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, Michigan, do hereby proclaim July 1, 1986 as 2001 INFORMATION SYSTEMS SQUADRON DAY IN THE CITY OF MARQUETTE, and I extend congratulations from the people of the City of Marquette to the men and women of that unit on the occasion of their anniversary. I also urge all citizens to join in this observance by recognizing their contributions to our community and our nation.

Mayor Coyne then said that this was the time and date set for a public hearing on the Adams Street special assessment district. There was no one wishing to address the Commission and the hearing was closed. A letter signed by all of the property owners in the district asking to withdraw their petition was read. Mayor Coyne said that, in view of the wishes of the people in that area, there would be no further action.

Mayor Coyne then announced that this was the time and date set for a public hearing on an amendment to the Solid Waste Disposal Fee Ordinance. There being no one to address the Commission, the hearing was closed. A report and recommendation from the City Manager was read. It was moved by Commissioner Leadbetter and supported by Commissioner Berube to adopt the ordinance. The following vote was taken:

Ayes: Mayor Coyne. Commissioners Acocks, Berbue, Constance, LaBrecque, Leadbetter.

Nay: Commissioner Johnson.

The motion was carried and ordinance #394 was adopted as follows:

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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 Coyne then noted that there were members of the City Band present to display the band's old and new uniforms. He said that the new uniforms were purchased through an agreement with Peninsula Sanitation, Inc. under the Adopt-A-Park program and that Peninsula Sanitation would also be providing funding to assist the band in its operation. Two band members came forward and displayed an old band uniform and a new one along with a band banner which displayed the rainbow logo on a white background. Mayor Coyne congratulated the band members and

noted the City's many thanks to Peninsula Sanitation for their support of the band.

Mayor Coyne announced that this was the time set for a presentation by Donald Bays, regarding the sewer repair assessment in the block bounded by Crescent, Front, High, and Prospect Streets. Mr. Bays described the actions of the homeowners in that block to establish an association to maintain the private sewer which serves their homes. He said that indications were that the blockage had been in the City portion of the sewer line and that the homeowners have been overpaying on their sewer bills for many years because they had to build their own private sewer line. He said that the City should pay for the removal of this blockage. Mayor Coyne asked for a full report from City Manager Svanda on this matter at the next Commission meeting.

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

A report and recommendation from the City Manager, regarding demolition of the building at 425 North Fourth Street, was read. Attorney Marvin Heitman, representing Mrs. Guelff, who has the power of attorney and is the daughter of the building owner, Mrs. Zerbel, addressed the Commission. He asked for an additional sixty days to allow the owner time to sell or renovate the structure. Following a lengthy discussion regarding the safety of the structure during the interim period, it was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to extend the date for the demolition of this building to August 25 upon the condition that the building be entirely vacated within seven days.

Communications from Charles C. Caskey and Bob Anderson, regarding a nuclear test ban resolution, was read. Mr. Caskey, Mr. Anderson, Peter Embley, Sandy Bonsell, and Bill Sklar addressed the Commission supporting this resolution. It was moved by Mayor Coyne and supported by Commissioner Berube to adopt the resolution as requested. The following vote was taken:

Ayes: Mayor Coyne. Commissioners Acocks, Berube, Constance, Johnson.

Nay: Commissioners LaBrecque, Leadbetter.

The following resolution was adopted:

WHEREAS, spending for the nuclear arms race is contributing to record budget deficits that threaten our nation's economic security while programs providing essential assistance to communities throughout the country are being cut back;

WHEREAS, the United States is bound by two ratified treaties, the Atmospheric Test Ban Treaty and the Nuclear

Non-Proliferation Treaty, to negotiate in good faith towards a comprehensive test ban;

WHEREAS, a ban on nuclear warhead testing would promote the security of the United States by constraining new developments in the U.S. - U.S.S.R. nuclear arms competition and by strengthening efforts to prevent the spread of nuclear weapons to non-nuclear countries;

WHEREAS, a ban on nuclear warhead testing can be verified with high confidence by a worldwide network of seismic monitors, satellites, and other verification technology operated by the United States and other nations, and by on-site monitors which have been publicly agreed to by the Soviet Union;

WHEREAS, a nuclear war would result in death, injury, and disease on a scale unprecedented in human history, and a never-ending arms race does not enhance our security against a nuclear war;

THEREFORE, BE IT RESOLVED THAT:

The City of Marquette, Michigan calls upon the President to respond immediately to the Soviet unilateral halt of nuclear warhead testing by joining in a mutual and verifiable suspension of such testing as a first step toward freezing and reversing the nuclear arms race. This body also calls upon the members of our congressional delegation to support legislation that would enact a moratorium on nuclear warhead testing, to be continued as long as the soviet union does not test, copies of this resolution shall be forwarded to the President and to the Senators and Representatives comprising our congressional delegation.

A communication from Mayor Vernon L. Anderle of Menominee thanking the Commissioners for their cordial and warm reception during the Commission Exchange visit, was read. Mayor Coyne said this needed no additional action.

A communication from the Marquette-Alger Intermediate School District, regarding a tax collection fee agreement, was read. City Manager Svanda reported that the fee is charged to the Intermediate School District because it is authorized by law but that it cannot be charged to the Marquette School District because that is not authorized by law. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously that the Commission not reconsider this agreement and to direct the City Manager to write the Intermediate School District explaining why.

A communication from Bresnan Communications Company, regarding the addition of two new programming services and the

rearrangement of their channel lineup, was summarized by Mayor Coyne.

A communication from the Disabled American Veterans, regarding display of the American Flag, was read. City Manager Svanda reported that downtown parties are exploring ways to display the flags on the new light standards in the downtown area.

A communication from CUPPAD, regarding membership in the CUPPAD Regional Commission and the Marquette County OEDP Committee, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, 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, 1987
2. name 2 representatives to represent the City on the County OEDP Committee.
3. pay the FY 86-87 local share contribution of \$3,493.

A communication from the Public Works Advisory Board was read. Following brief discussion, it was agreed that a work session with the Advisory Board should be established.

A communication from the Planning Commission, regarding adoption of the Master Tree Plan, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to concur with the adoption of the Master Tree Plan by the Planning Commission.

City Attorney Martin then summarized a letter that he had presented to Commissioners stating that it was not in the City's best interests legally to place the Advisory vote regarding the income tax on the ballot. Following discussion, it was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to follow the advice of the Attorney and not place this question on the ballot. It was then moved by Commissioner Berube and supported by Commissioner Acocks that the City not pursue the establishment of a City

income tax. Following lengthy discussion, the following vote was taken:

Ayes: Commissioners Acocks, Berube, Constance, Johnson.

Nay: Commissioners LaBrecque, Leadbetter.

The motion was carried.

Mayor Coyne called a seven-minute recess at 9:03 p.m.

Following the recess, a recommendation from the City Attorney, regarding an amendment to the City of Marquette/Marquette Township Water Supply Contract, was read. It was moved by Commissioner Berube and supported by Commissioner Johnson to approve this amendment and to authorize the Mayor and City Clerk to execute it. The following vote was taken:

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

Nay: Commissioner Constance.

The motion was carried.

A report and recommendation from the City Manager, regarding revisions to the Fiscal Year 1985-86 Budget, was read. It was moved by Commissioner LaBrecque, supported by Commissioner Constance, and carried unanimously to make the budget revisions as recommended.

A report and recommendation from the City Manager, regarding participation in the Federal Flood Insurance Program, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Berube, and carried unanimously to adopt the resolution applying for participation in the Federal Flood Insurance Program, the flood plain Management resolution, and the intergovernmental agreement; and to authorize the Mayor and City Clerk to execute these documents; and to request that the County Board approve the intergovernmental agreement and the flood plain management resolution. The resolution applying for participation was adopted as follows:

WHEREAS, certain areas of the City of Marquette are subject to periodic flooding, mudslides (i.e., mudflows), or flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Marquette City Commission to require the recognition and evaluation of flood, mudslide (i.e., mudflow), or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Act 207, P.A. of 1921.

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force in those areas having flood, mudslide (i.e., mudflow), or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and

2. Vests the City Manager with the responsibility, authority, and means to:

(a) Assist the Administrator, at his request, in his delineation of the limits of the area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards.

(b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain, mudslide (i.e., mudflow) or flood-related erosion areas.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, mudslide (i.e. mudflow), or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, mudslide (i.e. mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain management measures.

(e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which

the community has assumed or relinquished flood plain management regulatory authority.

3. Appoints the City Engineer's office to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed the elevation (in relation to mean sea level) to which the structure was floodproofed;

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

A report and recommendation from the City Manager, regarding a use agreement for the Tourist Park with the Hiawatha Music Coop, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve this agreement and to authorize the Mayor and City Clerk to sign it.

A report and recommendation from the City Manager, regarding a historical marker application, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to approve the placement of this marker in Father Marquette Park and to authorize the Mayor to execute the application.

A report and recommendation from the City Manager, regarding property damage incidental to the playing of softball games, was read. It was moved by Commissioner Berube, supported by Commissioner LaBrecque, and carried unanimously to concur with the Manager's recommendation and approve Option B beginning in 1987 as follows: The City maintain insurance coverage for all programs that it operates directly and require all other users (leagues or organizations) to provide proof of insurance to cover such damage prior to any play in each year. This would include all practice, league play and tournaments. The City would submit claims as received to the proper league or organization authority and they submit to their carriers for judgement. Upon Commissioner Constance's suggestion, the Commission agreed to review the operation of this policy in one year.

Mayor Coyne noted the response from the Marquette Yacht Club to the Commission's action in approving a lease for access across Yacht Club property. It was moved by Mayor Coyne, supported by

Commissioner Acocks, and carried unanimously to reconsider the vote on this agreement. It was then moved by Mayor Coyne and supported by Commissioner Acocks to approve the agreement as it was originally presented with a yearly fee of \$150.00.

Following a lengthy discussion, the following vote was taken:
Ayes: Mayor Coyne. Commissioners Acocks, Berube, Johnson, LaBrecque.

Nay: Commissioner Constance.

The motion was carried.

Mayor Coyne then announced that this was the time set to discuss the Potvin property on Third Street. Following a discussion during which several Commissioners indicated that they did not wish to attend a meeting regarding this matter, it was agreed that an informal meeting with less than a majority of the Commission and representatives from the Board of Zoning Appeals and the City Administration would be held.

Mayor Coyne then announced that this was the time set to discuss the status of the Rosewood Inn. Commissioner Leadbetter said that the property owner had proposed that if the building is made safe, the City Commission should defer action on the demolition. City Attorney Martin reported on the status of the appeal of the demolition order. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to authorize the Housing Inspector to negotiate with Mr. Rose a list of repairs that would make the building safe and if that list is approved by the Commission and done within 60 days, the City formally agree to withhold the action on the demolition for one year.

It was then moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to approve the consent agenda as presented. The following items were approved:

- A. Grant of a fireworks display permit to American Legion Post 44.
- B. Adoption of a resolution supporting the Michigan Business Retention and Expansion Program.
- C. Approval of the 1986-87 Downtown Development Authority Budget as presented.
- D. Approval of a land exchange with First of America Bank near the intersection of Washington and McClellan and authorization of the Mayor and City Clerk to execute the appropriate documents.
- E. Scheduling the regular Commission meeting on July 14, 1986 as the time and date for a public hearing on a proposed amendment to the transient merchant ordinance.
- F. Award of a bid for HVAC improvements at the wastewater treatment plant to Industrial Piping of Marquette in the amount of \$116,000.
- G. Award of a bid for a four-wheel drive pickup with snowplow to Superior Ford of Marquette in the amount of \$14,882.14.

H. Award of bids for miscellaneous concrete construction projects to Pajula & Maki of Ishpeming at the unit prices bid.

I. Award of bids for aggregate materials to A. Lindberg & Sons of Ishpeming and Associated Contractors of Negaunee as recommended.

J. Approval of the transfer of a Resort Class C license at 2131 U.S. 41 West from Foodcraft Enterprises to Michigan Pizza Hut, Inc.

K. Approval of transfer of a Resort Class C license at 1412 Presque Isle Avenue to First National Bank and Trust Company of Marquette from M & B Enterprises of Marquette.

Commissioner Johnson asked if any of the Townships had contributed to the fireworks display for the Fourth of July. No one knew. She said that she had received complaints about the "fish shack" in the pocket park and that she was disturbed by the amount of vandalism and litter in Marquette parks. She noted concern that dogs are often present in parks and along the lakeshore and that they run loose early in the morning and late in the evening. She wished retiring City Accountant Bob Lawrence well in his retirement and asked if the cost of water could be cut during July and August for lawn watering. She noted complaints about firemen watering the grass in the Lower Harbor Park and said that the northwest corner of McClellan and Ridge is very dusty. She said that the restrooms at picnic rocks should be open and that there were many good activities during Fourth of July week to participate in.

Commissioner Leadbetter said that he had voted no on the nuclear disarmament resolution because he felt that it was too specific.

Commissioner Constance said that the water and sewer study group has finished its meetings and would like to report at the next Commission meeting.

Commissioner Berube said that Paul Harvey's noontime broadcast had complimented Michigan at length. He also said that Bob Lawrence would probably be appointed soon to a City Committee and asked that Tom Murray be sure to visit 425 North Fourth Street. He said that he had attended the State Waterways Commission meeting on Mackinac Island with Parks and Recreation Director Turausky and Harbor Chairman Perry Laing. He said that they had made a presentation regarding design of the Cinder Pond Marina and that the Waterways Commission had granted a variance in the slip size that will allow financial participation by the state in construction of this Marina. He said that the City had also received compliments on its excellent presentation.

Mayor Coyne thanked Commissioner Berube and Harbor Committee Chairman Laing for their work on this project.

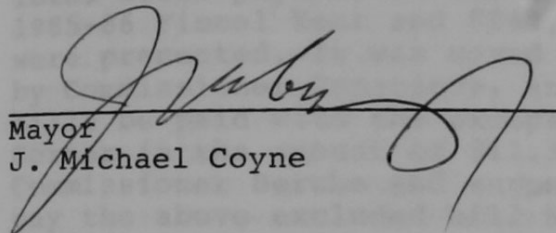
Commissioner Acocks said that there were many good activities to be involved in this week and that citizens should have a happy and safe Fourth of July.

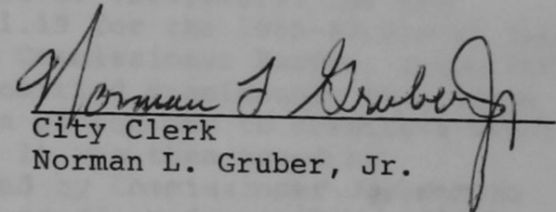
City Manager Svanda thanked the retiring City Accountant Bob Lawrence and wished him well in his retirement.

Mayor Coyne asked that the smoking ordinance and the Utility Board study be pursued.

During the time set for citizens wishing to address the Commission, Robin Murphy said that the City should acquire St. John the Baptist Church for a Museum and should set up a Committee to work on this. He said that he would like to be on such a Committee.

The meeting was adjourned at 10:24 p.m.


Mayor
J. Michael Coyne


City Clerk
Norman L. Gruber, Jr.

June 30, 1986

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, July 14, 1986

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, July 14, 1986 in Commission Chambers of City Hall.

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

It was moved by Commissioner LaBrecque, supported by Commissioner Acocks, and carried unanimously to approve the minutes of the previous meeting as presented.

Total bills payable in the amount of \$215,978.71 for the 1985-86 Fiscal Year and \$244,171.19 for the 1986-87 Fiscal Year were presented. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously that these bills be paid with the exception of the one to Loretta's Craft Corner in the amount of \$11.34. It was then moved by Commissioner Berube and supported by Commissioner Johnson to pay the above excluded bill and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

During the time set for announcing additional agenda items, Mayor Coyne added item 2a, a proclamation regarding Art on the Rocks, and said that he might delay consideration of item 11 until a certain person comes to address it. Commissioner Johnson asked that item 17a, a letter from the Dixons, be added. Mayor Coyne asked that item 17b, a letter from Scott Mathews, be added. Commissioner Berube asked that item 17c, discussion of three ordinances, be added. Mayor Coyne asked that item 18, a letter from City Band Director Dr. Stevenson, be added.

Mayor Coyne then read a resolution of appreciation which he presented to Bruce M. Claveau, Boatswain's Mate Chief at the Marquette Coast Guard Station. Mr. Claveau is being reassigned elsewhere and had been very active in community affairs and very supportive of City interests while he was stationed here. The resolution of appreciation is as follows:

WHEREAS, Boatswain's Mate Chief Bruce M. Claveau, United States Coast Guard, has been the Officer-in-Charge of the U.S. Coast Guard Lifeboat Station, Marquette, Michigan since 19 August 1982 coming to Marquette from USCGC

MARIPOSA in Detroit, as a 12 year veteran of the U.S. Coast Guard, and

WHEREAS, Chief Claveau is being transferred to U.S. Coast Guard Lifeboat Station Ludington, Michigan as Officer-in-Charge on 18 July 1986, and

WHEREAS, Chief Claveau has served with distinction in both the U.S. Coast Guard and his adopted community of Marquette with the U.S. Coast Guard Auxiliary, conducting classes for public education, and specialized courses for Auxiliarists in certification courses as Crewman, Operator, and Coxswain of the U.S. Coast Guard's 44 foot motor lifeboat, and has also been recognized by the Marquette Maritime Museum for his liaison with the Museum and the Coast Guard. Chief Claveau was key in bringing the CG-40552 boat back to Marquette as a major display for the Maritime Museum, as this boat spent most of its duty in service in Marquette. He has also suggested and paved the way for having the decommissioned 4th Order Classical Fresnel Lens and Cupola from the Lower Harbor Breakwater turned over to the Maritime Museum. Chief Claveau provided the leadership to his crew for volunteering their off-duty time to restore and repair many of the displays at the Museum. Chief Claveau has addressed public service organizations and gave freely of his time to support his three sons in the Boy Scouts, High School Band, and in sports. He has supported the City of Marquette Parks and Recreation programs by offering cooperative training programs for lifeguards and positioning swimming zone buoys along Marquette beaches.

THEREFORE, be it resolved, that the City of Marquette recognizes the distinguished service provided by Bruce M. Claveau and that this resolution be presented to him at the City Commission Meeting on July 14, 1986.

Mayor Coyne then made the following proclamation:

HOLLY GREER SHORELINE BIKE PATH

WHEREAS, Holly Greer demonstrated genuine concern for the well being of her community by recognizing the dangers to bikers and pedestrians along Lake Shore Boulevard during the late 1960s; and,

WHEREAS, Holly Greer enthusiastically gathered friends and interested persons to support her concept of a safe bike path, and with their support, became the driving force in obtaining right-of-way permits; and,

WHEREAS, Holly Greer persevered in cutting through the political, economic, and physical obstacles to get the bike path started; and,

WHEREAS, Holly Greer's dedication to her community continued with her interest in City politics as she served the City as its first woman commissioner and subsequently became Marquette's first woman mayor,

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, Michigan, U.S.A. do hereby proclaim Saturday, July 26, 1986 at 9:30 a.m., at McCarty's Cove, the official dedication of the Holly Greer Shoreline Bike Path and urge all interested citizens to attend the ceremony.

Mayor Coyne said that the dedication for this bike path would be held at 9:30 a.m. on Saturday, July 26 at which time the resolution will be presented to Mrs. Greer. He also displayed one of the "Holly Greer Shoreline Bike Path" signs to be erected along the bike path.

Mayor Coyne then made the following proclamation:

ART ON THE ROCKS WEEK

"An artist is a dreamer consenting to dream of an actual world," according to George Santayana, famous poet and philosopher, and

WHEREAS, the Lake Superior Art Association is to be commended for its vision and foresight in nurturing artistic endeavors for citizens of Marquette and environs, and

WHEREAS, its establishment of ART ON THE ROCKS has attracted talent from many states as well as local artists and craftsmen, anxious to display their artwork, and

WHEREAS, this 27th anniversary exhibit of ART ON THE ROCKS demonstrates the commitment of artists, craftsmen, and the Lake Superior Art Association to bring an outstanding exhibit to Marquette, Michigan,

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, Michigan, do hereby proclaim July 26 and 27, 1986 as ART ON THE ROCKS WEEKEND IN THE CITY OF MARQUETTE, and I extend congratulations and appreciation from the people of the City of Marquette to the artists, craftsmen and members of the Lake Superior Art Association who are participating in ART ON THE ROCKS on July 26 and 27, 1986. I urge all citizens and visitors to the City to visit ART ON THE ROCKS and to recognize this contribution to the City of Marquette, Michigan.

Mayor Coyne then announced that this was the time and date set for a public hearing on a proposed amendment to the Transient Merchant Ordinance. A report and recommendation from the City Manager was read. Dave Wagner of Peshtigo, Wisconsin, wanted to

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know if this ordinance affected produce sellers. The hearing was closed. Following discussion during which it was noted that there is a separate Farmers Market Ordinance covering produce sellers, it was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to adopt ordinance #395 as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 6, SECTION 9 OF THE MARQUETTE CITY CODE BY PROVIDING ADDITIONAL REQUIREMENTS FOR TRANSIENT MERCHANTS THAT ARE NECESSARY FOR THE PROTECTION OF THE PUBLIC.

Mayor Coyne then announced that this was the time set for a presentation by Sister City Relations Director Pryse Duerfeldt. Dr. Duerfeldt addressed the Commission at great length identifying the members of the delegation which will be arriving from Yokaichi, Japan on July 29, the families that will be hosting these delegates, and the complete itinerary planned for the delegation. Mayor Coyne thanked Dr. Duerfeldt for his extensive work in Sister City Relations and the excellent organization of this visit.

During the time set for citizens wishing to address the Commission, Wallace Koski asked to speak on item 9, Lynn Swadley asked to speak on item 11, Ruth Pleaugh asked to speak on item 5, Chuck Coffey asked to speak on item 6 and said that there were many illegal fireworks present during the Fourth of July celebration and that the City should control this. Marilyn Cook asked to speak on item 7. Dave Wagner asked to speak on item 5. Peter Embley asked to speak on item 10 and said that the City Commission agenda should be on television.

A letter from Ruth Pleaugh, regarding the establishment of a Farmers Market at the Pat's Bar parking lot on West Washington Street, was read. Mrs. Pleaugh addressed the Commission supporting her request. Dave Wagner of Peshtigo, Wisconsin said that he had opposed the Farmers Market ordinance and feels that he should be allowed to sell his produce as he has in the past. City Attorney Martin, City Manager Svanda, and City Clerk Gruber answered questions regarding the farmers market ordinance. Following a lengthy discussion and comment by the Commissioners, it was moved by Commissioner Leadbetter and supported by Commissioner Johnson to designate the Pat's Bar parking lot as a farmers market. The following vote was taken:
Ayes: Commissioners Johnson, LaBrecque, Leadbetter.
Nays: Mayor Coyne. Commissioners Acocks, Berube, Constance.

The motion was defeated.

It was then moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to refer this matter to the administration for a report at the July 28 Commission meeting with the report to include the proposed rules for the Farmers Market, a site plan indicating the driveways and traffic safety of the site as well as the

determination of parking requirements for Pat's Bar, and how many parking spaces would be lost during the operation of the Farmers Market.

Mayor Coyne then announced that this was the time set to consider a report from the Citizen's Committee to Study Water and Wastewater Departments. Mayor Coyne thanked Chairman Chuck Coffey and the Committee members for their excellent report and the good ideas that they have presented for the operation of the water and wastewater utilities. He said that in order to further discussion on this matter a work session should be held with the Committee members. Committee Chairman Chuck Coffey suggested an alternative way to do the billing and mail meter reading reports. Peter Embley asked questions about the report. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to set a work session on this report for a future date. Commissioners then agreed that this work session would be at 7:00 p.m. on Thursday, August 7, 1986.

A report from the City Manager, regarding review of the Ad Hoc Substance Abuse Committee Report, was read. Commissioners commented on the various responses and discussed this issue at length. City Manager Svanda answered questions regarding the Administration's response to the report. Mayor Coyne said that this matter should be discussed at a work session during mid September.

A recommendation from the Planning Commission, regarding a rezoning at 1300 West Ridge Street, was read. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to set the next regular Commission meeting as the time and date for a public hearing on this proposed rezoning.

A report and recommendation from the City Manager, regarding the allocation of costs for private sewer repairs on East Crescent Street, was read. Mr. Wallace Koski said that this should be a City cost and should not be billed to the property owners. Attorney Don Bays discussed the documentation on this matter at length. Following very lengthy discussion during which the Commission and property owners in the area narrowed down the issue at hand to the actual location of the blockage, it was moved by Commissioner Berube, supported by Commissioner Johnson, and carried unanimously to reconsider the motion of the February 24, 1986 Commission meeting adopting the resolution of confirmation of single lot assessments for the homes served by this private sewer. It was then moved by Commissioner Berube and supported by Commissioner Acocks that the City pay for the repair of the private sewer if measurements and Mr. DePetro's information show that he cleaned all the way to the City's High Street sewer and did not remove the blockage. The following vote was taken:

Ayes: Mayor Coyne. Commissioners Berube, Johnson,
LaBrecque.
Nays: Commissioners Acocks, Constance, Leadbetter.
The motion was carried.

Mayor Coyne then called a five-minute recess at 9:20 p.m. Following the recess, a report and recommendation from the City Manager, regarding allocation of costs for the construction of shoreline protection on Lakeshore Boulevard. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to set the next regular Commission meeting as the time and date for a public hearing on the confirmation of the assessment roll spreading these costs against the property owners.

A report and recommendation from the City Manager, regarding the Neck of Presque Isle Improvement Project, was read. Architect Barry Polzin displayed plans of the Shiras Pool area and answered questions about the various phases of the project. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to alter the scope of the project as recommended by the City Manager. It was then moved by Commissioner Acocks, supported by Mayor Coyne, and carried unanimously to adopt the amended project budget as recommended. City Manager Svanda then discussed the bidding process for the proposed work to be done. Lynn Swadley, representing Sunrise Builders, objected to splitting the bids for the entryway and the pool building because the bid documents had not made provision for that. Following a lengthy discussion, it was moved by Commissioner Constance and supported by Commissioner Johnson to rebid the entire project. The following vote was taken:

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

Nay: Commissioner Berube.

The motion was carried.

It was then moved by Commissioner Coyne, supported by Commissioner Johnson, and carried unanimously to approve the agreement with the L.G. Kaufman Endowment Fund and the Shiras Institute and to authorize the Mayor and City Clerk to execute it on behalf of the City. It was then moved by Mayor Coyne, supported by Commissioner Leadbetter, and carried unanimously that the above actions be contingent upon the approval of the State Department of Commerce and the provisions contained in the City Manager's report and that the City administration be authorized to pursue the various aspects of this project in accordance with the intent of the scope of the project and the supporting documents and materials.

A report and recommendation from the City Manager, regarding demolition of the building at 425 N. Fourth Street, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to continue the extension of the demolition date until August 25 and to request

that the staff check on the vacation of the building before the next City Commission meeting.

A report and recommendation from the City Manager, regarding a notice of intent to issue Water and Sewage Disposal System Revenue Bonds, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution:

WHEREAS, the City of Marquette intends to issue Revenue Bonds in the aggregate principal amount of not to exceed \$750,000 to defray the cost of improving the Water and Sewage Disposal System of the City by replacing the System's water and sewer mains and laterals; and

WHEREAS, the Revenue Bonds shall be issued as additional bonds with equal standing to and in parity with the \$1,750,000 City of Marquette Water Supply and Sewage Disposal System Full Faith and Credit Revenue Bonds, Series 1977, issued pursuant to Ordinance No. 309; and

WHEREAS, it is necessary to publish a notice of such intention and to allow a 45-day period for the filing of a petition for referendum requesting an election on the issuance of such Revenue Bonds.

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARQUETTE, MARQUETTE COUNTY, MICHIGAN, as follows:

1. The City Clerk of the City of Marquette is hereby authorized and directed to publish the following notice once in the Mining Journal:
2. It is hereby found and determined that the Mining Journal is the newspaper reaching the largest number of electors and taxpayers of the City of Marquette.
3. It is hereby determined that the aforesaid notice provides information sufficiently adequate to inform the electors and taxpayers of the City of Marquette of the nature of the issue to which this notice pertains and of their right to file a petition for referendum requesting an election on the issuance of the bonds.

A report and recommendation from the City Manager, regarding bids for the Arch/Ridge street and utility reconstruction project, was read. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to concur with the City Manager's recommendation and award this bid to Associated Constructors of Marquette in the amount of \$446,721.00 and to authorize the Mayor and City Clerk to execute the required contract documents.

A report and recommendation from the City Manager, regarding Dental Self Insurance, was read. It was moved by Commissioner Berube and supported by Commissioner Johnson that the City continue its current dental coverage. The following vote was taken:

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

Nay: Commissioner Acocks.

The motion was carried.

Mayor Coyne then announced that this was the time set for a presentation on the City's application for a sanitary landfill construction permit. City Manager Svanda indicated that this presentation would take about twenty minutes and suggested in view of the lateness of the hour that it be scheduled for a later time. It was agreed to put this earlier on the agenda for the next Commission meeting.

Mayor Coyne then made the following appointments:

The reappointment of John Turcotte and Bruce Tiseo to the Parking Advisory Committee for terms expiring May 30, 1989.

The appointment of Donna Kohut to the Marquette Building Authority, the Police/Fire Retirement Board, and the Investment Advisory Committee.

A communication from Jack J. and Patricia K. Dixon, regarding garbage on Presque Isle Park, was read. The Commission discussed ways to keep the parks clean.

A communication from Dr. Scott Matthews, regarding dust caused by parking at the Lower Harbor Park during major events, was read. City Manager Svanda said that this would be added to the checklist for the use agreement for the park if a way could be found to control the dust.

Commissioner Berube proposed that the Commission consider three ordinances. The first would prevent fireworks in public parks, the second would be a stronger cat ordinance, and the third would be an ordinance to impose heavy fines for vandalism against City property and to use part of the fine money as a reward for information leading to apprehension of the vandals.

Mayor Coyne said that he had received a communication from Dr. Stevenson, the City Band Director. City Manager Svanda said that it has been arranged for the band to draw on their appropriation.

Commissioner Berube thanked the people who serve on the boards of the Kaufman Endowment Fund and the Shiras Institute for their strong support and work for the benefit of the youth of the community.

Commissioner Constance asked if the trees in the Lower Harbor Park would become unstable as they got larger since the roots cannot penetrate the concrete underneath the grassy area. He also said that Mr. Potvin has been out of town and that he will still be attempting to set up a meeting regarding Mr. Potvin's property on Third Street.

Commissioner Johnson said that the erosion at the South Beach Park is a serious problem, that people have been reporting vandalism at Park Cemetery, that she had seen a car driving on the new bike path along Hawley Street, and noted the passing of NMU Basketball Coach Glenn Brown and Mr. Herman Olson.

Commissioner LaBrecque said that the City should cut weeds more diligently.

During the time set for citizens wishing to address the Commission, Robin Murphy said that he had helped the parking ramp maintenance person clean up the vandalism to the trees and flowers that occurred last week on Front and Washington Streets and that they had offered information to the Police on who the vandals might be.

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

Mayor

J. Michael Coyne

City Clerk

Norman L. Gruber, Jr.

July 14, 1986

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Commissioner Johnson said that the reason for the South Beach
Park is a serious problem, that people have been reporting
vandalism at Park Cemetery, that she had seen a car driving on
the new bike path along Highway Street, and noted the passing of
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Mr. Herman Olson.

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

City Clerk
Norman L. Guber, Jr.

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City Clerk
Norman L. Guber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, July 28, 1986

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, July 28, 1986 in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Acocks, Berube, Constance, Johnson, LaBrecque, Leadbetter.

ABSENT: None.

It was moved by Commissioner Leadbetter, supported by Commissioner LaBrecque, and carried unanimously to approve the minutes of the July 14 meeting as presented.

Total bills payable for the 1985-86 Fiscal Year in the amount of \$96,699.57 and for the 1986-87 Fiscal Year in the amount of \$88,342.35 were presented. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to approve these bills as presented with the exception of the one to Loretta's Craft Corner in the amount of \$10.79. It was then moved by Commissioner Leadbetter and supported by Commissioner Johnson to approve the above excluded bill and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

During the time set for announcing additional agenda items, Mayor Coyne added item 14, discussion of the smoking ordinance, and item 15, discussion of drainage problems at the High School. Commissioner Constance asked that item 12a be removed from the consent agenda and made item 11a. Mayor Coyne removed item 12c from the consent agenda and made it item 11b.

Mayor Coyne then announced that this was the time and date set for a public hearing on a rezoning at 1300 W. Ridge Street. There being no one to address the Commission, the hearing was closed. The recommendation from the Planning Commission was read. It was moved by Commissioner Berube, supported by Commissioner LaBrecque, and carried unanimously that 14-REZ-7-86, a petition from G. Jack Tourville to rezone property at 1300 W. Ridge Street from RM-multiple family to OS-office (lots 1,2, and 3 of Block 6 of West End Addition and a parcel in the NE NW Section 22-48-25 described as follows: Beginning at a point on the N ROW line of Ridge Street 130.0' of SW corner of McClellan Avenue thence N 150' thence W 266' thence S 150' thence E 266' to POB) be approved as requested.

Mayor Coyne then announced that this was the time and date set for a public hearing on the confirmation of Special Assessment Roll #495 for shoreline protection construction on Lakeshore Boulevard. Seven persons addressed the Commission objecting to the assessments because they are higher than the estimates and making other comments about the project. The hearing was closed. A report and recommendation from the City Manager and three communications from property owners in the assessment district were read. City Manager Svanda gave the background for the City's involvement in the project and Public Works Director Etelamaki answered questions. The Commission discussed the project at length. It was moved by Commissioner Berube, supported by Mayor Coyne, and carried unanimously that Daniel Beckman's assessment be levied at the original estimated amount plus 20% instead of the amount that he has been billed. Mayor Coyne then invited comment or questions from the seven persons who had spoke during the hearing. Four of these persons addressed the Commission stating their continued opposition to the higher assessments. Following considerably more discussion, it was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to adopt the resolution of confirmation for assessment roll #495 with the modification regarding Mr. Beckman's assessment and with the stipulation that the rocks which are under water along the beach be removed. The following resolution was adopted:

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

SHORELINE PROTECTION ON THE NORTH SIDE OF LAKESHORE
BOULEVARD FROM "B" STREET TO "G" STREET

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 all needful corrections of the same having been made;

RESOLVED, that said special assessment roll, to wit: Special Assessment Roll #495 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in five equal annual installments, those which are \$1,000 to \$5,000 may be paid in eight equal annual installments, and those which are over \$5,000 may be paid in ten equal annual installments; all such installments to be due at the time fixed for the payment of regular City taxes, together with interest on such installments at the rate of 10% per annum from the date of confirmation of such special assessment rolls.

Mayor Coyne thanked the people for coming to the hearing.

Mayor Coyne then announced that this was the time set for the second annual Walk Michigan drawing. He said that this is a program sponsored by the Marquette Parks and Recreation Department and Michigan's Blue Cross/Blue Shield. The winners would win a trip to Mackinac Island for two plus brunch with Governor Blanchard and the chance to participate in the Labor Day Mackinac Bridge Walk. Mayor Coyne then drew from the drum the name of Caesar Urbanski.

During the time set for citizens wishing to address the Commission, Robin Murphy and George Hansen asked to speak on item 8. Don Bays asked to speak on item 9, and Dave Wagner asked to speak on item 11a.

A communication from the Marquette Transit Authority, regarding a lease extension with the Marquette-Alger Intermediate School District for space in the Marquette Transportation Center, was read. It was moved by Commissioner Constance, supported by Commissioner Berube, and carried unanimously to approve this extension as proposed and to authorize the Mayor and City Clerk to execute it.

A communication from Janet Vasseau, requesting a waiver of the user fee for Hurley Field on August 8, 9, and 10, was read. It was moved by Commissioner Johnson and supported by Commissioner Acocks to waive the fee as requested. The following vote was taken:

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

Nays: Commissioner Constance.

The motion was carried.

A communication from the Village Development Coordinating Committee, recommending that the aerial utilities on Third Street be relocated underground during the anticipated reconstruction of Third Street, was read. Committee Chairman Irving Wagner and consultant John Batchelder of Sundberg, Carlson, and Associates displayed architectural renderings of Third Street with and without the aerial utility lines. It was moved by Commissioner Berube, supported by Commissioner Leadbetter, and carried unanimously that the Commission

schedule a work session with the Village Development Coordinating Committee, the Board of Light and Power, Bell Telephone, and Bresnan Communications to discuss how much of this project would be paid for by each party.

Mayor Coyne announced that this was the time and date set for a presentation by City Manager Svanda regarding the City's application for a sanitary landfill construction permit. Mr. Svanda gave a history of the City's solid waste system and of recent solid waste planning in Marquette County. He said that the City's proposed landfill contained redundant safety factors and that all of the design standards exceeded the state requirements. He said that the State Health Department had objected to the construction of the landfill at a very late point during the planning process despite their recognition that the City meets all of the requirements of the state law despite the fact that there are three unlicensed and unsafe landfills operating over the same aquifer as the City's proposed landfill. Various Commissioners supported the City's application and complimented Mr. Svanda on the high quality of his report.

A report from the City Attorney, regarding a program to combat vandalism, was read. Robin Murphy addressed the Commission saying that the \$100 fine or 90 days in jail is not enough and that vandals should have to work for the Parks and Recreation or Public Works Department on City cleanup projects. He made suggestions on reducing vandalism at the parking ramp. George Hansen said that he is proud of Marquette and that he is moving back here from Owosso but that there is vandalism throughout the City. He said that the program to combat vandalism had worked well in Owosso and that it had reduced vandalism there. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to set the next regular Commission meeting as the time and date for a public hearing on an ordinance to amend Chapter 27, Section 2, of the City Code.

A report and recommendation from the City Manager, regarding allocation of costs for private sewer repairs on East Crescent Street, was read. Donald Bays said that his association does not own any sewer in High Street. It was moved by Commissioner Berube and supported by Commissioner Constance that the Commission reconsider the motion at the July 14 meeting regarding the assessment for repair of this private sewer. The following vote was taken:

Ayes: Commissioners Berube, Constance, Leadbetter.

Nays: Mayor Coyne. Commissioners Acocks, Johnson, LaBrecque.

The motion was defeated. It was then moved by Commissioner Johnson and supported by Commissioner LaBrecque to nullify the special assessment that has been enacted for this project and to spread the costs over the general ratepayers through the budget process, to instruct the administration to nullify this special assessment, and to rebate those payments which have

already been received with interest. Following a lengthy discussion regarding the ownership of the High Street sewer, the following vote was taken:

Ayes: Mayor Coyne. Commissioners Johnson, LaBrecque.

Nays: Commissioners Acocks, Berube, Constance, Leadbetter.

The motion was defeated.

It was then moved by Commissioner Acocks and supported by Commissioner Leadbetter to sustain the Commission's original position on levying the single lot assessments for this private sewer repair. The following vote was taken:

Ayes: Commissioners Acocks, Berube, Constance, Leadbetter.

Nays: Mayor Coyne. Commissioners Johnson, LaBrecque.

The motion was carried.

A report and recommendation from the City Manager, regarding status of the Rosewood Inn, was read. It was moved by Commissioner Acocks, supported by Mayor Coyne, and carried unanimously that the Commission consider approval of the agreement with JSR Enterprises, Inc. with the stipulation that the appeal of the condemnation order be dropped by 5:00 p.m. on Friday, August 1, 1986. Following a lengthy discussion regarding the safety of the building and in particular the canopy, it was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to direct the City Attorney to draw up a note to be signed by a registered professional Engineer, and by Mr. Rose in which the engineer indicates that the metal canopy is structurally sound and does not pose a danger to persons or property coming near said canopy and that if this cannot be done, that the canopy be removed. The Commission also discussed the appeals process for property maintenance code violations and agreed to leave it as is. Mayor Coyne called a five-minute recess at 10:07 p.m.

Following the recess, a report and recommendation from the City Manager, regarding sale of a portion of the former Osterberg property, was read. It was moved by Commissioner Berube and supported by Commissioner Constance to approve the sale of the lots at the price of \$3,000 per lot and to authorize the Mayor and City Clerk to execute the related documents. The following vote was taken:

Ayes: Commissioner Berube.

Nays: Mayor Coyne. Commissioners Acocks, Constance, Johnson, LaBrecque, Leadbetter.

The motion was defeated. It was then moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to pursue getting an appraisal of the ten lots proposed for sale with a maximum price of the appraisal to be less than \$1,000.

A report and recommendation from the City Manager, regarding the designation of a farmer's market in the Pat's Bar parking lot, was read. Following a discussion, it was moved by

Commissioner Johnson, and supported by Commissioner Leadbetter to designate a portion of the Pat's Bar parking lot as a farmer's market, to designate Ruth Pleaugh as the marketmaster, and to approve the proposed rules as follows:

1. The Market Master has authority to regulate day to day market operations and approve products for sale.
2. Farm and garden produce shall be the only goods sold at this farmer's market.
3. All producers will sell from a vehicle which is no larger than an average car or pick-up truck.
4. Area designated for selling is restricted to one party. The reservations for the single space provided should be made in advance with the Market Master.
5. All producers agree to keep designated area and displays clean and attractive. Each user will be responsible for clean up after each market day.
6. All users agree to comply with local and state regulations and ordinances governing market sales.
7. That no sign be placed closer than 30 feet to the Washington Street sidewalk.
8. That the hours of operation be limited to daylight hours during the months of June, July, August, and September.
9. That the area designated as the farmer's market be no closer than 35 feet to the Washington Street sidewalk.

The following vote was taken:

Ayes: Mayor Coyne. Commissioner Berube, Johnson, LaBrecque, Leadbetter.

Nays: Commissioners Acocks, Constance.

The motion was carried.

A report and recommendation from the City Manager, regarding bids for sanitary sewer repairs, was read. It was moved by Mayor Coyne, supported by Commissioner Acocks, and carried unanimously to award this bid to Swick Plumbing and Heating at the unit prices bid and to authorize the Mayor and City Clerk to execute each related document on behalf of the City.

A report and recommendation from the City Manager, regarding a use agreement for the Lower Harbor Park by the Marquette Rotary West for the Third Annual Seafood Festival, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to approve this use agreement and to authorize the Mayor and City Clerk to execute it on behalf of the City.

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

BOARD OF CANVASSERS: Sharon Schumer for a term ending January 1, 1990.

ELECTIONS BOARD: Rosemary Glenn reappointed for a term ending April 11, 1990.

TREE COMMITTEE: Barbara Kelly reappointed for a term ending December 30, 1988.
BOARD OF ZONING APPEALS: Steve Pelto and James Mansfield as alternate members for terms ending February 15, 1989.
INVESTMENT ADVISORY BOARD: Barry Ellis for a term expiring July 1, 1989, Eric Durham for a term expiring July 1, 1987, Peter Schumer for a term expiring July 1, 1988, and the reappointment of Ron Perkins for a term expiring July 1, 1989.
HARBOR COMMITTEE: Reappointment of Tom Knauss and Peter Frazier for terms ending February 11, 1989.
PUBLIC WORKS ADVISORY BOARD: James Scullion and Bob Stow for terms expiring June 9, 1989.
HOSPITAL FINANCE AUTHORITY: Lynn Hammerstrom for a term expiring July 1, 1991.

Mayor Coyne then asked that the Commissioners receive copies of the complete state no smoking law and the East Lansing no smoking ordinance.

Mayor Coyne said that he had received an expression of concern from School Board President Scott Jamieson over the drainage problem at the High School football field. It was agreed to set up a joint meeting with the School Board to discuss this issue.

Commissioner Acocks asked about use of primer base to control dust at the Lower Harbor Park. Parks and Recreation Director Turausky reported that four substances are approved by the Department of Natural Resources for use in the area close to Lake Superior and that he is investigating one other.

Commissioner Acocks also said that the lawn meters have been received and are available for sale now.

Commissioner Constance said that there would be a meeting with Mr. Potvin at 10:00 a.m. on Saturday.

Mayor Coyne reminded all interested persons about the special Commission meeting at 4:00 p.m. on Wednesday to welcome the Sister City Delegation from Yokaichi, Japan. He suggested that the Harbor Committee review the danger to boats from pilings that are submerged by the current high water levels. He said that Art on the Rocks was very successful this year, that the City Band is performing well under their new sponsorship, and that the Hiawatha Music Festival had an outstanding program this year.

Commissioner Johnson said that the band concert on Friday, the bike path dedication, and Art on the Rocks had all been excellent and that the Yokaichi visit coming this week should also be excellent. She said that people are concerned about the safety of the proposed water slide at Shiras Pool. She wished happy 30th anniversary to WLUC-TV and said that we should all be proud to show off the City of Marquette.

Commissioner LaBrecque noted complaints about the condition of the Little League field following the rainstorm this weekend. Commissioner Leadbetter said that the women's Olympics Basketball Team had been here for the past week and that the game he had attended Saturday had been an excellent game. He said that he hopes the University and the newspaper continue to publicize events related to the Olympic Training Facility.

There being no citizens wishing to address the Commission, the meeting was adjourned at 11:04 p.m.

Mayor
J. Michael Coyne

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Wednesday, July 30, 1986

A special meeting of the Marquette City Commission was duly called and held at 4:00 p.m. on Wednesday, July 30, 1986 in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Acocks, Berube, Constance, LaBrecque, Leadbetter.
ABSENT: Commissioner Johnson.

Mayor Coyne called the meeting to order and noted that he would be speaking slowly throughout the meeting so that Miyuki Nakagawa, the translator for the Sister City Delegation, could perform her job. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to excuse Commissioner Johnson as she is out of the City.

Mayor Coyne then made the following proclamation:

WHEREAS, The City of Marquette, Michigan, and the City of Yokaichi, of Shiga Prefecture, Japan did on August 13, 1979 formally become Sister Cities; and,

WHEREAS, the delegations of Yokaichi citizens led by Kenzo Takehisa in 1978, by Mayor Masajiro Yamada in 1980, by Vice Mayor Usaburo Mochida in 1982 and by Vice Mayor Shinzo Morii in 1984 have each enjoyed a week of hospitality from the citizens and government of Marquette; and

WHEREAS, the delegations of Marquette citizens led by Pryse Duerfeldt in 1979, 1981, and 1984 and by Paulette Lindberg in 1983 and 1985 were each treated to one to two weeks of outstanding hospitality by the citizens and government of Yokaichi; and,

WHEREAS, Additional delegations and individuals have received gracious treatment when visiting friends in their Sister City; and,

WHEREAS, The Rotary Clubs of our two cities signed a Sister Club agreement in 1979, our Chambers of Commerce signed a Sister Chamber agreement in 1983, and numerous other long term friendships and understandings have been developed through our exchanges and other relations; and,

WHEREAS, A delegation of Yokaichi citizens, led by Mayor Usaburo Mochida, will arrive in Marquette on July 29, 1986 to enjoy a week of hospitality from our citizens and government; and,

WHEREAS, The people of Marquette and the people of Yokaichi wish to continue to expand our mutual cultural, educational, and personal understandings and ties,

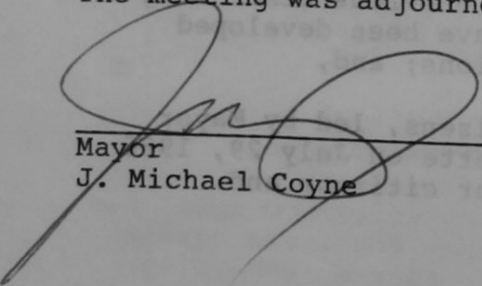
NOW, THEREFORE, I, J. Michael Coyne, by virtue of the authority invested in me as Mayor of the City of Marquette, do hereby proclaim July 29 - August 4, 1986 as Yokaichi Week in Marquette and extend to the delegates from Yokaichi the status of honorary citizens of Marquette. I, furthermore, encourage the citizens of Marquette to support and participate in our celebration of this visit and our expanding friendship with the people of Yokaichi.

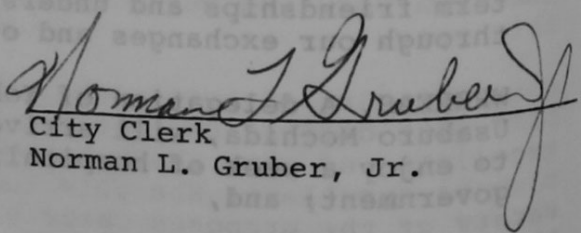
Sister City Relations Director Dr. Pryse Duerfeldt then introduced the individual delegates and their host families. The delegates were officially welcomed by Mayor Coyne, who in turn introduced the City Commissioners of whom each welcomed the visitors. He introduced City Manager Svanda who introduced the City Administration members who were present.

Mayor Mochida expressed his gratitude and that of the delegation for their reception in Marquette and invited those present to visit Yokaichi in the future. He then presented gifts to the City, to Mayor Coyne, and to each Commissioner and Administration member. Mayor Coyne and Dr. Duerfeldt then presented gifts to the City of Yokaichi, to Mayor Mochida, and to the individual delegates including certificates of honorary Marquette citizenship. Whitman Elementary Principal Betty Little presented gifts from the school children of Marquette to the schoolchildren of Yokaichi.

During the time set for public comment, Robin Murphy thanked the delegation for the gift to the City on behalf of City residents. Lois Cohodas said that the Sister City Program is good for both cities. Mayor Coyne, in concluding the meeting, noted that it was being televised live for the benefit of other citizens who could not attend. He thanked the delegation for their kindness and generosity, expressed very great thanks to the translator, and thanks to Dr. Duerfeldt and Paulette Lindberg who had worked on putting the itinerary together for this visit. He also thanked the host families for the role they played during the Sister City Exchanges.

The meeting was adjourned at 5:15 p.m.


Mayor
J. Michael Coyne


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Friday, August 1, 1986

A special meeting of the Marquette City Commission was duly called and held on Friday, August 1, 1986 at 11:45 a.m. in Commission Chambers of City Hall.

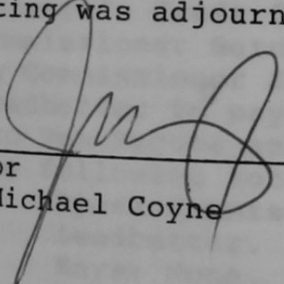
PRESENT: Mayor Pro Tem Berube. Commissioners Acocks, Constance, LaBrecque, Leadbetter.

ABSENT: Mayor Coyne. Commissioner Johnson.

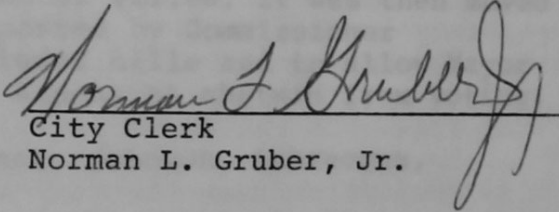
It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried to excuse the absence of Mayor Coyne and Commissioner Johnson as they are out of the City.

Mayor Pro Tem Berube noted that there was one item on the agenda, a liquor license transfer request. The report and recommendation from City Staff members was read. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried that the request from Michigan Pizza Hut, Inc. of 2131 West U.S. 41, Marquette Mall, Marquette, Michigan, to transfer classification from 12 Month Resort Class C license and SDM licenses with Sunday sales permit and official permit to 12 Month Resort Tavern and SDM licenses with Sunday sales permit and official permit be approved.

There were no citizens wishing to address the Commission, and the meeting was adjourned at 11:50 a.m.



Mayor
J. Michael Coyne



City Clerk
Norman L. Gruber, Jr.

THIS MAY BE A SPECIAL PROCEEDING OF THE
CITY COMMISSION, IN THE MATTER OF THE
CITY OF MARQUETTE, MICHIGAN
Friday, August 1, 1986

A special meeting of the Marquette City Commission was held
and held on Friday, August 1, 1986 at 11:45 a.m. in
Commission Chambers of City Hall.
Present: Mayor Pro Tem Patrick J. Cooke, Commissioner
Constance J. Labrecque, and
Absent: Mayor Coyne, Commissioner Johnson.

It was moved by Commissioner Cooke, supported by Commissioner
Labrecque, and carried to excuse the absence of Mayor Coyne and
Commissioner Johnson as they are out of the City.
The Commission then moved to read the report of the
Mayor Pro Tem Patrick J. Cooke, there was one item on the agenda,
a liquor license transfer request. The report and recommendation
from City Staff members was read. It was moved by Commissioner
Cooke, supported by Commissioner Labrecque, and carried that the
request from Michael E. Cooke, Inc. of 211 West U.S. 41
Marquette, Michigan, to transfer classification
from 12 Month Resort Class C license and 20M license with Sunday
sales permit and official permit to 12 Month Resort Tavern and
20M license with Sunday sales permit and official permit be
approved.
The report and recommendation was read and the Commission, and the
meeting was adjourned at 11:50 a.m.

Attest:

City Clerk
The undersigned, City Clerk, do hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Marquette City Commission held on Friday, August 1, 1986 at 11:45 a.m. in the Commission Chambers of City Hall.

City Clerk

Clark
Mr. J. L. Gruber, Jr.
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, August 11, 1986

A regular meeting of the Marquette City Commission was duly called and held on Monday, August 11, 1986 at 7:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Pro Tem Berube. Commissioners Acocks, Constance, Johnson, LaBrecque, Leadbetter.
ABSENT: Mayor Coyne.

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

A correction on page 123 of the July 28 City Commission proceedings and page 128 of the August 1st Commission proceedings were noted. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to approve the minutes of the regular meeting on July 28 and the special meetings on July 30th and August 1st as corrected.

Total bills payable for the 1985-86 fiscal year in the amount of \$247,220.93 and for the 1986-87 fiscal year in the amount of \$243,251.26 were presented. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried to pay these bills as presented with the exception of the one to Loretta's Craft Corner in the amount of \$49.47 and the one to Commissioner Berube in the amount of \$21.60. It was then moved by Commissioner Johnson and supported by Commissioner Leadbetter to pay the above excluded bills and to allow Mayor Pro Tem Berube and Commissioner Acocks to abstain from voting. The following vote was taken:

Ayes: Commissioners Constance, Johnson, LaBrecque, Leadbetter.

Nays: None.

Abstention: Mayor Pro Tem Berube, Commissioner Acocks.

The motion was carried.

During the time for announcing additional agenda items, Mayor Pro Tem Berube said that items 10 and 11 would be moved to the very end of the agenda.

Mayor Pro Tem Berube then announced that this was the time and date set for a public hearing on an amendment to the vandalism ordinance. Robin Murphy said that the proposed ordinance is not strong enough and that vandals should have to do public service work in addition to being fined. George Hansen said that this is a good ordinance and that it has worked well in Owosso.

A communication from the Downtown Development Authority, supporting the ordinance was read. The hearing was closed. It

was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to adopt ordinance #396 as follows:

396

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 27, SECTION 27.02 (13) TO IMPOSE PENALTIES AND PROVIDE FOR THE COLLECTION OF TRIPLE DAMAGES AGAINST ANY PERSON(S) CONVICTED OF AN ACT OF VANDALISM OF CITY PROPERTY.

Mayor Pro Tem Berube then announced that this was the time and date set for a presentation by the Chamber of Commerce. President of the Chamber, Dan Trotochaud, presented Mayor Pro Tem Berube with a check for \$2,680.72 which is the City's fee for the use of the Lower Harbor Park for the International Food Fest on the Fourth of July weekend. Mr. Trotochaud said that the Chamber feels that the Lower Harbor Park is a very good facility and helps them to have a good event. They hope that the money they are presenting will help in the development of this facility. Mayor Pro Tem Berube thanked the Chamber on behalf of the City for the check as well as for running an excellent public event which helps develop civic pride. Commissioner Constance asked about trees being planted in the Lower Harbor Park. Mr. Trotochaud said that the trees which had been planted this spring had been in the way when they were setting up tents for the festival.

Mayor Pro Tem Berube then announced that this was the time and date set for citizens wishing to address the Commission. Louis Taccolini objected to the closing of the west gate to the cemetery located on West Ridge Street. He said that many people use that gate and whether it is open or closed, does not affect vandalism within the cemetery. Cathy Peters asked to speak on item 4 and Tim Lowe asked to speak on item 7.

A communication from the Native Americans of Marquette County, Inc. was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried that the City Commission formally recognize the Native Americans of Marquette County, Inc. as a non-profit organization.

A communication from the Marquette County Quilters Association, regarding rental of a pole system for displaying their quilts, was read. It was moved by Commissioner LaBrecque and supported by Commissioner Leadbetter to approve the rental fee for this pole system for the Quilter's Show at the rate of \$.25 per foot as requested.

City Attorney Martin then presented an agreement with the owners of the Rosewood Inn. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried to approve the agreement and to authorize the Mayor and City Clerk to execute it. Commissioner Constance said that the record does

not show that the Commission required Mr. Rose to withdraw his appeal of the condemnation order.

A report and recommendation from the City Manager, regarding the purchase or continued lease of warehouse space on Enterprise Street, was read. It was moved by Commissioner Constance and supported by Commissioner Acocks to authorize the purchase of this currently leased warehouse space in the amount of \$98,000. Following a discussion regarding the City's intent to build a new public works facility versus continuing in the present facility, the following vote was taken:

* Ayes: Commissioners Johnson, LaBrecque, Leadbetter.

Nays: Mayor Pro Tem Berube. Commissioners Acocks, Constance.

The motion was not carried.

A report and recommendation from the City Manager, regarding bids for water service line replacement, was read. It was moved by Commissioner Constance, supported by Commissioner Leadbetter, and carried to accept the City Manager's recommendation to award the bids for the correction of the 59 freeze-up problems, the six low pressure services, and the North Front Street low pressure service to Swick Plumbing & Heating in the amount of \$177,000 and to appropriate \$39,000 from the bond proceed carryover amount to supplement the existing appropriation of \$138,000. It was then moved by Commissioner* Coyne, supported by Commissioner Johnson, and carried to set the regular meeting on August 25 as the time and date for a public hearing on the special assessment for water pressure correction at 801, 803, and 805 North Front Street and 114 West Prospect Street.

A report and recommendation from the City Manager, regarding an amendment to the type II solid waste transfer contract with Peninsula Sanitation, was read. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried to approve amendment #1 to the Type II solid waste transfer contract with Peninsula Sanitation and to authorize the Mayor and City Clerk to execute it.

Mayor Pro Tem Berube then announced that this was the time set to discuss rescheduling the work session on the final report of the Water and Sewer Department Review Committee. It was agreed to hold this meeting at 7:00 p.m. on Thursday, September 11 in the Commission Chambers.

Mayor Pro Tem Berube said that this was the time set for a status report on the appraisal of the Osterberg property. City Manager Svanda said that only one estimate for an appraisal has been received, and that one other is expected. There was a discussion of the advisability of this project and whether or not the appraisal should be done. It was agreed that the appraisal should be done so that the value of the property can be determined even if the proposed project is not carried out.

*Ayes and Nays should be switched.
** Should be Commissioner Constance. (these amendments made August 25, 1986)

It was then moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried to adopt the consent agenda as follows:

A. Adoption of a commitment resolution with the Michigan Municipal Bond Authority for water and sewer line replacement bonds.

WHEREAS, the Issuer is authorized by law to borrow money and issue its bonds or notes ("Bonds"); and
WHEREAS, the issuance of the Bonds will serve a public purpose;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Issuer shall borrow and issue Bonds to be purchased by the Michigan Municipal Bond Authority for the purposes, in the amount and subject to the terms and conditions set out in Exhibit A hereto.
2. This Resolution shall be effective immediately upon adoption.

B. Approval of the following two resolutions:

BE IT RESOLVED that the City Treasurer is authorized and directed to file a Notice of Intent to Issue an Obligation with the Michigan Department of Treasury regarding the Michigan Transportation Fund Bonds, Series 1986, to be issued by the City of Marquette in the principal amount of not to exceed \$400,000, and to pay the filing fee of \$100.

BE IT RESOLVED that the City Treasurer is authorized and directed to file a Notice of Intent To Issue an Obligation with the Michigan Department of Treasury regarding the Water Supply and Sewage Disposal System Revenue Bonds, Series 1986, to be issued by the City of Marquette in the principal amount of not to exceed \$800,000, and to pay the filing fee of \$400.

C. Award of the bid for Lower Harbor slope improvements to the low bidder, Oberstar Excavating, in the amount of \$18,485.

D. Award of the bid for air, oil, and fuel filters to the low bidder, Fabco Equipment, in the amount of \$3,838.21.

E. Award of the bid for a condenser for the Lakeview Arena to the low bidder, Elliott Sheet Metal of Gwinn in the amount of \$7,760.

Mayor Pro Tem Berube then reappointed Mike Rublein to a new term on the Lakeview Arena Advisory Board and said that there was still another opening on this board.

The Commission then scheduled the following work sessions; with the Marquette Public School Board at 7:00 p.m. on Thursday, October 9 in the Commission Chambers, with the Village Development Coordinating Committee and utility companies on Thursday, October 16 at 7:00 p.m. in Commission Chambers, and

with the Public Works Advisory Board on Thursday, October 23 at 7:00 p.m. in Commission Chambers.

Commissioner Acocks said that the minutes of the July 28 meeting indicate that the Commission would not consider the agreement regarding the Rosewood Inn unless the appeal had been dropped by Friday, August 1. City Attorney Martin said that the action tonight was appropriate.

Commissioner Constance asked that one of the Commissioners voting in the prevailing side on the purchase of a building for the Public Works Department reconsider the vote on that motion, however, no one responded to his request. He said that Mr. Taccolini's request to open the cemetery gate was reasonable and requested a staff report for the next meeting. He said that some of the Commissioners have been involved in bidding a City construction project and that from the experience he is gaining, he feels the City's bidding procedures should be changed. He asked why there were no bids for the maintenance contract for the Bluff Street parking structure. Purchasing Agent Ron Cardone discussed the lack of bids.

Commissioner Johnson commended the Little League for a good tournament last weekend, said that there are bicycles going the wrong way against traffic all over the City, said that the majority of the property along Lakeshore Boulevard is well-kept and attractive except for the L.S. & I. property near Presque Isle Park, said that the newsstands on the sidewalk in front of the post office are causing congestion, asked about the dead end streets off of McClellan Avenue, and asked if the pavilion at Presque Isle Park was still going to be moved this summer.

City Manager Svanda said that bids would be taken for moving the pavilion yet this summer.

Commissioner LaBrecque said that the portion of Presque Isle Park known as the Neck of Presque Isle needs more toilets and said that there were many complaints about the non-functioning toilets last weekend.

Commissioner Leadbetter said that if people are having problems with traffic at the post office, they are in too much of a hurry.

Commissioner Berube said that there should not be any bikes on the sidewalks downtown.

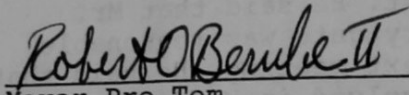
There were no citizens wishing to address the Commission.

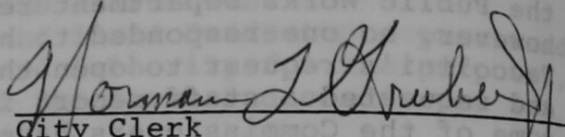
It was then moved by Commissioner Johnson, supported by Commissioner Acocks, and carried with no dissent to go into closed session to discuss collective bargaining agreements. The Commission recessed to closed session at 8:35 p.m.

The Commission returned to open session at 8:59 p.m.

A report and recommendation from the City Manager regarding approval of a collective bargaining agreement with City Hall Technical and Clerical Employees AFSCME Local 1852 was read. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to concur in the recommendation, approve this agreement, and authorize the Mayor and City Clerk to execute it.

The meeting was adjourned at 9:01 p.m.


Mayor Pro Tem
Robert O. Berube II


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, August 25, 1986

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, August 25, 1986 in Commission Chambers of City Hall.

PRESENT: Mayor Coyne. Commissioners Acocks, Berube, Constance, Johnson, Leadbetter.
ABSENT: Commissioner LaBrecque.

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

It was then moved by Commissioner Acocks, supported by Commissioner Berube, and carried to approve the minutes of the closed meeting held on August 11, 1986. Commissioner Constance noted two corrections to the minutes of the regular meeting on August 11. It was moved by Commissioner Berube, supported by Commissioner Leadbetter and carried to approve the minutes of this meeting as corrected.

Total bills payable in the amount of \$22,425.21 for the 1985-86 fiscal year and \$330,279.38 for the 1986-87 fiscal year were presented. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried to pay these bills with the exception of the one to Loretta's Craft Corner in the amount of \$3.48. It was then moved by Commissioner Berube and supported by Commissioner Johnson 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 Coyne. Commissioners Berube, Constance, Johnson, Leadbetter.

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

During the time set for announcing additional agenda items, Mayor Coyne moved item 8 to the end of the agenda to allow going into closed session to discuss this item. He also suggested discussing two items of pending litigation in closed session. Commissioner Constance said there was a third item of pending litigation to be discussed. Mayor Coyne also added item 13, three letters that he had received.

Mayor Coyne then made the following proclamation:

August 25, 1986

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BILL GREEN DAY

WHEREAS, Bill Green has been a volunteer, the manager, and the principal driving force for the St. Vincent DePaul Society for a period in excess of twenty years, and;

WHEREAS, Bill has served as a member of the Marquette Housing Commission for six years, a director of the Nu-Way House for nine years, and a member of the East End Coalition for Emergency Services, and;

WHEREAS, Bill, along with Dr. Robert Kulisheck, initiated the Save the Janzen Hotel movement, and;

WHEREAS, Bill has chosen to retire from his commitments to the community so that he can spend more time with his family and personal life, and;

WHEREAS, these and countless other services that Bill has given to the community and citizens of Marquette deserve our recognition of him as a very special human being and servant of his fellow man,

NOW THEREFORE I, J. MICHAEL COYNE, MAYOR OF THE CITY OF MARQUETTE, MICHIGAN, DO HEREBY PROCLAIM Monday, September 1, 1986 as BILL GREEN DAY in the City of Marquette so that all the citizens may recognize him, and do urge all of my fellow citizens to join with me in congratulating him for his life of service and thanking him on behalf of all whose lives he has touched and helped.

Mayor Coyne then announced that this was the time set for a public hearing on a special assessment district for water improvements on North Front Street. Bill Cram and Joe Winter addressed the Commission saying that they preferred the option that would have the City bring the water to their property lines and allow them to pay for constructing it from there into their homes. The hearing was closed. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried to adopt option 1 as presented by the City Engineer for the construction of this project and assessment method 6 as presented by the City Engineer as the method of paying for the improvements with the property owners who wish to utilize the City's contractor at their own expense for doing their share of the work being permitted to do so. It was then moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried not to approve this project as a special assessment district.

During the time set for citizens wishing to address the Commission, Bill Cram, 803 North Front Street, thanked the Commission for their action on the water improvements.

A communication from the City of Grosse Pointe Woods, regarding federal tax revision proposals, was read. There was no action.

A communication from the Downtown Development Authority and another from the Downtown Marquette Association, regarding three articles in the Mining Journal about the downtown improvement, were read. Commissioners agreed that it was important to take a positive attitude towards the downtown improvement project.

A communication from the Planning Commission, regarding a variance and conditional use permit for a duplex in the condemned structure at 425 North Fourth Street, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to instruct the City Administration to draft an agreement with Mrs. Guelff incorporating the recommendations of the Board of Zoning Appeals and Planning Commission and to present this to the Commission at the next meeting.

A report and recommendation from the City Manager, regarding the construction permit application for the new sanitary landfill in Sands Township, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried to concur in this recommendation, to withdraw the City's present application, to prepare responses to the comments made on this application, and to resubmit the application when it is ready. Commissioners agreed that the City should go to every length possible to protect the environment and to convince citizens of the County that this is the City's goal.

A report and recommendation from the City Manager, regarding an application for State of Michigan Equity Grant Funds, was read. Following a discussion regarding the various projects that had been identified as candidates for this grant application, it was moved by Commissioner Acocks, supported by Commissioner Berube, and carried to direct the City Manager to investigate and report on the feasibility of applying for further funding for the Neck of Presque Isle Project and the identification of a possible project in the Lower Harbor Park that could be funded by this grant money.

A report and recommendation from the City Manager, regarding a solid waste disposal agreement with Marquette Township, was read. City Manager Svanda reported that this agreement is consistent with the policies established for such agreements. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried to approve the agreement with Marquette Township and to authorize the Mayor and City Clerk to execute it.

A report and recommendation from the City Manager, regarding a change in the scope of work in the McClellan Avenue project, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to concur in the City Manager's recommendation that the scope of the McClellan Avenue Project be enlarged and altered, to approve amendment B to the preliminary engineering agreement with Sundberg, Carlson, and Associates, and to authorize the Mayor and City Clerk to execute it on behalf of the City.

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

- A. Approve the agreement between the Marquette Transit Authority, the City, and the Michigan Municipal Employee's Retirement System to transfer \$8,355.54 from the City Accumulation Fund to the Transit Authority Accumulation Fund and authorize the Mayor and City Clerk to execute it.
- B. Concur in the City Manager's recommendation to keep the pedestrian gate open at the cemetery during the daytime.
- C. Concur with the City Manager's recommendation to award the bids for cleaning, televising, and root control in the sanitary sewer system to Great Lakes T.V. Seal of Green Bay, Wisconsin, the low bidder.
- D. Approval of a 24-Hour liquor license for Marquette General Hospital at the Tourist Park on September 6, 1986.

Mayor Coyne then said that he had received the following letters. The first was a letter from Frazier, Michigan complimenting the City on the Olympic Training Site and having a very hospitable environment. The second was a letter from Mayor Mochida of our Sister City Yokaichi thanking us for our hospitality during their recent visit here. The third was a letter from the Department of Natural Resources saying that the Little Presque Isle Campground Project is being advanced in the Natural Resource Trust Fund grant application process.

Commissioner Leadbetter announced that he is a new and very proud grandfather.

Commissioner Johnson said she had received many calls regarding the cemetery saying that there should be no children there, that it is not a through street, and that there is too much vandalism there. She said that the road to Presque Isle has been repaired, as has the railroad crossing on Third Street. She said the tall grass at the corner of Michigan and Pine Streets had been taken care of, that the water slide proposed for Shiras Pool is being carefully examined, that geese are still a serious problem around town, that she had received an irate call about the number of skunks in town, and that the Lower Harbor Park looks very good.

Commissioner Constance said that there should be "Don't Feed the Geese" signs at Presque Isle Park and asked if it was

advisable to cut 20 trees at the park in order to move the pavilion. Following a lengthy discussion, it was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to ask for a report from the Administration on the advisability of fixing the pavilion and to delay the bidding for moving it to a different location. Commissioner Constance also asked how the bidding process is going for the East Arch Project, said that Mr. L'Huillier's property at Hurley Field is still being damaged during ballgames, but that it was good that the City had contacted the L'Huilliers regarding liability for this damage, and that funds will be generated from user fees at that field to start renovation on it during the coming fiscal year.

Commissioner Berube asked the Administration for a recommendation on policies as to how far a contractor could rod into a City sewer. He said that geese are causing a big mess at Presque Isle Park, and that something should be done to prevent them from returning next year. He said the Triathlon held last weekend had been an excellent event with good competition and dedicated workers. He gave special praise to Assistant City Manager Maurice Evans for his work on this project. He said that the U.P. Steelheaders are rebuilding the launch ramp dock in the Upper Harbor Marina.

Commissioner Acocks said that she is concerned about drainage from the Veteran's Center onto the bypass and thanked business people from throughout the City for their work on beautification efforts this summer.

Mayor Coyne said that the Triathlon had been a good effort on the part of the many volunteers and noted the Rotary Club sponsored the Seafood Fest in the Lower Harbor on September 6 and 7. He responded to an article in the Free Press on vandalism and said that the Police Department in Marquette is not lax. City Manager Svanda said that an appraisal firm has been retained to complete the appraisal of the Osterberg Property and that this should be ready soon.

There were no citizens wishing to address the Commission.

It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to go into closed session to discuss labor negotiations and three possible litigation situations. The meeting was recessed to closed session at 8:40 p.m.

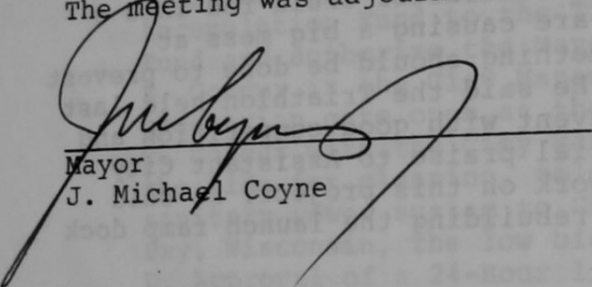
The open meeting was reconvened at 9:14 p.m. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to approve the labor agreement with the Public Works Department, Water and Sewer Department, and Parks and Recreation Department Employees, and Supervisors AFSCME Local 1852 as presented and to authorize the Mayor and City Clerk to execute it.

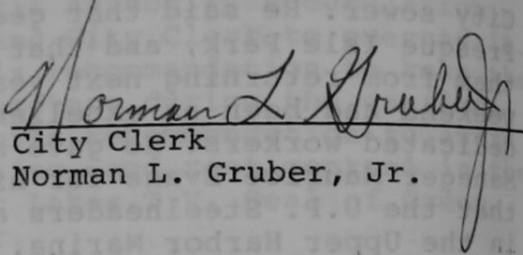
It was then moved by Commissioner Berube, supported by Commissioner Constance, and carried to authorize the City Attorney to prepare a petition for judicial review of the Public Health Department's denial of the water filtration variance for the City of Marquette.

It was then moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to authorize the City Attorney to prepare an appeal to the Michigan Supreme Court on the Board of Light and Power lawsuit.

Mayor Coyne then appointed Ron LaBonte to the Public Works Advisory Board for a term expiring June 9, 1989 and noted that there is an opening on the Housing Commission.

The meeting was adjourned at 9:16 p.m.


Mayor
J. Michael Coyne


City Clerk
Norman L. Gruber, Jr.