

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, January 12, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, January 12, 1987 in Commission Chambers of City Hall.

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

It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to approve the minutes of the December 29, 1986 Commission meeting with corrections to the terms of office of the Water and Sewer Utility Advisory Board and to the name of Laurie Weesen.

Total bills payable in the amount of \$394,798.44 were presented. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried unanimously to pay these bills as presented.

During the time set for announcing additional agenda items, Commissioner Constance asked that discussion of the Lakeview Arena Smoking Policy be added to item 5.

Mayor Berube then made the following proclamation:

Martin Luther King, Jr. Day

WHEREAS, the United States Congress has designated Monday, January 19, the Birthday of Dr. Martin Luther King, Jr., as a national holiday; and

WHEREAS, this designation by Congress is a fitting tribute to honor Dr. King, an extraordinary man who has made a significant impact on social change within our country; and

WHEREAS, Dr. King brought social change through peaceful and non-violent means as he sought equality for minorities in the United States and brought to light the racial discrimination that exists in our country; and

WHEREAS, he also spoke about our obligations to the poor and of his dreams to make our country a better place to live, regardless of one's race; and

WHEREAS, through his efforts our nation has been changed;

THEREFORE, I, Robert O. Berube, II, Mayor of Marquette, do hereby proclaim January 19 as Dr. Martin Luther King, Jr.

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Day in our City, and urge all citizens of our community to honor and reflect upon his ideals and strive to convert his dreams into our reality.

Mayor Berube then announced that this was the time set for a report on the City Commission goal setting session held last Friday and Saturday in Escanaba. City Manager Svanda said that the intent of the session was to help the Commissioners develop common goals and to place these goals in written form for use in decision-making by the Commission, advisory boards, and the City administration. He said that it was intended to set these goals before the budget development sessions which are upcoming and to use them as a guide during the budget development. He said a final written report will be available in two to four weeks. Commissioner Acocks said that the session had been very enlightening and that group discussion in an informal setting aids in the Commissioners' understanding of each other's goals. Commissioner Constance said that the session had been useful for long-range planning and had helped Commissioners learn the decision making process. Commissioner Leadbetter said that the Commissioners could get to know each other better and air the issues informally and that this was conducive to good government. Mayor Berube said that the session had also revealed the excellent capabilities of the City staff who are already working in many of the areas discussed.

During the time set for citizens wishing to address the Commission, Greg Bukema asked to speak on item 5. Mike Rublein said that as a Lakeview Arena Advisory Board member he is concerned about the smoking policy at the Arena. John VanBeynens asked three questions about enforcement of the smoking ordinance. John Taylor asked to speak on item 5. John Braamse asked if the smoking ordinance is applicable in the National Guard Armory. Mayor Berube said these questions would be answered under agenda item 5.

A communication from Sands Township, requesting a joint meeting between the City Commission and the Township Board to discuss the landfill issue, was read. Commissioners agreed that a work session would be held at 7:00 p.m. on Wednesday, January 14.

A communication from the City Planning Commission, regarding the adoption of the Master Plan Amendment for the Lower Harbor Redevelopment Plan, was read. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried unanimously to review this plan at the next City Commission meeting.

A report from the City Manager on the status of the no smoking ordinance was read. Greg Bukema addressed the Commission saying that he feels that one of the Donor's Rooms should be available for smoking at the Lakeview Arena. Commissioner Coyne said that the City of East Lansing had taken five and a half months to develop and implement their no smoking ordinance but that in

Marquette we had to develop our ordinance much more quickly so that it would tie into the Michigan Clean Air Act. He said it is not the intent of the City to issue tickets for smoking but that an educational effort is needed to tell people where they can smoke and to convince them not to smoke. He said members of the No Smoking Task Force would help. He said that since the Arena is a public building, there is no requirement to have a designated smoking area in it, however, the Arena management has the authority under the law to designate a smoking area. He said this area must be properly vented and that the Donor's room which is being used for smoking is not. He suggested that equipment to properly ventilate it could be added on a user fee basis. John VanBeynens asked if Bingo in Church-owned buildings is covered by the ordinance. He was told that it was. He asked when citations will be issued and who will receive the citations. He was told that Police are responding on a complaint basis at this time and that either the smoker or the building owner or manager will receive the citation depending on who is not complying with the ordinance. City Attorney Martin said that the ordinance has no jurisdiction in federal or state facilities and that the Michigan Clean Air Act will have to apply in those locations. Commissioner Johnson said that the Arena situation should be resolved before the next hockey games. City Manager Svanda said that staff would be working on it before then. There was a general discussion over whether smokers and/or non-smokers have rights to their position. Commissioner Coyne said that the Arena should be run as a business and that it has to both meet the law and satisfy its customers.

A report and recommendation from the City Manager, regarding a retired employees pension benefit enhancement, was read. It was moved by Commissioner Constance, supported by Commissioner Coyne, and carried unanimously to concur with the City Manager's recommendation and not grant any pension enhancement at this time. Commissioners agreed that, although this could not be afforded in the present budget, it should be brought up at budget time and that there should be an outreach program in the meantime from the Senior Citizens Center on assistance available for retired persons.

A report and recommendation from the City Manager, regarding appointed Boards and Commissions, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to adopt the guidelines for advisory boards and commissions as presented.

A report and recommendation from the City Manager, regarding a use agreement with the Marquette Exchange Club for the Lower Harbor Park International Food Festival, was read. Commissioner Coyne said that the agreement should be amended to require signs limiting consumption of alcohol to persons over 21 years of age and to limit access to the area where alcohol is being sold to those over 21. It was moved by Commissioner Constance,

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supported by Commissioner Acocks, and carried unanimously to approve the use agreement with the changes suggested by Commissioner Coyne and to authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

A report and recommendation from the City Manager, regarding re-application for the Federal Flood Insurance Program, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur in the recommendation, to approve the following resolution, to approve the intergovernmental agreement, to authorize the Mayor and City Clerk to execute these resolutions and agreements, and to authorize an application for participation in the Federal Flood Insurance Program. The following resolution was adopted:

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. Assure 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.

Commissioner Leadbetter encouraged non-smokers in the City to be politely vocal in demanding that restaurants follow the no smoking ordinance.

Commissioner Johnson said she had received calls about a dangerous situation at the Ridge and McClellan intersection. She congratulated Captain Dishno on his appointment and noted the letter of commendation from the County Sheriff to the Police and Fire Departments.

Commissioner Coyne asked if the recommendations for safety improvements at the Magnetic/Presque Isle intersection will be implemented. City Manager Svanda said they would be. Commissioner Coyne also said that there were many Christmas trees on the streets and noted that they will not be picked up by the City but must be taken to approved disposal sites. He said that the undertakers in the City are concerned about not being able to inter bodies during the winter and asked for a report on it at the next meeting.

Commissioner Constance said that the goal setting session this weekend had resulted in goals for 1991. He said that the goals will require more revenue for the City and asked citizens to indicate whether they prefer to have taxes raised or to reallocate existing taxes.

Commissioner Acocks asked when the budget planning sessions will be scheduled. City Manager Svanda said the schedule will be available soon. She also noted a complaint about the poor street lighting on Washington Street west of Rublein Street. Public Works Director Etelamaki said that some improvement will be done as part of the McClellan Project.

Mayor Berube congratulated City resident John Wagner, saying that he had received notification that the Michigan Legislature had adopted a resolution paying tribute him upon being elected President of the National Young Tire Dealer's Association. He said that he had also received a letter containing New Year's greetings from Mayor Yochida of Yokaichi, Japan and a letter from the County Sheriff regarding excellent work by the Fire Department on an evacuation plan at the jail. He also noted the following promotions within the Police Department:

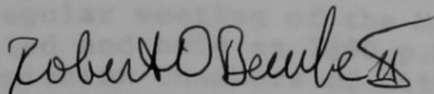
- Detective Sergeant Sal Sarvello to Detective Lieutenant.
- Sergeant Tom Knapp to Uniform Lieutenant.
- Corporal John Fawcett to Detective Sergeant.
- Corporal Fran McCarthy to Sergeant.
- Patrolman Phil Seigert to Corporal and Patrolman Mike Angeli to Liason Corporal.

He thanked citizens present for their calm and clear approach to the discussion of the smoking ordinance the Lakeview Arena.

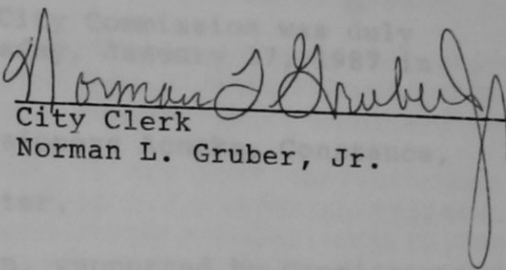
During the time set for citizens wishing to address the Commission, Jean Suckow thanked the Commission for their efforts to improve safety at the Washington/Rublein intersection. Paul Menhennick, President of the Marquette Exchange Club, thanked the City Commission for approving the agreement for the International Food Fest. Commissioner Coyne

thanked the Exchange Club for their sponsorship of this program which does a great deal for the community.

The meeting was adjourned at 8:20 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

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

It was moved by Commissioner Johnson, supported by Commissioner Anocks, and carried to approve the minutes of the January 11, 1987 meeting as presented.

Total bills payable in the amount of \$273,551.52 were presented. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to pay these bills as presented with the exception of the one to Mayor Berube in the amount of \$13.33. It was then moved by Commissioner Johnson and supported by Commissioner Constance to pay the above excluded bill and to allow Mayor Berube to abstain from voting. The following vote was taken:

- Ayes: Commissioners Anocks, Constance, Coyne, Johnson, Sciotto.
- Nays: None.
- Abstentions: Mayor Berube.

The motion was carried.

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

Mayor Berube made the following proclamation:

Father Marquette Day

WHEREAS, the Upper Peninsula Catholic Historical Association has grown from a handful of people since early 1975 to 77 members; and

WHEREAS, the Association is dedicated to the gathering, preservation, and publication of the Catholic history of the Upper Peninsula; and

WHEREAS, the Association is the only such organization in the Upper Peninsula and will be dedicating a historical marker on May 21, 1987, to honor Father Jacques Marquette, the Jesuit priest and explorer of which the City of Marquette was named after;

thanked the Exchange Club for their sponsorship of this program which has been a great benefit for the community. The meeting was adjourned at 8:30 P.M.

[Handwritten signature]
Mayor

Robert O. Schuler, City Clerk
Norman L. Grover, Jr., City Clerk

This meeting was held for the purpose of discussing the proposed changes to the City Charter and the City Code. The meeting was held in the City Auditorium on January 13, 1987.

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Mayor Schuler thanked the Michigan Legislature for their support of the City of Marquette. He also thanked the Fire Department for their excellent work in the past year. He also thanked the Police Department for their excellent work in the past year.

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, January 27, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, January 27, 1987 in Commission Chambers of City Hall.

PRESENT: Mayor Berube. Commissioners Acocks, Constance, Coyne, Johnson, Sciotto.

ABSENT: Commissioner Leadbetter.

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

It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to approve the minutes of the January 12, 1987 meeting as presented.

Total bills payable in the amount of \$293,652.82 were presented. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to pay these bills as presented with the exception of the one to Mayor Berube in the amount of \$15.33. It was then moved by Commissioner Johnson and supported by Commissioner Constance to pay the above excluded bill and to allow Mayor Berube to abstain from voting. The following vote was taken:

Ayes: Commissioners Acocks, Constance, Coyne, Johnson, Sciotto.

Nays: None.

Abstention: Mayor Berube.

The motion was carried.

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

Mayor Berube made the following proclamation:

Father Marquette Day

WHEREAS, the Upper Peninsula Catholic Historical Association has grown from a handful of people since early 1976 to 77 members; and

WHEREAS, the Association is dedicated to the gathering, preservation, and publication of the Catholic history in the Upper Peninsula; and

WHEREAS, the Association is the only such organization in the Upper Peninsula and will be dedicating a historical marker on May 31, 1987, to honor Father Jacques Marquette, the Jesuit priest and explorer of which the City of Marquette was named after;

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NOW, THEREFORE, I, Robert O. Berube II, Mayor of Marquette, do hereby proclaim May 31, 1987, as FATHER MARQUETTE DAY in the City of Marquette and urge all citizens to recognize this worthy dedication that will be taking place in Father Marquette Park that day.

During the time set for citizens wishing to address the Commission, Tom Martin and Harold Malette both asked to speak on item 14.

A communication from the St. Michael's Home and School Club requesting approval of a 24-hour liquor license was read. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried that the request from the St. Michael's Home and School Association for a 24-hour liquor license at the Marquette Armory on February 14 be approved.

A communication from the Chocolay Township Lion's Club requesting support from the City Commission in the Club's bid to hold the 1989 U.P. Lion's Convention in Marquette, was read. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried that the City Commission support this bid and authorize the administration to write a letter indicating this support.

A communication from Karen Johnson, regarding temperature in the Donor's Room at Lakeview Arena, during an auction on January 18, was read. A memorandum from Butch Runstrom, Arena Manager, was also read. No action was taken.

A communication from the Public Works Advisory Board, making recommendations about changes in the Public Works budget, was read. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to schedule a work session with the Public Works Advisory Board to discuss these recommendations. Commissioners agreed that this work session would be held at 7:00 p.m. on Tuesday, February 10, 1987 in the Commission Chambers.

A recommendation from the Planning Commission, regarding adoption of the Lower Harbor Redevelopment Plan, was read. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to concur with the action of the Planning Commission in adopting the Lower Harbor Redevelopment Plan as a chapter of the City Master Plan.

A communication from Marquette General Hospital, requesting the scheduling of a public hearing on a rezoning at the Hospital, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to set the regular Commission meeting on February 9, 1987 as the time and date for a public hearing on an amendment to the Hospital's planned unit development zoning district.

A recommendation from the Harbor Committee, regarding 1987 boating rates, was read. It was moved by Commissioner Constance, supported by Commissioner Coyne, and carried to establish the mooring, daily and seasonal launch privileges, transient mooring, and pump-out rates as recommended.

Mayor Berube announced that this was the time set to schedule a work session on the 1985-86 audit. The Commissioners agreed that Monday, February 16, 1987 at 5:00 p.m. in Commission Chambers would be a good time for this meeting.

A report and recommendation from the City Manager, regarding an agreement with Sands Township concerning solid waste landfill siting activities, was read. It was moved by Commissioner Johnson and supported by Commissioner Acocks to approve the action plan as presented by the Administration and to authorize the Administration to act in accordance with its provisions. The following vote was taken:

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

Nays: Commissioner Constance.

The motion was carried.

Commissioners agreed to schedule a work session with Sands Township for 7:00 p.m. on Wednesday, February 4, 1987 in Commission Chambers.

A report and recommendation from the City Manager, regarding adoption of the City of Marquette five-year strategic plan, was read. Commissioners agreed that a public hearing on the plan should be held and that it should be held at the Commission's first work session on development of the 1987-88 budget.

A report and recommendation from the City Manager, regarding the 1987-88 budget development schedule, was read. Following a discussion regarding scheduling conflicts, it was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to approve the budget development schedule with the exception of the meeting set for April 16, 1987 and to schedule a special meeting for 7:00 p.m. on February 18, 1987 to begin discussions on budget development and to hold a public hearing on the proposed five-year strategic plan. Commissioner Constance then requested that the audit work session and the initial budget work session be switched so that he could attend the budget work session. Commissioners agreed that the initial budget work session and public hearing on the proposed five-year strategic plan would be held at 5:00 p.m. on Monday, February 16, 1987 in Commission Chambers of City Hall and that the work session with the auditors on the 1985-86 audit would be held at 7:00 p.m. on Wednesday, February 18 in Commission Chambers of City Hall.

A report and recommendation from the City Manager, regarding revision of printing and publishing practices, was read. It was moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried to schedule a public hearing for the next Commission

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meeting on the proposal to stop publishing the minutes of the Commission meeting. Commissioner Coyne said that the hearing should also address the proposal for a Charter amendment to change this practice.

A report and recommendation from the City Manager, regarding bids for a four-wheel drive tractor/loader backhoe, was read. Tom Martin, representing Lakeshore, Inc., said that the City should buy the Case unit bid by Lakeshore even though the price was higher initially because in the long run it would save the City money. Harold Malette, representing Malette Construction Company of Sault Ste. Marie, said that the City should buy the unit that his company had bid because it was the low bid and the equipment was just as good as the equipment bid by Lakeshore. It was moved by Commissioner Acocks and supported by Commissioner Constance to award the bid to Malette Construction at the low bid amount of \$36,894.00. A lengthy discussion followed, during which Public Works Advisory Board members Joe LaBrecque and Peter O'Dovero addressed the Commission regarding their recommendation to buy the more expensive equipment from Lakeshore, Inc. City Manager Svanda, City Attorney Martin, Public Works Superintendent Lawry, and Assistant Public Works Superintendent Gagnon all answered questions regarding the bidding procedures and the equipment proposed by the two bidders. The following vote was taken on the motion to award the bid to Malette Construction.

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

Nay: Commissioner Johnson.

The motion was carried.

A report and recommendation from the City Manager, regarding cemetery operations, was read. No action was taken.

A report and recommendation from the City Manager, regarding a liquor license transfer for Ten O'Clock Charlie's from 521 North Third Street to 517 North Third Street, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to approve this transfer as proposed.

Mayor Berube then made the following appointments:

PARKS & RECREATION ADVISORY BOARD: John Rutherford and Laurie Weesen to new terms expiring January 29, 1990.
ECONOMIC DEVELOPMENT CORPORATION: Tony Kroncich reappointed to term expiring January 1, 1993.
DOWNTOWN DEVELOPMENT AUTHORITY: Rose Tourville reappointed and William Hetrick appointed to terms expiring January 12, 1991.
BOARD OF REVIEW: Lyle Argetsinger to a term expiring February 1, 1990.
PLANNING COMMISSION: Fred Joyal, Michael Pond, and Howard McKie reappointed to terms expiring February 15, 1990.

Commissioner Acocks said that the trip to visit the incinerator on Saturday had been a very long trip but a worthwhile one and that having an incinerator should be a goal for the entire community. She said that it had been a real pleasure to attend the Sesquicentennial Ball last night and that she and her husband were thrilled with the event.

Commissioner Constance asked for an update on the Arena's smoking policy. City Manager Svanda said that no suitable place had been found in the building to allow smoking and, therefore, there would be no smoking in the Arena.

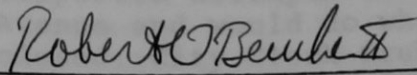
Commissioner Coyne asked if changes were made and money available, if an area in the Arena could be made suitable for smoking. City Manager Svanda said yes, it would require the expenditure of funds and that would be looked at during the upcoming budget development. Commissioner Coyne also said that planning is proceeding for the visit of the American Wind Symphony this summer and that it would be a great summer in Marquette with many excellent activities taking place throughout the summer.

Commissioner Johnson said she had received many calls on the smoking ordinance, both pro and con. She noted complaints about people skate-skiing on the fit strip ski trail, noted that the book Reaching Out, the history of the Marquette Rotary Club, was an excellent background book on the Marquette area, said she had received lots of complaints about dogs running loose, and complimented Peter O'Dovero on his swift demolition of St. John's Church.

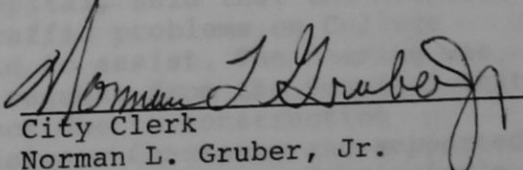
Commissioner Sciotto asked questions about the Water Department freeze index. City Manager Svanda explained how the index is used.

During the time set for citizens wishing to address the Commission, Ed Faccio, Business Agent for the AFSCME Union, said that City employees are all very concerned that in making mid-year budget adjustments just after approving new three-year labor contracts the City Commission was not acting in good faith.

The meeting was adjourned at 9:13 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

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Commissioner Johnson said that the trip to visit the...
on Saturday had been a busy day but a worthwhile one and
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labor contracts the City...
The meeting was adjourned...
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Robert O. Berube II
Mayor
Norman J. Guber, Jr.
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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, February 9, 1987

A regular meeting of the Marquette City Commission was duly called and held on Monday, February 9, 1987 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: None.

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

Total bills payable in the amount of \$84,605.60 were presented. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried unanimously to approve these bills as presented.

During the time set for announcing additional agenda items, Commissioner Coyne asked that item 8, a communication from the County Commission regarding solid waste be added. Mayor Berube added item 9, appointments to various boards and committees.

Mayor Berube then presented a citizen award to Thomas Bunnow of K.I. Sawyer Air Force Base, who participated in the rescue of a drowning woman on August 3, 1986 near Shiras Park. Mayor Berube said that Mr. Bryan Almers of Canada had also participated in this rescue, however, he had not been able to return from Canada for this presentation. Mr. Bunnow said that he thanked God for making it possible for him to participate in this rescue and to receive this award.

Mayor Berube announced that this was the time set for a public hearing on an amendment to the Marquette General Hospital Planned Unit Development Zoning District. Dave Forsberg said that he was not opposed to the expansion but was concerned about traffic problems on College Avenue. He made several suggestions as to what could be done to alleviate these problems. Bill Nemacheck, representing Marquette General Hospital, said that the Hospital supported attempts to alleviate traffic problems on College Avenue and would do what they could to assist. The hearing was closed. City Clerk Gruber noted a request from the Hospital that this amendment take immediate effect due to construction timetables. It was moved by Commissioner Constance and supported by Commissioner Acocks to concur with the Planning Commission's recommendation and adopt the amendment to the Hospital's Planned Unit Development District. In response to questions from Commissioners, Mr. Nemacheck said that an overpass to a proposed building on the north side of College Avenue would have cost in excess of \$400,000, that the mobile services facility would only

receive traffic five or six times a month, that the doctor's parking will continue in the area west of the Hospital but the lot would be smaller, and that the Hospital would participate in resolving traffic difficulties. The following amendment to the Marquette City Zoning Ordinance was then adopted:
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AN ORDINANCE TO AMEND THE PLANNED UNIT DEVELOPMENT OF
MARQUETTE GENERAL HOSPITAL TO ALLOW CONSTRUCTION OF A MOBILE
SERVICES FACILITY

Mayor Berube then announced that this was the time set for a public hearing on a proposed revision of the City's printing and publishing practices. There were no citizens wishing to address the Commission. Commissioners discussed the few phone calls that they had received regarding this matter. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously that the publication of the City Commission proceedings be transferred to the Marquette Action Shopper. It was then moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to direct the City Attorney to prepare a Charter amendment for the November City Election eliminating the requirement that City Commission proceedings be published in a newspaper.

During the time set for announcing citizen comment, Dave Glass complained about rowdyism, vandalism, and noisy parties in the 100 block of West Ridge Street. Earl Yelle asked to speak on item 8. Commissioner Sciotto spoke at length saying that something has to be done about the locations in towns which are continual sources of irritation for the neighbors due to noisy parties and vandalism. He suggested re-writing the City's ordinances to require the property owners or managers to be at least partly responsible for problems in their buildings.

City Attorney Martin was directed to research and report on this matter at the next meeting. Mr. Martin spoke on measures that are taken in such circumstances currently.

Commissioner Coyne suggested, with concurrence of the remaining Commissioners, that item 8 be moved to just before item 4 on the agenda.

Mayor Berube announced that this was the time set to receive a communication from the Marquette County Board of Commissioners. County Commissioner Lowe presented this communication requesting that the County become a signatory to the interlocal agreement between the City and Sands Township. It was moved by Commissioner Leadbetter and supported by Commissioner Sciotto to table discussion on this request until the next regularly scheduled meeting. The following vote was taken:

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

It was then moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried unanimously to table consideration of the letter until the next meeting of the City Commission which is called to discuss the solid waste issue. Commissioner Coyne indicated that the Commission would probably hold a special meeting before the next regular meeting.

Earl Yelle presented the latest copy of the proposed interlocal agreement between the City and Sands Township. He said that Township Board will be considering it at the meeting tomorrow night. Commissioners agreed to hold a special meeting in Commission Chambers at 7:00 p.m. on Thursday, February 12 to consider the solid waste issue and meet with the Sands Township Board.

A recommendation from the City Planning Commission, regarding a rezoning at 310 West Washington Street, was read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously to set the next regular meeting as the time and date for a public hearing on this proposed rezoning.

A report and recommendation from the City Manager, regarding the Garfield Avenue/High School drainage problem, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to accept this recommendation and to set the regular Commission meeting on February 23 as the time and date for a public hearing on a proposed special assessment project to correct this problem.

A report and recommendation from the City Manager, regarding a temporary easement request from Closner Construction Company, was read. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously to concur with this recommendation, to approve a temporary easement 30 feet wide over City property north of Wright Street, and to authorize the Mayor and City Clerk to execute the agreement.

A report and recommendation from the City Manager, regarding the City's deferred compensation program, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to approve the following firms for participation in the City's deferred compensation program: E.F. Hutton & Company, Inc., Paine Webber, Integrated Resources Equity Corporation, and ICMA Retirement Corporation.

Mayor Berube then appointed, with the Commission's concurrence, David Hayes and Timothy Bennett to the Handicapped Citizens Advisory Board for terms expiring January 10, 1990 and Paul Marin and Steve Pelto to the Board of Zoning Appeals for terms expiring February 15, 1990. He noted that there is an opening for an alternate member on the Board of Zoning Appeals.

Commissioner Sciotto said he had received a phone call from a neighbor of Hurley Field who is very pleased with the maintenance

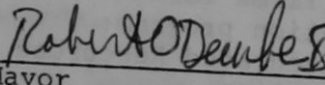
of the ice rink there this winter. He said that his calls regarding the smoking ordinance are running 20 or 25 to 1 in favor of the ordinance but that some of the smokers who have called have been very abusive. He said that the ordinance is intended to protect non-smokers, not to make smokers stop smoking.

Commissioner Johnson said that she had received a call from persons who had attended a Michigan State University hockey game in East Lansing and that there is no smoking or drinking in the MSU Arena. She said that she had received a call about a person who is concerned that C-Span is not shown in the evening, but was able to determine that it is shown on a different channel. She said she was happy to see the snow removed from the sidewalks downtown.

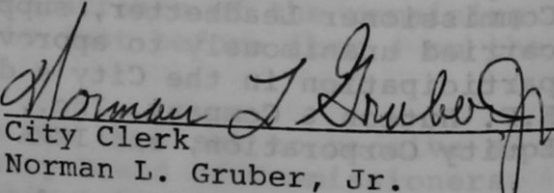
Commissioner Coyne complimented the Planning Department for their annual report and asked for an update on the City's efforts to encourage compliance with the smoking ordinance. Assistant City Manager Evans said that a letter had been sent to City restaurants, that he and other people will be appearing on a radio talk program soon, that a brochure will be sent out with the water and sewer bills explaining the ordinance, that there will be two educational conferences held at Northern Michigan University, and that a letter to local service clubs informing them of the availability of speakers on the no smoking ordinance has been mailed.

Commissioner Acocks asked if you could smoke in the lobby of a hotel in Marquette. City Attorney Martin said, no, you could not. Mayor Berube said that the City Commission had held seven meetings in five days on the solid waste issue and that they are doing their best to solve the problem. He said that it is necessary to develop a landfill regardless of whether or not incineration or recycling is implemented. He said Commissioners are keeping their minds open regarding recycling an incineration.

There being no citizens wishing to address the Commission, the meeting was adjourned at 8:32 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday, February 12, 1987

A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Thursday, February 12, 1987 in Commission Chambers of City Hall.

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

ABSENT: None.

Mayor Berube announced that this special meeting had been called to discuss the proposed intergovernmental agreement with Sands Township for the disposal of solid waste and the establishment of a joint Solid Waste Management Authority.

Mayor Berube asked if there were any other items to be added to the agenda. Commissioner Constance added a discussion about the worksession scheduled for next Monday night.

Mayor Berube asked what the Commission's pleasure was regarding intergovernmental agreement 2-12-87-2. Commissioner Coyne asked what the difference is between agreement 2-9-87 and 2-12-87-2. City Manager Svanda said that there are no major differences. He said that only minor changes were made to make a clearer document and that the new document is merely a cleaned up version.

Phillip Grasshoff, Attorney for Sands Township, pointed out sections of the agreement where steps were taken to modify the language to reflect the substance of the meeting with the East-West Authority. He said that most of the changes were only editorial to produce a better, clearer document. It was moved by Commissioner Coyne and supported by Commissioner Leadbetter to accept the intergovernmental agreement for the disposal of solid waste and the establishment of a joint solid waste management authority and to authorize the Mayor and City Clerk to execute it. Commissioner Constance asked that someone explain the letter that was received from the Marquette County Board of Commissioners at the beginning of the meeting. Following comments by Commissioners, City Attorney Martin suggested that the actual execution of the agreement be done tomorrow since today is a legal holiday. Commissioners Coyne and Leadbetter agreed to amend the motion to authorize the Mayor and City Clerk to execute the agreement on February 13 since today is a legal holiday. The following vote was taken:

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

Nays: Commissioner Constance.

The motion was carried.

Mr. Grasshoff noted that one change in the Articles of Incorporation will be made and said that he is in the process of

redrafting them to comply with Act 233 and that they will be submitted to the various entities next week.

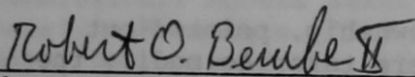
Commissioner Coyne asked questions regarding the establishment of a uniform rate per ton for all solid waste.

Mayor Berube announced that this was the time set to discuss agenda item 2, the worksession scheduled for next Monday night. Commissioner Constance asked if the meeting could be rescheduled to Sunday night since he would be out of town on Monday night. Following a discussion, it was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to cancel the worksession scheduled for Monday, February 16 and to reschedule it to 6:00 p.m. on Wednesday, February 18.

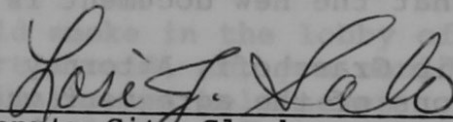
Mayor Berube then announced that this was the time set for citizens wishing to comment. County Commissioner Tim Lowe commented on a letter submitted to the City Commission by the County Commission outlining their proposal to become a signatory in the solid waste interlocal agreement in exchange for financial considerations.

Mayor Berube thanked Sands Township officials, the County Commission, and other various parties who have been involved in discussions regarding solid waste disposal.

The meeting was adjourned at 7:32 p.m.



Mayor
Robert O. Berube II



Deputy City Clerk
Lori J. Salo

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, February 23, 1987

A regular meeting of the Marquette City Commission was duly called and held on Monday, February 23, 1987 in Commission Chambers of City Hall.

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

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

It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried to approve the minutes of the February 9 regular and February 12 special Commission meetings as presented.

Total bills payable in the amount of \$ 358,909.04 were presented. It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried to pay the bills as presented.

There were no additional agenda items during the time set for announcing them.

Mayor Berube announced that this was the time set for a presentation by the Police Cadets Junior Hockey Team. Coach Hartley Larson presented the four Captains of the Police Cadets Bantam A Hockey Team, Tim Trudgeon, Brian Joseph, Jeff Hendra, and Mylan Koski. They presented a trophy that they had won at a tournament this winter to Mayor Berube. Mayor Berube thanked them for the presentation and said that everyone enjoys watching the youngsters of town play hockey.

Mayor Berube then opened a public hearing on a proposed rezoning at 310 West Washington Street. There being no one to speak at the hearing, it was closed. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried to concur with the recommendation of the Planning Commission and to rezone the northern portion of the former St. John's Church and Rectory Site from RG-General Residential to BG-General Business.

Mayor Berube then announced that this was the time and date set for a public hearing on a proposed special assessment district for the correction of Garfield Avenue drainage problems. There was no one to address the Commission. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to hold this hearing open until the regular Commission meeting on March 9, 1987.

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

A recommendation from the Investment Advisory Board was read. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to concur with the recommendation and to establish the 1987 special assessment interest rate at 9.5% except for special assessments in excess of \$10,000 charged to any one property owner which will be set at a rate commensurate with the financial exposure to the City but not less than 9.5%.

A recommendation from the Planning Commission, regarding an agreement with the American Legion Post 44 for the construction of a parking lot in Harlow Park, was read. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried to approve this agreement and to authorize the Mayor and City Clerk to execute it with the City Administration to meet with the American Legion to determine an appropriate term for the agreement. In response to questions, a representative of the American Legion said that they would perform the snow removal from the parking lot.

A recommendation from the Elections Board regarding removal of precinct delegate voting from primary election ballots was read. Following a discussion during which City Clerk Gruber answered questions about the Board's recommendation, it was moved by Commissioner Coyne and supported by Commissioner Acocks to not concur with the recommendation of the Elections Board and to so notify our State legislators. The following vote was taken:

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

Nay: Commissioner Sciotto.

The motion was carried.

A report and recommendation from the City Manager, regarding disposition of the East Baraga Avenue parking lot, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried to concur in the Manager's recommendation to authorize the Administration to pursue a mutually satisfactory resolution to this matter with the Soo Line Railroad Company and other affected interested.

A report and recommendation from the City Manager, regarding an ordinance to prohibit display parking along U.S. 41/M-28, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to concur with the City Manager's recommendation and to schedule a public hearing on this proposed ordinance for the next regular Commission meeting.

A report and recommendation from the City Manager, regarding an application for State of Michigan Clean Michigan Fund Grants, was read. It was moved by Commissioner Sciotto, supported by Commissioner Leadbetter, and carried to concur with the

recommendation and to adopt the resolution approving the application as follows:

WHEREAS, the State of Michigan, Department of Natural Resources has established a Clean Michigan Fund which provides funds for the closure of landfills; and

WHEREAS, the City of Marquette is an eligible applicant for funding under the Michigan Department of Natural Resources Clean Michigan Fund; and

WHEREAS, the City of Marquette has closed its Pioneer Road Landfill according to Act 641, P.A. 1978; and

WHEREAS, the City of Marquette has at a regular City Commission meeting on the above date considered an application to the Michigan Department of Natural Resources for the reimbursement of costs related to the closure of the landfill,

NOW, THEREFORE, BE IT RESOLVED,

That the City Commission directs the City Manager to make application to the Clean Michigan Fund for \$442,295.00 as a reimbursement to the City of Marquette, Michigan for costs incurred for the closure of the City's landfill, and further directs that the City Manager act as designated signatory in that regard.

Mayor Berube said that we should be in contact with County Commissioner DeFant since she is on the Board of the Clean Michigan Fund for her assistance in supporting our application.

A report and recommendation from the City Manager, regarding an exchange of property with the L.S. & I. Railroad Company at the site of the Old Marquette & Huron Mountain Railroad Depot on Lakeshore Boulevard, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to approve the exchange of properties and to authorize the Mayor and City Clerk to execute the deed to be given to the L.S. & I. Railroad Company.

Mayor Berube announced that this was the time set for a report on the status of the McClellan/Washington/Rublein project. City Manager Svanda gave background information on the expansion of the McClellan/Washington Project to include Washington Street east as far as Garfield Avenue to improve the safety of the Washington/Rublein intersection. Public Works Director Etelamaki explained the proposed expansion in more detail and the relationship of this project to future transportation planning. He said that the holdup on the project is the failure of Congress to pass the 1987 Transportation Bill and that if money is not made available soon, the project will be delayed until next year.

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

To the Sands/Marquette Solid Waste Authority: Tom Griffith and Bill Niepoth.

He said that there were openings on City boards and commissions and that a list of these will be put on Channel 11.

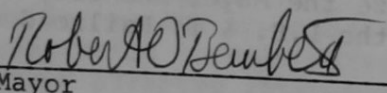
Commissioner Johnson noted that there were several young people at the meeting tonight. She said Commissioners should speak directly into the microphones so that they can be heard by people watching on television or listening on the radio. She said the people on East Arch Street will be meeting with the contractor regarding the Arch Street reconstruction and required tree removal. She noted a complaint about many unsupervised children in attendance at hockey games and said that she had received many calls saying that it was good that the turnaround at Presque Isle had been kept plowed this winter.

Commissioner Sciotto said that he gets many calls regarding City business and that he wants people to know that the wheels of government turn slowly and they should have patience in waiting for their complaints to be answered.

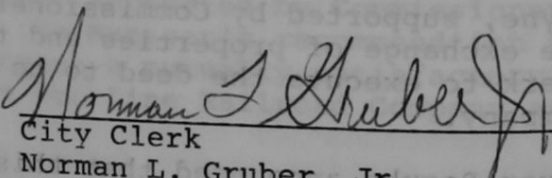
Mayor Berube asked that two corrections be made to the minutes of the work session with the Public Works Advisory Board. He also said that he is concerned about an injury to a Police Officer at the Lakeview Arena last weekend and urged all citizens to assist police officers who are in trouble.

During the time set for citizens wishing to address the Commission, the young people in the audience identified themselves as members of an investigative reporting class at Northern Michigan University.

The meeting was adjourned at 7:55 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, March 9, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, March 9, 1987 in Commission Chambers of City Hall.

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

ABSENT: None.

It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried unanimously to approve the minutes of the February 23, 1987 meeting as presented.

Total bills payable in the amount of \$401,239.01 were presented. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously to pay the bills as presented.

During the time set for announcing additional agenda items, City Attorney Martin asked that item 9, scheduling a public hearing on a gas franchise for the Michigan Power Company, be added to the agenda.

Mayor Berube then announced that this was the time set for continuation of a public hearing on the proposed special assessment for the correction of Garfield Avenue drainage problems. A communication from Attorney Bruce L. Houghton requesting that the Commission schedule discussion of this matter at a special meeting was read. Attorney Nicholas Bridges addressed the Commission saying that he needs more time for research on this matter and that he will have a lengthy presentation to make. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried unanimously to continue this public hearing to a special meeting to be held at 7:00 p.m. on Monday, March 23, 1987 in Commission Chambers.

Mayor Berube then announced that this was the time and date set for a public hearing on an ordinance prohibiting display parking along U.S. 41/M-28. One communication opposing the ordinance was read. Ed Scott, the owner of U.P. Motors, said the ordinance should apply equally to all businesses in the City. The hearing was closed. It was moved by Commissioner Johnson and supported by Commissioner Acocks to comply with the Michigan Department of Transportation request and adopt the proposed ordinance. Following a lengthy discussion regarding the need for expanding coverage of the ordinance to include all or portions of Washington Street east of the area included in the ordinance the following vote was taken:

Ayes: Mayor Berube, Commissioners Johnson, Leadbetter, Sciotto.

March 9, 1987 23

Nays: Commissioners Acocks, Constance, Coyne.
The motion was carried. Ordinance #400 was adopted as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 16 BY ADDING A NEW SECTION 16.08 TO PROHIBIT THE STOPPING, STANDING, LEAVING OR PARKING OF VEHICLES ALONG CERTAIN SECTIONS OF U.S. 41/M-28 AND BR U.S. 41/M-28 WITHIN THE CITY LIMITS OF THE CITY OF MARQUETTE.

Mayor Berube announced that this was the time set for a presentation by the Village Development Coordinating Committee. A communication from Committee Chairman Irving Wagner, regarding redevelopment efforts in the Village Business District, was read. Mr. Wagner addressed the Commission describing new businesses on Third Street and several existing businesses that have been remodeled within the last three years. He introduced a video imaging program which demonstrates the impact on the visual character of the street resulting from the removal of overhead utility wires. Following this presentation, Commissioners agreed that the removal of wires would have a very impressive effect upon the appearance of the Village. Mr. Wagner said that there needs to be cooperative work by many parties for development of the Village Business District to go forward.

Mayor Berube then made the following proclamation:

WOMEN'S HISTORY MONTH

WHEREAS, Congress has proclaimed March, 1987 as Women's History Month and called upon people of the United States to observe this month with appropriate ceremonies and activities, and

WHEREAS, the purpose of this month is to provide an opportunity for schools and communities to focus attention on the lost heritage of women's contributions in the United States, and

WHEREAS, American women have played a unique role throughout our history by providing the majority of the nation's volunteer labor force and have been particularly important in the establishment of early charitable, philanthropic, and cultural institutions in the country, and

WHEREAS, women continue to play a critical economic, cultural, social role in every sphere of our nation's and community's life by constituting a significant portion of our labor force working in and outside of the home,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission honors all women in Marquette County by proclaiming March 1987, as Women's History Month and encourage residents of our county to observe this month by participating in activities and ceremonies scheduled in our

county to celebrate and honor generations of women whose compassion, courage, and conviction have changed the course of history for us all.

During the time set for citizens wishing to address the Commission, Mike Beaudry asked to speak on item 5 and Virginia Long asked to speak on item 8.

A report and recommendation from the City Manager, regarding an easement for a barrier-free ramp at Ten O'Clock Charlie's, 521 North Third Street, was read. Mike Beaudry, representing the Handicapped Citizens Advisory Board, said that this business should have to conform to barrier-free requirements. Commissioners asked about the plans for the building and inquired as to why the barrier-free ramp has to be on City right-of-way. City Planner Gruber said that the elevation of the building had been changed after the plans had been approved and that this would require the construction of a ramp to the front door if that is to be the barrier-free entrance rather than just an inclined section of sidewalk. He also said that after the agenda materials had been distributed on Friday, the property owner had verbally informed him that it was his intent to place the barrier-free access at a back entrance to the building but that he would still need to have a small porch at the front of the building to provide access at that entrance. Following a lengthy discussion, it was moved by Commissioner Sciotto and supported by Commissioner Acocks to disregard this communication and to send this item back for reconsideration. The following vote was taken:

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

Nays: Commissioner Constance.

The motion was carried. It was then moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to ask the Administration to review ways to have the Handicapped Citizens Advisory Board review all plans for new construction in the City.

A report and recommendation from the City Manager, regarding two loans for the purchase of heavy equipment, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to authorize the Mayor and City Clerk to execute loan documents in the amount of \$185,619.80 for two dump trucks and a combination sewer catch basin cleaner, and in the amount of \$121,996.80 for refinancing of a front-end loader, fire truck, and patchmaster.

A report and recommendation from the City Manager, regarding an application to the Clean Michigan Fund for acquisition of a shredder/screener, was read. City Manager Svanda commented upon the effect on the budget resulting from purchase of this equipment. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to accept this recommendation and to adopt the following resolution:

March 9, 1987

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Clean Michigan Fund Resolution

WHEREAS, The State of Michigan, Department of Natural Resources has established a Clean Michigan Fund which provides capital funds for composting projects; and

WHEREAS, the City of Marquette is an eligible applicant for funding under the Michigan Department of Natural Resources Clean Michigan Fund; and

WHEREAS, The City of Marquette operates a composting project; and

WHEREAS, The City of Marquette has at a regular City Commission meeting on the above date considered an application to the Michigan Department of Natural Resources for the acquisition of a shredder/screener;

NOW, THEREFORE, BE IT RESOLVED,

That the City Commission directs the City Manager to make application to the Clean Michigan Fund for \$79,300.00 for the acquisition of a shredder/screener, and further directs that the City Manager act as designated signatory in that regard.

A report and recommendation from the City Manager, regarding an application for a grant from the Coastal Management Program for construction of a bogwalk at Presque Isle, was read. Virginia Long addressed the Commission representing herself, the Beautification Committee, and elementary school teachers in the City. She supported the development of this bogwalk and explained how it is used in the educational process. Commissioner Constance questioned the source of matching funds for this grant and the amount of maintenance expenditures required annually. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution:

WHEREAS, The Michigan Department of Natural Resources, Coastal Management Program has identified funding for fiscal year 1988 for coastal projects; and

WHEREAS, The City of Marquette is sole owner of a parcel of land known as Presque Isle Park; and

WHEREAS, The City of Marquette is currently undertaking a project involving the restoration of the "Neck of Presque Isle" and desires funding to construct a bogwalk area to serve as a nature study area at this site;

NOW, THEREFORE, BE IT RESOLVED, That the City Manager is directed to make application to the Coastal Management Program for the construction of a bogwalk at the "Neck at Presque Isle" at a total cost of \$40,000.00;

And that the City of Marquette hereby assures the Michigan Department of Natural Resources, Coastal Management Program Unit that local funding will be available as a match to the grant application in the amount of \$20,000.00 if the application project receives funding.

City Attorney Martin then recommended that the Commission set a public hearing for the next regular meeting on the adoption of a new Gas Franchise Ordinance for Michigan Power Company. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously to schedule this public hearing for the regular Commission meeting on March 30, 1987.

Commissioner Constance asked questions about the upcoming budget development schedule.

Commissioner Coyne asked about the time period that had been established for the American Legion parking lot. City Planner Gruber said that the agreement would be for a ten year period with an automatic ten year renewal unless either party wishes to re-negotiate at the time of renewal.

Commissioner Coyne also asked if the plans for the Cinder Pond Marina could be changed to include a boom for setting up sailboat masts, and thanked Assistant City Manager Evans for running two educational sessions on the smoking ordinance, although no one had attended these sessions. He said that more public education on the ordinance is needed and that this should be discussed at the next Commission meeting. He said if the public is not willing to voluntarily comply with the ordinance, more enforcement activities will follow.

Commissioner Johnson said that there had been many picnickers at Presque Isle on Saturday, March 7 due to the very warm weather and that this was much earlier than usual. She noted a complaint about people who are paying taxes at the City Treasurer's office receiving parking tickets and asked if a parking area could be provided. City Manager Svanda said that sometimes the City Hall parking lots are full due to activities in the building. Commissioner Johnson also noted calls about low water pressure which she said should be referred to the Water/Sewer Utility Advisory Board.

Commissioner Sciotto said that he has been walking at the Arena every day and that the building has been very clean on mornings following hockey games.

City Manager Svanda said that materials on both education and enforcement relating to the smoking ordinance would be presented in the next weekly report.

There being no citizens wishing to address the Commission, the meeting was adjourned at 8:47 p.m.

March 9, 1987 27

Robert O. Berube II
Mayor
Robert O. Berube II

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

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, March 30, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, March 30, 1987 in Commission Chambers of City Hall.

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

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

MINUTES

It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried to approve the minutes of the March 9 regular and March 23 special meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$349,766.98 were presented. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson and carried unanimously to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube moved Item 11 to Item 4A and announced that the second time for citizens to address the Commission would be placed before the New Business from Commissioners Item on the agenda.

CITIZEN'S AWARD-Bradley MacNeill

Mayor Berube then presented a citizens award to Northern Michigan University student Bradley MacNeill. Mr. Berube said that Mr. MacNeill had assisted a Marquette City Policeman who had been injured by a person he was arresting at the Lakeview Arena on February 20, 1987. He said that Mr. MacNeill had set an excellent example and urged other citizens who in the future see a policeman in distress to assist the policeman.

PUBLIC HEARING-GAS FRANCHISE ORDINANCE

Mayor Berube then announced that this was the time and date set for a public hearing on a proposed gas franchise ordinance. There being no citizens wishing to address the Commission, the hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried to adopt ordinance #400 as follows:

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 151 OF THE
MARQUETTE CITY CODE BY REPEALING CHAPTER 151 AND ADOPTING
A NEW CHAPTER 151 ENTITLED GAS FRANCHISE ORDINANCE.

Mayor Berube then made the following proclamations:

BUDDY POPPY DAYS

WHEREAS, The annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922; and

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

WHEREAS, The basic purpose of the annual sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living"; therefore

I, Robert O. Berube II, Mayor of the City of Marquette, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead;

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

HELP THE MENTALLY RETARDED DAYS

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

WHEREAS, the dates of April 10, 11, and 12, 1987 have been designated by the Michigan State Council, Knights of Columbus as the days of the Tenth Annual Drive to raise funds for the Mentally Retarded Children and Citizens of Michigan, and

WHEREAS, the Knights of Columbus will raise this money by selling tootsie rolls at the entrances of several area businesses on those dates for this worthy program, wearing jackets identifying them as Knights of Columbus, and

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

NOW, THEREFORE, I, ROBERT O. BERUBE II, Mayor of the City of Marquette, Michigan, do hereby proclaim the days of April

10, 11, and 12, 1987 as "Help the Mentally Retarded Days" in Marquette, and urge all citizens to participate in this project.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, eight persons asked to speak on item 9, one person asked to speak on item 10, and one person asked to speak on item 5.

GARFIELD AVENUE DRAINAGE SPECIAL ASSESSMENT

Mayor Berube then announced that the report and recommendation from the City Attorney on the Garfield Avenue Drainage Special Assessment District had been moved to this point on the agenda. It was moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried to take this item from the table. Mayor Berube reopened the public hearing on the special assessment district. Nicholas Bridges, representing Mrs. Tourville, said that he had submitted a new document over the weekend which he thinks has answered all of the questions from the previous meeting. He said that the problem of runoff from this property has pre-existed citing evidence from an old-time resident. He described a possible solution to the problem that would be less expensive than the drainage project that is proposed. He urged that a conference be held to see if there is a different way to solve this problem. Peter O'Dovero, representing Mrs. Tourville, described a possible solution that would have the stormwater run into the soil instead of running off the property on the surface of the ground. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried that a solution be worked out between the parties involved using the suggestions of Mr. O'Dovero, with one month being given to find a solution to the problem, and the project to be completed by the end of the construction season.

VILLAGE DEVELOPMENT COORDINATING COMMITTEE-Millage Petition and Utility Plan

Mayor Berube announced that this was the time and date set for a presentation by the Village Development Coordinating Committee. Committee Chairman Irving Wagner spoke on a recent proposal from the Board of Light and Power for utility upgrading along Third Street as opposed to the complete burial of utilities. He said that the Coordinating Committee and the Village Business Association both support the alternative proposal by the Board of Light and Power. He also said that both groups support the petition to establish a special assessment district to generate \$9,000 to be used as an operating budget for the Village Development Coordinating Committee. He said that owners of sixty-eight percent of the assessed value and fifty-seven percent of the front footage had signed the petition supporting this assessment. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried to schedule a public hearing for the April 13 City Commission meeting on the proposed special assessment district. It was then moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to accept and adopt the proposed

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conceptual plan for the redevelopment of the Third Street Aerial Utilities during street reconstruction.

CHAMBER OF COMMERCE-Building Plans

Mayor Berube then announced that this was the time set for a presentation by the Chamber of Commerce regarding their building and site plans. Gary Bantle, representing the Chamber, presented plans for renovation and expansion of the Chamber of Commerce building and the parking area for it. He asked the City Commission for approval of the concept of expansion, support for any grant applications that the Chamber may file to assist with this project, and for any ideas on the project. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried to accept the concept of expansion of the Chamber of Commerce and to give support for any grant applications they may file for this project.

LOWER HARBOR DEVELOPMENT COMMITTEE-1987 Construction Plans

Mayor Berube then announced that this was the time set for a presentation by the Lower Harbor Development Committee. Elwood Mattson addressed the Commission, giving an update of the plans for construction in development of the Lower Harbor Park this summer. He said that the Committee's goals were to complete the fill and sodding of the bank along the railroad tracks, to establish a raised patio area near the flagpoles with a hand-capped access ramp, to install the brick pavers that have been paid for, to sell more brick pavers as a fund raiser, to receive help from the Beautification Committee on planting trees and shrubs on the property, to install the playground equipment that has already been purchased by the Zonta Club, to seek donations to install picnic tables in the picnic area, and to do as much work towards completing the parking lot as possible. He asked for assistance in speeding up the bidding process so that construction on this project can be completed in the early summer for use throughout the summer. Mike Pond reviewed the work that has been done in the past and showed plans for the work to be done this summer. It was moved by Commissioner Constance, supported by Commissioner Leadbetter, and carried to approve the concepts presented by Mr. Mattson and Mr. Pond and to authorize the proposed bidding scheme.

LAKE SUPERIOR ART ASSOCIATION-Art On The Rocks

A communication from the Lake Superior Art Association, regarding Art on the Rocks, was read. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried to grant permission to hold Art on the Rocks at Presque Isle Park on July 25 and 26, 1987. The Commission discussed the establishment of a fee to cover use of the park for this Art Show noting that it was agreed at last year's budget sessions that a user fee would be established comparable to what other organizations are paying.

MICHAEL CINELLI ET AL-American Legion Parking Lot

A communication from Michael Cinelli, regarding an agreement with the American Legion for construction of a parking lot, was read.

David Clark, Steve Hampton, Sue Hampton, Mike Cinelli, and Janice Hampton addressed the Commission opposing the parking lot, expansion of the American Legion building, and the establishment of Bingo at the American Legion. Tom Roy, representing the American Legion, said that more parking is needed for their building as it is now and that it would be safer to have this parking off street. He said the parking lot is not related to the expansion of the building. It was moved by Commissioner Coyne and supported by Commissioner Sciotto to direct the City Manager and City Attorney to attempt to nullify the agreement with the American Legion. The following vote was taken:

Ayes: Mayor Berube, Commissioners Coyne, Johnson,
Leadbetter, Sciotto.

Nay: Commissioner Constance.

The motion was carried.

SOFTBALL LEAGUE-Insurance and User Fees

A communication from Marquette Softball Leagues was read. Donna Ayotte addressed the Commission regarding the surcharge for use of the City ballfields and requirement for property damage insurance. During discussion, it was noted that an agreement had been reached to have the City provide property damage insurance and the Leagues to provide a pool of funds to be used to cover the deductible amounts of any claims that are filed. It was also noted that work is being scheduled for an extensive upgrade of Hurley Field this summer.

TEN O'CLOCK CHARLIES-Easement

A report and recommendation from the City Manager, regarding an easement for a barrier-free access ramp for Ten O'Clock Charlies at 521 N. Third Street, was read. It was moved by Commissioner Sciotto, supported by Commissioner Constance, and carried that the City Manager's recommendation be approved and that the Mayor and City Clerk be authorized to execute the agreement with the amount of the lease to be \$1.00.

FIVE-YEAR STRATEGIC PLAN-Consideration of Adoption

A report and recommendation from the City Manager, regarding adoption of the five-year strategic plan, was read. It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried to schedule a special meeting for review and subsequent adoption of the five-year strategic plan with invitations being extended to all groups and individuals who have expressed interest in the plan. City Manager Svanda noted that support for the plan had been received from the Downtown Marquette Association today.

A five-minute recess was called at 9:15 p.m.

NO SMOKING ORDINANCE-Status Report

Following the recess, a report and recommendation from the City Manager, regarding the status of the no smoking ordinance, was read. Following discussion, it was moved by Commissioner Leadbetter and supported by Commissioner Coyne to reconvene the

Anti-Smoking TASK Force to review the ordinance in light of the City's experience to date. The following vote was taken:
Ayes: Mayor Berube, Commissioners Coyne, Johnson, Leadbetter, Sciotto.
Nay: Commissioner Constance.
The motion was carried.

PICKUP TRUCK BIDS-Authorize Letting

A report and recommendation from the City Manager, regarding authorization to let bids for two pickup trucks, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried to concur in the recommendation and to authorize letting bids for two pickup trucks.

MARQUETTE COUNTY TRANSIT AUTHORITY-Lease for Transportation Center

A report and recommendation from the City Manager, regarding a lease with the Marquette County Transit Authority for use of the Marquette Transportation Center, was read. It was moved by Commissioner Coyne and supported by Commissioner Johnson to concur in the recommendation, to approve the lease, and to authorize the Mayor and City Clerk to execute it. Commissioner Constance asked questions regarding the square foot rental amounts included in the lease. Information was not immediately available. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried to table this item.

MARQUETTE HOUSING COMMISSION-Grant Application

A report and recommendation from the City Manager, regarding an application for Comprehensive Assistance Program funds by the Marquette Housing Commission, was read. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried to authorize the issuance of a letter of support for the Housing Commission's preliminary application to participate in the Comprehensive Improvement Assistance Program.

NECK OF PRESQUE ISLE PROJECT-Change Order #1

A report and recommendation from the City Manager, regarding Neck of Presque Isle Project Change Order #1 for the addition of entry arches to the project, was read. It was moved by Commissioner Constance, supported by Commissioner Leadbetter, and carried to concur in the recommendation, to approve the change order, and to direct that a letter be sent to the Rotary Club of Marquette expressing the City's gratitude for their support of this portion of the project.

MARQUETTE COUNTY TRANSPORTATION AUTHORITY-Lease

It was then moved by Commissioner Constance, supported by Commissioner Johnson, and carried to take from the table the motion for approval of the lease with the Marquette County Transit Authority. Following discussion of the rental rates contained in the lease, the motion to approve the lease and authorize the Mayor and City Clerk to execute it was carried with no dissent.

BID-Hurley Field Backstop

A report and recommendation from the City Manager, regarding bids for reconstruction of the Hurley Field backstop, was read. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried to concur in the recommendation and to award this bid to the Marquette Fence Company in the low bid amount of \$3,850.

Mayor Berube called a five-minute recess at 10:13 p.m.

DISCUSSION-Infrastructure Financing

Following the recess, Mayor Berube announced that this was the time set to discuss funding methods for the infrastructure replacement and repair program. City Manager Svanda referred to a position paper on life cycle costing and a three-year infrastructure replacement program. Commissioners asked that copies of this paper be redistributed. It was moved by Commissioner Constance, supported by Commissioner Coyne, and carried to table this item.

DISCUSSION-Spring Cleanup

Mayor Berube announced that this was the time set for discussion of the spring cleanup. City Manager Svanda presented detailed information on what materials would be accepted in the cleanup, where they should be placed, and the dates for the cleanup in various portions of the City.

APPOINTMENTS

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

BOARD OF CANVASSERS: Carolyn McDonald for a term expiring January 1, 1991.

ELECTIONS BOARD: Kathryn Crimmins for a term expiring April 11, 1991.

LAKEVIEW ARENA ADVISORY BOARD: Dan Trotochaud for a term expiring August 14, 1989.

PETER WHITE PUBLIC LIBRARY BOARD: Carl Hammerstrom reappointed to a term expiring May 1, 1992.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Roxanne Fox said that policemen drive their cars too fast on Bluff Street as well as other people, and that City crews should carry rakes in their trucks to help keep the City clean.

NEW BUSINESS

Commissioner Constance asked what the arrangement for consideration of the five-year strategic plan is. Following discussion, Commissioners agreed that the special meeting should be held on Wednesday, April 8 at 7:00 p.m. He also asked what the status of the selection of the auditor is. Finance Director Donna Kohut said that the selection process is proceeding and a proposal should be ready for the next meeting. Commissioner Coyne said

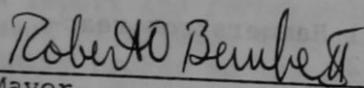
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that Marquette General Hospital will put amber warning lights and pedestrian warning signs at the College Avenue pedestrian crossing. He asked about the status of the proposed super slide for the Shiras Pool redevelopment. Parks and Recreation Director Turausky said that financing is being arranged for the slide. Commissioner Johnson noted phone calls regarding basketball nets in Harlow Park, the closing of the Arena to walkers, bicyclists breaking the traffic laws, and the need to do something about dog dirt. Mayor Berube thanked the Marquette Police Department for their work on security at tonight's meeting. He also said that the Arena had done an excellent job on the ice show last weekend.

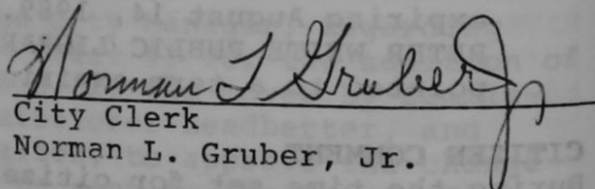
DISCUSSION-Infrastructure Financing

It was then moved by Commissioner Constance, supported by Commissioner Johnson, and carried to take discussion of financing for infrastructure replacement off the table. Portions of a street construction and resurfacing report were read. During discussion, consensus of the Commissioners was that the goals in the report need to be met and that there is a need for approximately 1.1 million dollars in additional revenue to fund this program. The Commissioners then discussed how this amount could be raised. Several Commissioners indicated that increases in property taxes were not acceptable. Following further discussion, it was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried to direct the City Manager to prepare a report and recommendation on ways to raise the required revenue with particular emphasis on a City income tax, and with the parameters being that the goal is to raise one million dollars per year, that it be plainly stated that the City budget will not be increased by more than that amount, that to that end any excess funds go into reduction of property taxes, and to include a schedule for implementation of this program.

There were no citizens wishing to address the Commission at the end of the meeting and it was adjourned at 10:40 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Wednesday, April 8, 1987

A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Wednesday, April 8, 1987 in Commission Chambers of City Hall.

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

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

REVIEW FIVE YEAR STRATEGIC PLAN

Mayor Berube announced that the purpose of this meeting is to review the Five-Year Strategic Plan. He said that the plan would be reviewed section by section and that interested persons should make their comments at the end of the review of each section. He said that the first section was "Vision Statements for Economic and Infrastructure Development". Planning Commission Chairman Alfred Joyal noted a letter from the Planning Commission to the City Commission which included comments on Items 6 and 9. He said that the expansion of the Downtown Development Authority needs careful study and should only encompass the recognized downtown area. He also said that business development along McClellan Street should take place from Ridge Street south to the Bypass and not north of Ridge Street. Gary Dahlke said that expansion of the Downtown Development Authority to the south should recognize that there are private land holdings in that area, not just railroad property. Mayor Berube said that he supported the comments and asked City Manager Svanda what steps would be taken to expand the Downtown Development District Authority. Mr. Svanda said that the Downtown Development Authority is studying the expansion and that following their study, they would make a recommendation to the City Commission which must hold a public hearing on any expansion. He recommended changing the word "will" to the word "may" in Item 6. Mayor Berube said that Item 9 should have the wording "from Ridge Street south" added to the end of the sentence.

Mayor Berube then said that the next section was "Vision Statements for Waterfront Development". Gary Dahlke was concerned that the statements mandated actions that have not been concurred in by the property owners involved. He said that mandatory statements should only cover City-owned property. He also said that proposed residential use in the southern part of the Lower Harbor area does not take into account the interests of the private property owners in that area. During comments, Commissioner Coyne said that the word "will" was not intended to

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be mandatory, but only to indicate the City's intent. Commissioners agreed upon this interpretation.

Mayor Berube said that this was the time set to discuss "Vision Statements for Recreational Development". Mike Beaudry, representing the Handicapped Citizens Advisory Board, said that there is no statement supporting recreational development for the handicapped. Alfred Joyal, representing the Planning Commission, said that the Commission is excited by the potential for development of the Mount Marquette area but that it needs a great deal of work which would include the development of a detailed land use plan for the area and the expenditure of considerable funds for infrastructure development. He said that the study should begin now. During discussion of these comments, Commissioners agreed that there should be a general statement on barrier-free access in the last section of the document. Commissioner Coyne suggested a wording change for number 8 regarding Marquette Mountain. Mr. Joyal said that there does not need to be a wording change, just recognition by the Commission that the development of that area will take a lot of work and some of this work can begin soon. Commissioners asked whether the City should initiate this work or wait for a developer to ask. Mr. Joyal said that no money should be spent until a developer requests it, but that fiscal impact analysis could be done without any great cost to the City.

Mayor Berube then asked for comment or discussion on "Vision Statements for Environmental Concerns". There were no comments by the public or the Commission.

Mayor Berube then asked for comments on "Vision Statements for Interagency and Community Relations". He said that the City Commission has agreed to discuss additional statements regarding the handicapped and for highway transportation. Commissioner Coyne said that Mr. Chesney's letter identifies a need for Department of Human Services. He said that we have an excellent department dealing with senior citizen issues and that this could be expanded to include the handicapped. Commissioners agreed to add the wording "and improve other modes of transportation to benefit the City" to the end of the sentence which reads "An area wide effort will take place to solicit a national air carrier that will serve the Marquette vicinity". Commissioners also discussed proposed statements regarding barrier-free access and agreed to add the statement "The City will seek to provide the establishment of a Department of Human Services. It was barrier-free access to all future developments in the City". It was then moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried with no dissent to adopt the document as amended.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Rose Tourville thanked the Commissioners for listening to the comments on the document and for their work in developing it.

Alfred Joyal said that the Commission has taken an important step to let the citizens and City advisory boards know what the City's approved goals are and that review of this document should become a regular procedure. He said that it was important for the City to maintain the lines of communication that were opened during preparation of this document.

Commissioner Johnson said the document will allow evaluation of the Commission's activities at the end of each year to see if established goals are being met.

Commissioner Leadbetter said that continued discussion between Commissioners is very important.

Mayor Berube said that this process has allowed the Commissioners to find out how the other Commissioners feel about the issues and was very beneficial from that standpoint.

The meeting was adjourned at 8:10 p.m.

Robert O. Berube II
Mayor
Robert O. Berube II

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

AGENDA CHANGES
During the time set for announcing additional agenda items, it was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to place as Item 14 on the agenda going into closed session to discuss the Board of Light and Power and Darter Landfill lawsuits.

PUBLIC HEARING - Special Assessment for WDOC Operating Budget
Mayor Berube then announced that this was the time set for a public hearing on a proposed special assessment district to provide an operating budget for the Village Development Coordinating Committee. One letter opposing the special assessment was read. Don Potvin, James Goodreau, and Richard Wilder spoke in opposition to the proposed assessment. Jim Bielinicki, Dan Trotochaud, Louanne Belding, and Village Development Coordinating Committee Chairman Irving Wagner supported the proposed assessment. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to approve the resolution determining the necessity for this special assessment district, to proceed with the implementation of this district as indicated by the City Code, and to exclude parking lots from the district. The following resolution was approved:

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

Alfred Joyal said that the Commission has taken an important step to let the citizens and City Advisory Board know that the City's approved goals are and that review of this document should become a regular procedure. He said that it was important for the City to maintain the lines of communication that were opened during preparation of this document.

Commissioner Johnson said the document will allow evaluation of the Commission's activities at the end of each year to see if the established goals are being met. Johnson said that the Commission should be transparent and should plan to have a public hearing at the end of each year to see if the Commission is very important to the citizens and to see if the Commission is doing what it says it is going to do.

Mayor Berube said that this process has allowed the Commissioners to find out how the other Commissioners feel about the issues and was very beneficial from that standpoint.

The meeting was adjourned at 8:10 p.m.

Robert O. Berube II
City Clerk

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April 6, 1987

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 13, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, April 13, 1987 in Commission Chambers of City Hall.

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

ABSENT: Commissioners Acocks and Leadbetter.

EXCUSE ABSENCES

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

APPROVE MINUTES

It was then moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to approve the minutes of the March 23 special and March 30 regular meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$425,459.33 were presented. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, it was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to place as Item 14 on the agenda going into closed session to discuss the Board of Light and Power and Dafter landfill lawsuits.

PUBLIC HEARING - Special Assessment for VDCC Operating Budget

Mayor Berube then announced that this was the time set for a public hearing on a proposed special assessment district to provide an operating budget for the Village Development Coordinating Committee. One letter opposing the special assessment was read. Don Potvin, James Goodreau, and Richard Wilder spoke in opposition to the proposed assessment. Jim Bielinski, Dan Trotochaud, Louanne Balding, and Village Development Coordinating Committee Chairman Irving Wagner supported the proposed assessment. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to approve the resolution determining the necessity for this special assessment district, to proceed with the implementation of this district as indicated by the City Code, and to exclude parking lots from the district. The following resolution was approved:

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:

ESTABLISHMENT OF A \$9,000 ANNUAL OPERATING BUDGET FOR THE VILLAGE DEVELOPMENT COORDINATING COMMITTEE (1987)

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:

VILLAGE DEVELOPMENT COORDINATING COMMITTEE OPERATING MILLAGE

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 - \$9,000

CITY - -0-

FURTHER RESOLVED, that the report of the City Manager and cost estimates are hereby approved and that said special assessments shall be paid in one annual installment, with all such installments to be due at the next 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 the special assessment rolls for this project.

PROCLAMATIONS

Mayor Berube then made the following proclamations:

SCHOOL FAMILY DAY

WHEREAS, we recognize the essential role of teachers and school support staff in our system of free, universal, and public education, and

WHEREAS, our community's teachers and school support staff have devoted themselves to helping our young people succeed, and

WHEREAS, we wish to express our thanks and appreciation for a job well done,

NOW, THEREFORE, I, Robert O. Berube II, Mayor of the City of Marquette, Michigan do hereby proclaim Tuesday, May 5, 1987 as SCHOOL FAMILY DAY in the City of Marquette, and do urge all citizens of Marquette to join with me in honoring our community's educators.

SAY YES TO FOOD BANKS WEEK

WHEREAS, Marquette Food Banks distribute many thousands of pounds of food to the hungry each year through service agencies which strengthen the community's commitment to reducing hunger by bringing volunteer and agency resources together as the Marquette Coalition for Emergency Services,

AND WHEREAS, this observance is scheduled to increase public awareness of the need for contributions to local food banks in service of the community,

THEREFORE, I, ROBERT O. BERUBE II, Mayor of the City of Marquette, do hereby declare April 26 through May 3, 1987 MARQUETTE SAYS YES TO FOOD BANKS WEEK to coincide with the state-wide observance. I urge all citizens to become aware of food waste and of those local residents in need of food, and to join me in recognizing this observance.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Michael Cinelli asked about the American Legion parking lot. Barbara Kelly spoke on the Arch Street reconstruction project and the need to save trees there. Sandy Bonsell, representing Women's Action for Nuclear Disarmament, thanked the Commission for last year's support of the nuclear test ban resolution and asked the Commission to oppose the stealth bomber. Carol Poggi, Charles Caskey, Kerwin Werner, Carol Werner, Helen Haskell, and Bob Bolton asked to speak on Item 5, Brian Weatherton, Bob Hyde, Craig Stein, Buzz Tiseo, and Sam Elder asked to speak on Item 6a, and John Blemberg and Paul Makela asked to speak on Item 10.

RESOLUTION - Blood Alcohol Testing Facility

A communication from the Iron Mountain City Council, regarding a resolution supporting a blood-alcohol testing facility in the Upper Peninsula, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to adopt the following resolution:

WHEREAS, the City of Marquette has a responsibility to the welfare of its citizens; and

WHEREAS, the City of Marquette recognizes that the increasing instances of illegal driving under the influence of alcohol are a major problem within the City of Marquette and throughout the Upper Peninsula of Michigan; and

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WHEREAS, under current economic conditions the additional cost incurred by the City of Marquette and other local governmental units in prosecuting such cases has a negative impact on limited resources to enforce drunk driving laws; and

WHEREAS, the City of Marquette recognizes the severe burden which has been placed on municipalities and the fifteen counties of the Upper Peninsula of the State of Michigan by the lack of a certified blood-alcohol analysis laboratory facility available in the Upper Peninsula; and

WHEREAS, under Michigan statute, MCL 257.625g, the Department of State Police may promulgate uniform rules for the administration of chemical tests and has done so under Michigan Administrative Code 325.2659; and

WHEREAS, the Department of State Police has established a crime laboratory at the Negaunee, Michigan Post,

THEREFORE, BE IT RESOLVED that the City Commission of the City of Marquette unanimously supports the establishment of a certified blood alcohol analysis laboratory facility be available in the Upper Peninsula; and

FURTHER unanimously supports that such facility be included in the Michigan State Police Post Crime Laboratory Facility at Negaunee, Michigan, and

FURTHER urges the immediate attention of the director of Michigan State Police, the Senate and House of Representatives of the State of Michigan in taking action to establish a certified blood alcohol testing facility in the Upper Peninsula.

MARQUETTE COALITION FOR EMERGENCY SERVICES - Say Yes to Food Banks Week

A communication from the Marquette Coalition for Emergency Services regarding the Michigan Says Yes to Food Banks Week, was read. Mayor Berube noted the proclamation that had been issued earlier in the meeting.

CAROL POGGI - Stealth Bomber

A communication from Carol Poggi, regarding the stealth bomber, was read. Carol Poggi, Charles Caskey, Helen Haskell, Carol Werner, and Kerwin Werner addressed the Commission opposing the stealth bomber, expenditures for stealth bomber technology, and local officials lobbying to have the stealth bomber located at K.I. Sawyer Air Force Base. Pastor Bob Bolton supported lobbying for the stealth bomber and said that U.S. arms support freedoms for Americans. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to encourage the citizens of Marquette to express their opinions on federal funding priorities to their elected federal officials. Mayor Berube said that City

Manager Svanda had been in Washington lobbying for the stealth bomber with the endorsement of the City Commission. He noted that the five-year strategic plan adopted by the Commission at the last meeting supported the growth of K.I. Sawyer Air Force Base. He said the City Commission does not support proliferation of nuclear armaments, but if the federal government has already determined to spend the money, that the City will support the growth of K.I. Sawyer Air Force Base. Commissioner Coyne said that there are important issues involved here but that they must be changed at the federal level, not at the City level.

RICHARD HENDRICKSON - McCormick Grand Camp

Mayor Berube announced that this was the time set for a presentation by Richard Hendrickson regarding the McCormick Grant Camp buildings. Mr. Hendrickson said that new information has recently become available and asked to delay his presentation.

EAST ARCH ST. STEERING COMMITTEE - East Arch St. Reconstruction

Mayor Berube then announced that this was the time set for presentation of a letter from the East Arch Street Steering Committee. Craig Stein, representing the East Arch Street Steering Committee, said that new utilities are needed on East Arch Street but that the neighbors are opposed to widening the 400 block of the street. Dr. Robert Hyde opposed widening the 400 block of East Arch and supported saving the trees in any way possible including giving the residents opportunities to relocate underground utilities. He read at length from a report, copies of which were presented to the Commissioners. He also presented petitions and letters supporting his position. Buzz Tiseo said that they want to save the trees on East Arch Street. Brian Weatherton said that he wants to save the trees on Spruce Street that would be removed in order to create a parkway for the sidewalk there. Sam Elder said that cutting down the trees would affect the property value of the homes and that he is opposed to it. It was moved by Commissioner Coyne and supported by Commissioner Sciotto that the Commission direct City Management to maintain the current street width in the 400 block of East Arch Street and to not create a parkway on Spruce Street. The following vote was taken:

Ayes: Commissioners Coyne, Johnson, Sciotto.

Nays: Mayor Berube. Commissioner Constance.

The motion was carried. Following further discussion, it was moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried to direct the City Manager to prepare a report and recommendation on the plans for the streets in this project that are parallel to Spruce Street for the next regular Commission meeting.

MOTION - Citizen Input on Street Design

It was then moved by Commissioner Sciotto, supported by Commissioner Johnson, and carried that before any engineering dollars are put into the City's infrastructure, that the neighbors be consulted for their input on the proposed project.

RECESS

It was moved by Commissioner Constance, supported by Commissioner Coyne, and carried to have a five-minute recess at 9:40 p.m.

RICHARD AND MARYANN HARBICK - Easement on Lakeshore Boulevard

Following the recess, a report and recommendation from the City Manager regarding an easement on the Lakeshore Boulevard right-of-way was read. City Attorney Martin said that the easement should be for seven feet instead of five feet as it currently reads. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried to concur in the recommendation to approve the easement at a seven-foot depth and to authorize the Mayor and City Clerk to execute it.

MARQUETTE LITTLE LEAGUE - Lease for North Marquette Ball Diamonds

A report and recommendation from the City Manager, regarding a contract for maintenance and use of the North Marquette ball diamond complex by the Marquette Little League, was read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to accept this lease, to approve, and to authorize the Mayor and City Clerk to execute it on behalf of the City.

SUNDBERG, CARLSON, & ASSOCIATES - Amendment C for McClellan Avenue Engineering Contract

A report and recommendation from the City Manager, regarding Amendment C to the engineering services agreement for the McClellan Avenue Project, was read. It was moved by Commissioner Sciotto, supported by Commissioner Constance, and carried to accept the recommendation, to approve Amendment C, and to authorize the Mayor and City Clerk to execute it on behalf of the City.

ANDERSON, TACKMAN, AND COMPANY - 1986-89 Audit Contract

A report and recommendation from the City Manager, regarding auditing services for 1987-89, was read. Paul Makela, representing Ernst & Whinney distributed copies of a letter regarding their proposal to the City for these services which he read into the record. John Blemberg, representing Anderson, Tackman, and Company, said that their audit would be more complete, although it is slightly more expensive. During discussion City Finance Director Donna Kohut said that if significant extra services were required of the auditor, the Anderson, Tackman bid would become the low bid. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried to concur with the recommendation of the City Manager and to award a contract for the City audit for the three fiscal years from 1986 to 1989 to Anderson, Tackman, and Company at the prices bid.

RENTAL RATE BIDS - Heavy Equipment and Trucks

A report and recommendation from the City Manager, regarding heavy equipment and truck rental bids, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to concur in the recommendation and award these bids to Midway, Inc. as the low bidder with the exception of Item 17, a

street sweeper, which is awarded to Lakeshore, Inc. as the low bidder.

VILLA CAPRI - Liquor License Entertainment Permit

A recommendation from the City staff, regarding a change in the liquor license for the Villa Capri, was read. It was moved by Commissioner Sciotto, supported by Commissioner Constance, and carried to adopt the resolution approving the request from Barbieri's Villa Capri, Inc. for a new entertainment permit to be held in conjunction with the 1986 Class C licensed business with dance permit located at 2152 U.S. 41 West, Marquette, Michigan.

PRESENTATION OF 1987-88 BUDGET

Mayor Berube announced that this was the time set for a presentation of the City budget by the City Manager. City Manager Svanda said that copies of his proposed budget were available to the Commissioners at the beginning of the meeting. He said that the budget contains 18.5 million dollars in 50 separate funds. He said the largest fund was the General Fund at 9.4 million dollars, that it has 100 sources of revenue of which property tax provides approximately 25%, and 80 expenditure activities. He said that all of the funds proposed are in positive balance at this time. He noted that the following things have been included in the proposed budget:

- A three-year reappraisal of all property in the City.
- Enhancement of the City's data processing capability.
- The establishment of a ten person auxiliary fire Department.
- The addition of a full time housing inspector.
- Emphasis on Parks and Recreation facilities and de-emphasis on programs.
- A 45% or \$120,000 increase in the City's health insurance rates.

He said that the Commission needs to discuss how to pay for an aggressive infrastructure repair program with the options being bonding, increased millage, or City income tax, and that the proposed budget contains revenue enhancements consisting of a 1% tax collection fee, and an increase in the garbage collection fee. He noted the loss of \$600,000 in federal revenue sharing saying that the City receives no money from this source in the current budget. He said that the Water and Sewer Utility Budget follows recent City Commission directives. He said that two items need to be discussed by the Commission tonight, the first was scheduling a public hearing on a possible millage increase in order to keep the option for an increase open and the second was to schedule a public hearing on an amendment to the water and sewer rate ordinance. He said the proposed budget is consistent with the five-year strategic plan, that the Planning Commission has reviewed and approved the Capital Outlay Budget, that the Marquette Area Wastewater Treatment Facility Advisory Board has approved their portion of the budget, that a balance has been struck between capital and operating expenditures based on maintaining existing expenditure mandates, that the budget will maintain the level of services currently provided by the City,

and that there is a need to reinvest in the City's infrastructure.

SET HEARINGS ON MILLAGE INCREASE AND WATER/SEWER RATES

It was moved by Commissioner Constance and supported by Commissioner Sciotto to give notice of intent of the Commission to increase the millage rate by 4 additional mills and to schedule a public hearing on this proposal for the next regular Commission meeting. The following vote was taken:

Ayes: Mayor Berube, Commissioners Constance, Johnson, Sciotto.

Nay: Commissioner Coyne.

The motion was carried. It was then moved by Commissioner Coyne, supported by Commissioner Constance, and carried to set the next regular Commission meeting as the time and date for a public hearing on an amendment to the Water and Sewer Rate Ordinance. Commissioners agreed to delay Item 14 to the end of the meeting.

CITIZEN COMMENT

David Clark discussed the City's handling of the proposed American Legion parking lot at length. Michael Cinelli said that there is too much parking for the American Legion already.

NEW BUSINESS

Constance - Midyear Budget Adjustment, Launch Pass Policy

Commissioner Constance asked if the City Manager could prepare a review of the status of the midyear budget adjustments approved by the Commission in December. He also noted a call about the charges for launch passes for the Presque Isle Marina. Parks and Recreation Director Turausky explained why the Marina Committee has set the policy as it is.

Johnson - Stump Removal, Front St. Fraternity House, Noise on Third St.

Commissioner Johnson asked if the City pays for removal of stumps in the parkway. City Manager Svanda said that the City is responsible for this cost, but that there is currently no budget for it. He said removals are usually done every few years to increase efficiency. Commissioner Johnson also asked about the status of the fraternity house on Front Street and noted noise complaints on Third Street. City Planner Gruber said that the burned out fraternity house is being converted to three apartments.

Sciotto - Baseball Surcharge

Commissioner Sciotto noted calls complaining about the baseball surcharge and asked about the baseball surcharge and asked where the money is being spent. City Manager Svanda said that the surcharge results in about \$12,000 a year in revenue and that \$18,000 is spent on ballfield maintenance. He said that last year the City Commission agreed to spend the surcharge amount only on capital improvements of the City's ballfields and that Hurley Field improvements are the first of these expenditures.

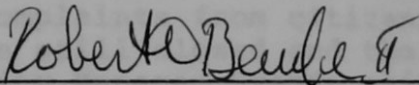
Berube - American Legion Parking Lot

Mayor Berube said that the Commission had passed a motion at the last meeting to attempt to nullify the agreement with the American Legion. He said that no one had asked to have this item on the agenda but that the Commissioners had asked for a report from the City Attorney on the matter. Mr. Martin said that the report is confidential due to the possibility of a lawsuit between the American Legion and the City, however, he indicated the American Legion did not desire to voluntarily rescind the agreement. Commissioner Coyne asked the Attorney to investigate the lease between the City and the American Legion for other property in the area.

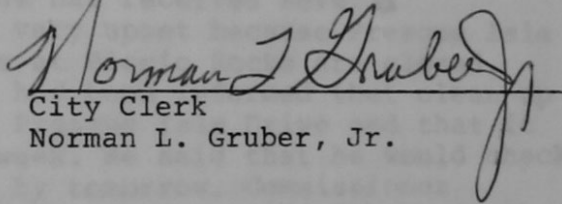
CLOSED SESSION

It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried to go into closed session to discuss the Board of Light and Power and Dafter lawsuits. Commissioners agreed that due to the hour, this closed session could be postponed to another meeting. Mayor Berube called the meeting back to order.

The meeting was adjourned at 11:10 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

Mayor Bernbe - American Legion Parking Lot
Mayor Bernbe said that the Commission had passed a motion at the
last meeting to attempt to nullify the agreement with the Ameri-
can Legion. He said that he had asked to have this item on
the agenda but that the Commission had asked for a report from
the City Attorney on the matter. Mr. Martin said that the report
is confidential due to the possibility of a lawsuit between the
American Legion and the City, however, he indicated that the
Legion did not desire to voluntarily rescind the agreement.
Commissioner Coyne asked the Attorney to investigate the issue
between the City and the American Legion for other property in
the area. He also asked the Attorney to look into the possibility
that the City might be liable for the American Legion's parking
lot. The Attorney said that he would look into the matter.
The meeting was adjourned at 11:10 p.m.

City Clerk
Robert O. Bernbe, II
The meeting was adjourned at 11:10 p.m.

on St. Fraternity House, Noize on
Commissioner Bernbe said that the City pays for removal of stumps
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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 20, 1987

A special meeting of the Marquette City Commission was duly called and held on Monday, April 20, 1987 at 6:00 p.m. in Commission Chambers of City Hall.

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

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

Commissioner Leadbetter then arrived at the meeting.

The City Manager presented the proposed budget for Fiscal Year 1987-88 in accordance with Section 8.2 of the City Charter.

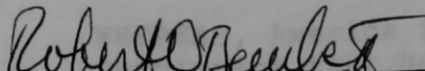
Mayor Berube then opened the public comment section of the meeting. There was no one wishing to address the Commission.

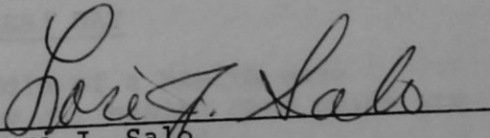
Commissioner Johnson said that she has received several complaints from citizens who are very upset because Presque Isle is still closed and the restrooms at Picnic Rocks are closed. City Manager Svanda said that he had been informed that clean up work was still being done on the Presque Isle Drive and that it should have been completed last week. He said that he would check on this and be sure it is opened by tomorrow. Commissioner Johnson also expressed concern about the amount of debris in the roads and in the yards of City residents.

Commissioner Acocks said that she has noticed the streets have been clean and debris has been picked up.

It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to adjourn the meeting into a work session.

The meeting was adjourned at 6:12 p.m.


Robert O. Berube II
Mayor


Lori J. Salo
Deputy City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 20, 1987

A special meeting of the Marquette City Commission was duly called and held on Monday, April 20, 1987 at 6:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Bernbe, Commissioners Acocka, Constance,
Johnson, Leadbetter, Soltis,
ABSENT: Commissioners Coyne, Leadbetter.

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

Commissioner Leadbetter then arrived at the meeting.

The City Manager presented the proposed budget for Fiscal Year 1987-88 in accordance with Section 8.3 of the City Charter.


Mayor Bernbe then opened the public comment section of the meeting. There was no one wishing to address the Commission.

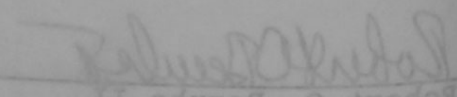
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Commissioner Acocka said that she has noticed the streets have been clean and debris has been picked up.

It was moved by Commissioner Constance, supported by Commissioner Acocka, and carried to adjourn the meeting into a work session.

The meeting was adjourned at 6:13 p.m.


Lois J. Soltis
Deputy City Clerk


Robert O. Bernbe II
Mayor

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 27, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, April 27, 1987 in Commission Chambers of City Hall.

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

EXCUSE ABSENCE

It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried to excuse Mayor Berube as he is ill.

APPROVE MINUTES

It was moved by Commissioner Sciotto, supported by Commissioner Johnson, and carried to approve the minutes of the April 8 Special, April 13 Regular, and April 20 Special Commission meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$203,264.29 were presented. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Pro Tem Coyne added Item 1A, a proclamation on National Nurses' Day, and moved Item 14 to position 3A on the agenda. Commissioner Leadbetter asked that Item 16E be removed from the Consent Agenda and placed as Item 18. Mayor Pro Tem Coyne noted Item 17, a recommendation from the City Attorney. Commissioner Sciotto asked that Item 19, a communication from Senator Mack, be added to the agenda.

PROCLAMATION

Mayor Pro Tem Coyne then made the following proclamation:

NATIONAL NURSES' DAY

WHEREAS, America is in the middle of a health care revolution that has changed how our health care needs are met and how we will pay for that care; and

WHEREAS, Efforts to control spiraling health care costs have led to lower hospital occupancy rates, shorter lengths of stay in those hospitals, and greater use of outpatient services and other non-traditional health care services; and

WHEREAS, The emphasis on cost effectiveness and the expansion of technology have given new meanings and direction to nursing care; and

WHEREAS, Nursing has met the challenge of the ever-evolving health care system while continuing to provide safe, conscientious, dependable care for all consumers at affordable prices; and

WHEREAS, Registered nurses are efficient, knowledgeable health care providers who are assuming leadership roles in the management and delivery of patient care services; and

WHEREAS, The American Nurses' Association and the Marquette-Alger District Nurses Association will observe May 6, 1987 as NATIONAL NURSES' DAY now

NOW, THEREFORE, I, ROBERT O. BERUBE II, Mayor of Marquette, urge all citizens of this community to join me in observing NATIONAL NURSES' DAY, recognizing the efforts of the nation's 1.9 million nurses in helping consumers get the most for their health care dollar.

PUBLIC HEARING-TRUTH IN TAXATION

Mayor Pro Tem Coyne then announced that this was the time and date set for a public hearing on Truth in Taxation. There being no one to address the Commission, the hearing was closed.

PUBLIC HEARING-WATER & SEWER RATE ORDINANCE AMENDMENT

Mayor Pro Tem Coyne announced that this was the time and date set for a public hearing on revisions to the Water and Sewer Rate Ordinance. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to adopt Ordinance #402 as follows:

§ 402

AN ORDINANCE TO REPEAL CHAPTER 58, TITLE VII, OF THE MARQUETTE CITY CODE (ORDINANCES #376, #390, #391, AND #392) AND ADOPT A NEW CHAPTER 58, TITLE VII TO CHANGE THE WATER AND WASTEWATER RATES AND ADMINISTRATIVE PROCEDURES FOR THE WATER AND WASTEWATER UTILITY.

SISTER CITY RELATIONS COMMITTEE

Mayor Pro Tem Coyne then announced that this was the time set for a presentation by the Sister City Relations Committee. Sister City Relations Director Pryse Duerfeldt gave information about the delegation that will be visiting Yokaichi, Japan between May 7 and May 23 this year. He briefly described the itinerary of the delegation and said that support for this trip has been received from over 50 organizations and businesses. He discussed briefly the People to People Program that is the basis for our Sister City relationship. Mayor Pro Tem Coyne wished the delegates a

safe, enjoyable, and pleasant visit and displayed the fishing pole which Mayor Berube is sending to Mayor Mochida.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Robin Murphy asked to speak on Item 12. Irving Wagner and Jim Bielinski asked to speak on Item 6. Bruce Houghton asked to speak on Item 3A. Sue Hampton, Steve Hampton, and Davis Reynolds asked to speak on Item 4. James Stevens asked to speak on Items 4 and 7.

GARFIELD AVENUE DRAINAGE SPECIAL ASSESSMENT

Mayor Pro Tem Coyne then announced that this was the time set to consider a special assessment district for correction of the Garfield Avenue drainage problem. Bruce Houghton, representing Mrs. Tourville, noted a letter that they had submitted this evening. He apologized for the letter being late, but said that they had desired to respond to the City Manager's recommendation which they had not received until today. He said that Mrs. Tourville wants a chance to design an on-site retention system for storm water which would then eliminate her property from the project. Following discussion, it was moved by Commissioner Constance and supported by Commissioner Johnson to adopt the resolution of determination for necessity of a special assessment district with the funding to be split equally between the City, the School District, and the Tourville Apartment Complex. The following vote was taken:

Ayes: Commissioners Constance, Johnson.

Nay: Mayor Pro Tem Coyne, Commissioners Acocks, Leadbetter, Sciotto.

The motion was defeated. City Manager Svanda answered questions on the construction of the proposed project. Following further discussion, it was moved by Commissioner Sciotto and supported by Mayor Pro Tem Coyne that the Administration pursue with the County Drain Commissioner the establishment of a drainage district for this entire area including the filing of the appropriate fee. The following vote was taken:

Ayes: Mayor Pro Tem Coyne. Commissioner Sciotto.

Nays: Commissioners Acocks, Constance, Johnson, Leadbetter.

The motion was defeated. It was then moved by Commissioner Acocks and supported by Commissioner Leadbetter that the proposed resolution of necessity be adopted and the Engineering Department be authorized to develop plans and specifications for the project as proposed. The following vote was taken:

Ayes: Commissioners Acocks, Leadbetter.

Nays: Mayor Pro Tem Coyne. Commissioners Constance, Johnson, Sciotto.

The motion was defeated. It was then moved by Commissioner Sciotto to more equally assess the cost against the three parties involved and the remaining property owners in the area. This motion died for lack of support. It was then moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried to reconsider the motion to adopt the standard form resolution with a three-way equal split of costs. It was moved by

April 27, 1987 54

Commissioner Constance and supported by Commissioner Johnson to adopt the resolution of necessity with the assessments to be split equally between the City, the School District, and the Tourville Apartment Complex. The following vote was taken:

Ayes: Commissioners Acocks, Constance, Johnson, Sciotto.
Nay: Mayor Pro Tem Coyne, Commissioner Leadbetter.

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, that it is the intention of the City Commission to make certain improvements, and to determine the necessity of such improvements as follows:

CORRECTION OF GARFIELD AVENUE DRAINAGE PROBLEM

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:

GARFIELD AVENUE DRAIN 1987

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 - \$68,895.28

CITY - \$34,447.64

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; and that such assessments 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 9.5% per annum from the date of confirmation of such special assessment rolls.

AMERICAN LEGION PARKING LOT

Sue Hampton asked what has been happening with the American Legion parking lot agreement. Mayor Pro Tem Coyne said that there

has been no activity on this agreement. Ms. Hampton said the City should reimburse the American Legion for the cost of their parking lot plan and discussed property ownership in the area at length. James Stevens, a member of the American Legion, said that they will respond to the issues when the air clears. Steve Hampton said that the Planning staff and Planning Commission made mistakes in approving the American Legion parking lot and that the Legion is not a good neighbor. Davis Reynolds asked what the City could do to stop construction of the parking lot. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried to ask the City Manager for a report and recommendation based on the information that was submitted at tonight's meeting. Commissioner Acocks asked if anything could be done to delay start of the project. City Attorney Martin said that it would be necessary to seek an injunction if that happened.

WATER & SEWER UTILITY ADVISORY BOARD-Lawn Meter Policy

A communication from the Water and Sewer Utility Advisory Board, regarding a lawn water meter installation policy, was read. It was moved by Commissioner Sciotto, supported by Commissioner Leadbetter, and carried to concur in the recommendation and to adopt the lawn meter installation policy as proposed. Mayor Pro Tem Coyne recognized and thanked Committee Chairman Coffey and Committee members for their work on this and other aspects of utility operation.

VILLAGE DEVELOPMENT COORDINATING COMMITTEE-Operating Budget Assessment.

A communication from the Village Development Coordinating Committee, regarding the parking lot exemption from the Village Business District special assessment, was read. Village Development Coordinating Committee Chairman Irving Wagner said that 85% of the parking lot frontage had supported the assessment and that parking lots should be included in the assessment district. Committee member Jim Bielinski supported Mr. Wagner's comments and said that the Committee has worked long and hard on the establishment of this assessment district. It was moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried to reconsider the exclusion of parking lots from this assessment district. It was then moved by Commissioner Constance, supported by Commissioner Leadbetter, and carried to concur with the recommendation of the Village Development Coordinating Committee and to adopt the assessment plan as recommended by them.

AMERICAN LEGION-Fireworks Funding

A communication from the American Legion Fourth of July Committee, regarding funding for the Fourth of July fireworks, was read. Jim Stevens answered questions about the communication. City Manager Svanda said that the amount in the proposed City budget for fireworks is for \$4,000 this year as opposed to the requested \$5,000. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried to approve a fireworks

display permit for the American Legion Fourth of July Corporation for July 4, 1987.

SHIRAS HILLS PARK PROJECT, INC.-Park Vacation

A communication from the Shiras Hills Park Project, Inc., regarding vacation of dedicated parkland in Shiras Hills Subdivision, was read. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Johnson, and carried to refer this item to the City Manager and Attorney for study and a report at the next meeting. City Attorney Martin reported that he had been in contact with Mr. Solka, and that the next appropriate step was to send this request to the Planning Commission. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Constance, and carried to refer this item to the Planning Commission.

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

CITY OF ESCANABA - State-Run Airline

Following the recess, a communication from the City of Escanaba, regarding support for a state-run airline, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Johnson to send a letter to Governor Blanchard discouraging a state-run airline as an inappropriate state activity. The following vote was taken:

Ayes: Mayor Pro Tem Coyne. Commissioners Acocks, Johnson, Leadbetter.

Nays: Commissioners Constance, Sciotto.

The motion was carried.

MICHIGAN MUNICIPAL LEAGUE-Annual Convention

A communication from the Michigan Municipal League, regarding the Annual League Convention in September, was noted.

CITY MANAGER-1987-88 Budget

Mayor Pro Tem Coyne announced that this was the time set for presentation of the Fiscal Year 1987-88 Budget. City Manager Svanda presented the budget and noted that much hard work had gone into it on the part of the City Commission and staff. It was moved by Commissioner Constance to have another budget work session to look for ways to find funding for the infrastructure repair program other than through an income tax. The motion died for lack of support. Mayor Pro Tem Coyne said that the development of the Five-Year Strategic Plan had been of great assistance in preparing this budget. He said that two years ago the City budget had been 20 million dollars and that it had been pared down to 18 million dollars this year. He noted particularly the loss of \$600,000 in Federal Revenue Sharing Funds.

SET PUBLIC HEARING-City Income Tax Ordinance

Mayor Pro Tem Coyne noted that this was the time set for scheduling a public hearing on a City income tax. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to schedule the next regular Commission meeting as the

time and date for a public hearing on the enactment of a City income tax ordinance.

EAST ARCH STREET RECONSTRUCTION-Redesign Costs

A report and recommendation from the City Manager, regarding design and reconstruction of East Arch Street, was read. It was moved by Commissioner Johnson and supported by Commissioner Acocks that the redesign work in the amount of \$4,825 and additional project costs be assessed against the adjoining property owners. Following lengthy discussion, this motion was withdrawn. It was then moved by Commissioner Leadbetter and supported by Commissioner Johnson to authorize the redesign in the amount of \$4,825 and to ask for special construction measures to be included as alternates in the bidding process. The following vote was taken:

Ayes: Mayor Pro Tem Coyne. Commissioners Acocks, Constance, Leadbetter.

Nays: Commissioners Johnson, Sciotto.

The motion was carried. It was then moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to concur with the recommendation of the Public Works Advisory Board that if redesign is done to save trees at a specific location, then the benefitting property owners should bear the extra cost of this redesign and to further direct that in the future, meetings be held with the neighborhood prior to design.

PARK CEMETERY-Burial Costs

A report and recommendation from the City Manager, regarding costs for burials at Park Cemetery, was read. The Commission took no action on this report.

CONSENT AGENDA

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

- A. Award of bids for various concession items to the low bidders at the amount indicated.
- B. Award of bids for two 1987-88 pickup trucks to Superior Ford in the low bid amount of \$11,650.18 each.
- C. Approval of change order #2 to the Closner Construction contract for the Neck of Presque Isle Project in the amount of \$740.00, and
- D. Consent to the transfer from the L.S. & I. Railroad to U.P. Generating Company of an aerial easement agreement over Lakeshore Boulevard and authorization of the Mayor and City Clerk to execute all necessary documents.

City Attorney Martin said that additional wording had been proposed for inclusion in the consent to transfer the aerial easement agreement.

PELLOW ROOFING-Right of Entry for McClellan Project

A recommendation from the City Attorney, regarding a right-of-entry agreement with Pellow Roofing and Sales, was read. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to approve this right-of-entry agreement and to authorize the Mayor and City Clerk to execute it.

BIDS-Ice Cream and Cones

A report and recommendation from the City Manager, regarding bids for ice cream and cones, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Johnson to award the bid to Jilbert Dairy, taking into account better service from Jilbert and a superior product. The following vote was taken:

Ayes: Commissioners Acocks, Johnson, Leadbetter, Sciotto.

Nays: Mayor Pro Tem Coyne. Commissioner Constance.

The motion was carried.

SENATOR MACK-Wilderness Bill

A letter from State Senator Mack, regarding wilderness designation of lands in the U.P., was read. It was moved by Commissioner Sciotto, supported by Commissioner Constance, and carried to adopt a resolution opposing HR 148 in it's present form.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Mike Sukup said that Kemp's Ice Cream is made in Minnesota and Wisconsin, that the Commission cannot make qualitative decisions on ice cream quality, that 60% of Reinhart Food employees live in the City, and that in hard budget times only low bids should be taken.

NEW BUSINESS

Commissioner Sciotto

Commissioner Sciotto asked about the schedule for walking at Presque Isle and said that consideration should be given to restricting motor vehicles every morning, not just Tuesday and Thursday.

Commissioner Johnson

Commissioner Johnson said that we should support our local airlines, asked if there are any pit bulls licensed in the City of Marquette and said that perhaps they should be banned, complimented the Public Works Department on the cleanliness of the City, and noted many calls of concern about the proposed City income tax.

Commissioner Constance

Commissioner Constance encouraged the American Legion not to shrink the fireworks program even though the City cannot afford to keep up full funding. He said that he felt there was no difference between the product of Reinhart Foods and Jilbert & Company and that the ice cream bid should have been awarded to

the lowest bidder. He noted much opposition to the City income tax and no support for it. He said that he has a plan to do the necessary infrastructure work without the necessity of having a City income tax.

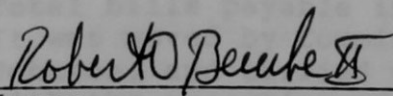
Commissioner Acocks

Commissioner Acocks said that May 9 was the City-wide cleanup sponsored by the Beautification Committee and said that the City looks very clean this spring.

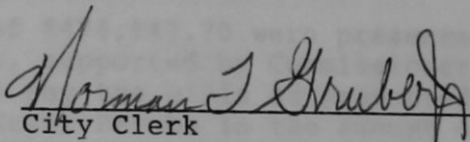
Mayor Pro Tem Coyne

Mayor Pro Tem Coyne said that voting for Jilbert had been contrary to the City Charter. He said that his contacts are three to two in favor of a City income tax with most people wanting more information. He said that making more extensive cuts in the budget is not acceptable to all Commissioners.

The meeting was adjourned at 10:15 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.