

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, May 11, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, May 11, 1987 in Commission Chambers of City Hall.

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

APPROVE MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to approve the minutes of the April 27, 1987 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$474,947.70 were presented. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to pay the bills as presented with the exception of the bill to Mayor Berube in the amount of \$6.25. It was then moved by Commissioner Johnson and supported by Commissioner Acocks to pay the above excluded bill and allow Mayor Berube to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Berube.

The motion was carried.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added Item 18, discussion of a letter about the City/NMU/ firehall bell, and Item 19, a communication from the Federal Emergency Management Agency.

PROCLAMATIONS

Mayor Berube then made the following proclamations:

COLONEL ANTONIO MALDONADO DAY

WHEREAS, the City of Marquette is fortunate to have as its neighbor the quality personnel of the 410th Bombardment Wing at K. I. Sawyer Air Force Base; and

WHEREAS, the 410th Bombardment Wing has been under the capable leadership of Colonel Antonio Maldonado, who became Commander of the Wing on July 2, 1985, and who previously served as Vice Commander and prior to that as Deputy Commander of Operations of the Wing; and

WHEREAS, Colonel Maldonado's service to our country is marked by achievements such as: being the Distinguished Graduate of his Air Force Reserve Officers Training Corp Class from the University of Puerto Rico; being a Command Pilot with over 4,000 hours of flying time; and leading the 410th Wing to capturing the Omaha Trophy for 1986 which signifies the most outstanding Wing in the Strategic Air Command out of 38 Wings; and

WHEREAS, the United States Air Force has recognized one of its finest career officers by selecting Colonel Maldonado as Chief of Strategic Operations, the Office of the Joint Chiefs of Staff at the Pentagon in Washington, D. C.

NOW, THEREFORE, BE IT RESOLVED, I, Robert O. Berube II, Mayor of the City of Marquette, do hereby proclaim Wednesday, May 13, 1987, as Colonel Antonio Maldonado Day in Marquette and urge all citizens to recognize the dedication and distinguished service of Colonel Maldonado; and

BE IT FURTHER RESOLVED, that on behalf of the citizens of Marquette, I extend to Colonel Maldonado our best wishes on his new assignment and our many thanks for his efforts in helping to make Marquette a better place to work and live.

ARBOR DAY

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, the City of Marquette has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I, Robert O. Berube II, Mayor of the City of Marquette, do hereby proclaim May 21 as

ARBOR DAY

in the City of Marquette, and I urge all citizens to support efforts to protect our trees and woodlands and to support our city's urban forestry program, and

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

MULTIPLE SCLEROSIS WEEK

Multiple Sclerosis is a major neurological disease which most often strikes young adults between the ages of 20 and 40. It is a chronic and progressive disease for which there is no known cause or cure. Over 15,000 individuals are afflicted with multiple sclerosis within the borders of our Great Lake State.

The mission of the Michigan Chapter of the National Multiple Sclerosis Society is to support research into the cause and cure of MS, create a greater awareness of MS through public and professional education and provide services to persons afflicted with this disease and their families. This mission is carried out through network of 1,200 dedicated volunteers in 11 branches throughout our state. This organization is working for the day when "MS" will stand for "Mystery Solved."

Therefore, I, Robert O. Berube, II, Mayor of the City of Marquette, Michigan, do hereby declare May 11 through 17, 1987, as MULTIPLE SCLEROSIS WEEK in Michigan. I encourage all citizens to gain a greater awareness of the need to eradicate this disease, to commend the Michigan Chapter of the National Multiple Sclerosis Society, and to join me in commemorating this observance.

BOARD OF LIGHT AND POWER - Fuel Purchase Note

A communication from the Board of Light and Power, regarding short-term borrowing for the purchase of coal supplies, was read. David Carlson, Board Chairman, addressed the Commission requesting approval of the fuel note resolutions. It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried unanimously to adopt the following resolution:

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WHEREAS, the Board of Light and Power of the City of Marquette (the "Board") has recommended to the City Commission of the City of Marquette (the "City") that it is necessary and advisable in order to provide an adequate supply of electric power, to protect the public health, safety and welfare of the City and its residents to purchase a supply of fuel for use by the Electric Utility System of the City ("the "System"), in order to provide necessary fuel reserves for operation of the System; and

WHEREAS, the Board has estimated that the cost of the necessary fuel requires borrowing the sum of not to exceed Three Million Four Hundred Seventy Thousand Dollars (\$3,470,000), and has recommended that it be permitted to borrow the sum of not to exceed Three Million Four Hundred Seventy Thousand Dollars (\$3,470,000) and to issue its notes therefor, in accordance with and subject to the provisions of Act 182, Public Acts of Michigan, 1971, as amended ("Act 182"), and in accordance with the provisions of this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Commission of the City does hereby determine that it is necessary for the public health, safety and welfare of the City for the Board to purchase fuel and borrow therefor the sum of not to exceed \$3,470,000.
2. Notes to be designated ELECTRIC UTILITY SYSTEM REVENUE NOTES (FUEL SUPPLY), 1987 Series _____, (the "Notes") be issued in the aggregate principal sum of not to exceed \$3,470,000 in accordance with and subject to the provisions of Act 182 and this resolution for the purpose of paying the cost of purchasing fuel for the System. The denomination and form of said Notes shall be determined by the Board but in any event shall be in multiples of \$5,000 each, shall be issued in one or more series, dated, numbered and shall mature not later than June 30, 1988, at such time or times and with such right of prior redemption as shall be determined by the Board.
3. The Notes shall bear interest at a rate or rates to be determined upon the sale thereof payable on such dates and in such manner as shall be determined by the Board. Both principal of and interest on the Notes shall be payable at a bank or trust company qualified to act as paying agent under the laws of the State of Michigan, to be designated by the original purchaser of the Notes and approved by the Board or, if the Notes are issued in fully-registered form, through a transfer agent and note registrar designated by the Board.
4. The Notes shall be executed on behalf of the City by the Board through the manual or facsimile signatures of its Chairman and Secretary and authenticated in such manner as the Board may provide. The Notes, when executed, shall be delivered to the Secretary of the Board and be delivered by him to the purchaser thereof upon payment of the purchase price therefor in accordance

with the proposal for the purchase thereof as submitted as hereinafter provided.

The proceeds of sale of the Notes shall be used solely for payment of the cost of issuing the notes and purchasing fuel. Any unexpended balance remaining from the Notes shall be used for payment of principal or interest on the Notes.

5. The Notes shall be sold in the manner determined by the Board.

6. The Notes and the interest payments required to be made thereon, shall not be a general obligation of the city but shall be secured by and payable solely and only from the unencumbered revenues of the System after meeting all the requirements of the outstanding Revenue Bonds on the System and subject to the requirements of any Electric Utility System Revenue Bonds of the City and notes of equal standing therewith now outstanding or hereinafter issued in accordance with and subject to the provisions of Ordinance No. 314 of the City, as amended. The right is reserved to issue additional notes under the provisions of Act 182, which shall be of equal standing and priority of lien on the revenues of the system with the Notes authorized by the provisions of this resolution subject to any limitations established by the Board.

There shall be established with a bank designated by the Board, a separate account to be designated 1987 FUEL SUPPLY NOTE REDEMPTION FUND ("Note Redemption Fund"). There shall be deposited in the Note Redemption Fund from the unencumbered revenues of the System, after meeting all requirements of the outstanding bonds and notes and any additional obligations hereinafter issued, from time to time, such sums as shall be sufficient to pay the interest and principal on the Notes as they become due. The Board may, by resolution, provide for specific deposits as fuel is used or on a particular schedule to provide for complete payment of the Notes. Moneys in the Note Redemption Fund shall be used solely and only to pay the principal of and interest on the Notes as the same become due, or to redeem the Notes or any parts thereof prior to maturity as herein provided, except to the extent that it may be necessary to use such moneys to pay the principal of and interest on the above described outstanding revenue bonds and notes or any additional bonds and notes that may hereinafter be issued or to meet other requirements therefor as provided in Ordinance No. 314 of the City.

7. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and they are hereby rescinded.

PUBLIC HEARING - 1987-88 Budget, Fee Schedule, & Federal Revenue Sharing Budget

Mayor Berube then announced that this is the time and date set for a public hearing on the fiscal year 1987-88 budget, fee schedule, and federal revenue sharing budget. Evelyn VanDine, President of the Lake Superior Art Association, said that the Association puts all of the money they earned back into the community and asked that the proposed \$5.00 per artist user fee for Presque Isle Park for Art on the Rocks be waived. She noted work done at the park by the Association including the gift of the Anita Meyland Gazebo. The hearing was closed. Commissioner Constance asked what fee is charged to artists by the Association for Art on the Rocks. Mary Frei said that the fee is \$45.00 and that it had just been raised from \$35.00 this year. She said many of the costs for Art on the Rocks are increasing substantially. It was moved by Commissioner Johnson and supported by Commissioner Acocks to waive the \$5.00 per artist fee for the Lake Superior Art Association for the use of Presque Isle Park for Art on the Rocks. 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 Johnson and supported by Commissioner Sciotto that the single family solid waste collection fee be set at no more than \$5.00. The following vote was taken:

Ayes: Commissioners Johnson, Sciotto.

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

The motion was defeated.

PUBLIC HEARING - City Income Tax Ordinance

Mayor Berube then announced that this was the time and date set for a public hearing on the adoption of a City income tax ordinance. Twenty-three persons spoke in opposition to the ordinance, five persons spoke in support of it, and four persons made comments about it. The hearing was closed.

RECESS

Mayor Berube called a five-minute recess at 9:00 p.m.

INCOME TAX ORDINANCE - General Appropriations Act

Following the recess, it was moved by Commissioner Leadbetter and supported by Commissioner Johnson to adopt the City income tax ordinance as proposed. Commissioners discussed the motion at length. The following vote was taken:

Ayes: Commissioner Leadbetter.

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

The motion was defeated. It was then moved by Commissioner Coyne and supported by Commissioner Acocks to adopt the General Appropriations Act but to add additional revenue in the amount of \$840,000 which represents a millage increase of 3.03 mills for a

1987-88 Fiscal Year millage of 12.53 mills and to dedicate this additional millage in the future to infrastructure repair. It was then moved by Commissioner Constance and supported by Commissioner Sciotto to amend the motion to replace 3.03 mills with 2 mills and to make up the difference by cutting the budget. The following vote was taken:

Ayes: Commissioners Constance, Sciotto.
Nays: Mayor Berube. Commissioners Acocks, Constance, Johnson, Leadbetter.

The amendment was defeated.

The General Appropriations Act was then unanimously adopted as follows:

General Appropriations Act

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

WHEREAS, a Tentative Budget and Fee Schedule for Fiscal Year 1987-88 was prepared and submitted by the City Manager to the City Commission on April 13, 1987; and April 20, 1987; and

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

WHEREAS, a Public Hearing on the Proposed Budget and Fee Schedule was duly called, publicized, and held on May 11, 1987;

NOW, THEREFORE, BE IT RESOLVED, that this Commission hereby make and adopt the following estimates of all revenues and all expenditures of the several funds of the City for the Fiscal Year beginning July 1, 1987, and for the payment of interest and indebtedness to fall due during the year for the following functions and purposes respectively; viz:

General Fund Revenue by Source:

Taxes	\$ 3,189,934
Licenses & Permits	7,950
Federal Grants	25,437
State Grants	1,601,749
Contributions from Local Units	14,774
Charges for Services	2,320,537
Fines & Forfeits	50,000
Interest and Rents	1,012,550
Other Revenues	1,985,542
Operating Transfers In	107,900

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TOTAL: \$ 10,316,373

General Fund Expenditures by Function:

Legislative	28,675
General Government	870,474
Public Safety	2,052,851
Public Works	2,644,604
Health & Welfare	97,988
Recreation and Culture	1,335,334
Other Functions	1,128,798
Appropriations Transfers Out	2,044,451
Contingencies	113,198

TOTAL: \$ 10,316,373

General Appropriations Act

Major Street & Trunkline Fund Revenue by Source:

State Grants	\$ 740,600
Interest	1,000
Other Revenues	500
Operating Transfers In	940,963

TOTAL: \$ 1,683,063

Major Street and Trunkline Expenditures by Function:

Public Works	\$ 1,493,630
Debt Service	189,433

TOTAL: \$ 1,683,063

Local Street Fund Revenue By Source:

State Grants	\$ 210,000
Interest	500
Other Revenues	100
Operating Transfers In	1,098,488

TOTAL: \$ 1,309,088

Local Street Fund Expenditures by Function:

Public Works	\$ 1,240,385
Debt Service	68,703

TOTAL: \$ 1,309,088

Parking Structure Fund Revenue by Source:

Taxes	\$ 17,000
Interest and Rents	63,280
Other Revenues	47,529

TOTAL: \$ 127,809

Parking Structure Fund Expenditures by Function:

Public Works (Parking System)	\$	81,809
Appropriation Transfers Out (Bldg Auth Debt)		46,000
TOTAL:	\$	127,809

Federal Revenue Sharing Fund Revenue By Source:

Transfer From Fund Balance	\$	1,900
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Federal Revenue Sharing Fund Expenditures by Function:

Appropriation Transfer Out	\$	1,900
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TOTAL:	\$	1,900
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Library Fund Revenue By Source:

Taxes	\$	317,775
State Grants		35,210
Charges for Services		12,000
Fines & Forfeits		43,880
Interest & Rents		14,475
Other Revenues		48,000
Transfer from Fund Balance		137,483

TOTAL:	\$	608,823
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Library Fund Expenditures:	TOTAL:	\$	608,823
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Criminal Justice Training Fund Revenue By Source:

State Grants	\$	6,000
Interest		400
Transfer From Fund Balance		650

TOTAL:	\$	7,050
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Criminal Justice Training Fund Expenditures:	TOTAL:	\$	7,050
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Sanitary Landfill Debt Fund Revenue:

Approp. Transfer from Landfill Const.	\$	270,000
TOTAL:		

Sanitary Landfill Debt Fund Expenditures:

Interest - Long Term Debt	TOTAL:	\$	270,000
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Building Authority Debt Service Fund Revenue:

Interest	\$ 600
Appropriation Transfers In	82,000
Transfer from Fund Balance	18,075

TOTAL: \$ 100,675

Building Authority Debt Service Fund Expenditures:

Principal on Bonds Paying Agent Fees	\$ 30,000
Paying Agent Fees	350
Interest - Long Term Debt	70,325

TOTAL: \$ 100,675

Neck of Presque Isle Project Fund Revenues:

Interest	\$ 50
Restricted Contributions	138,000
Other Revenues	50,000

TOTAL: \$ 188,050

Neck of Presque Isle Project Fund Expenditures:

Construction & Engineering	TOTAL: \$ 129,097
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Hurley Ballfield Construction Fund Revenues:

Interest	\$ 155
Other Revenue	103,485

TOTAL: \$ 104,000

Hurley Ballfield Construction Fund Expenditures:

Capital Outlay	TOTAL: \$ 104,000
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Sanitary Landfill Construction Fund Revenues:

Contributions - Local Units	\$ 580,000
Interest	16,000
Other Revenues	2,120,000

TOTAL: \$ 2,716,000

Sanitary Landfill Construction Fund Expenditures:

Capital Outlay	\$ 2,446,000
Appropriation Transfer to Debt Fund	270,000

TOTAL: \$ 2,716,000

Intermodal Transportation Terminal Fund Revenue:

TOTAL: \$ 130,600

Intermodal Transportation Terminal Fund Expenditures:

TOTAL: \$ 64,450

Marquette Area Wastewater Treatment Facility Fund Revenue:

TOTAL: \$ 1,149,779

Marquette Area Wastewater Treatment Facility Fund Expenditures:

TOTAL: \$ 1,149,779

Water & Sewage Disposal System Fund Revenue:

TOTAL: \$ 3,425,355

Water & Sewage Disposal System Fund Expenditures:

TOTAL: \$ 3,425,355

Marina Fund Revenue:

TOTAL: \$ 95,680

Marina Fund Expenditures:

TOTAL: \$ 80,564

BE IT FURTHER RESOLVED, that this Commission has estimated the revenue which will be forthcoming during Fiscal year 1987-88, and has determined the amount necessary to balance the General Fund budget to be the sum of Two million, nine hundred fifty seven thousand sixteen dollars (\$2,957,016); and has determined the amount necessary to balance the Peter White Public Library budget to be the sum of Three hundred seventeen thousand, two hundred fifty dollars (\$317,250); and

BE IT FURTHER RESOLVED, that in accordance with the Public Notification provisions of Act 5 of 1982 of the State of Michigan, the sum of Two Million, nine hundred fifty seven thousand, sixteen dollars (\$2,957,016); is hereby fixed as the amount to be raised by Real and Personal Taxes for the 1987-88 Fiscal Year for the General Fund; and the sum of Three hundred seventeen thousand, two hundred fifty dollars (\$317,250); is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1987-88 Fiscal Year for the Peter White Public Library; and

BE IT FURTHER RESOLVED, that all transfers between appropriations to the various functions may be made only by further action of the Commission, pursuant to the provisions of the Michigan Uniform Accounting and Budgeting Act.

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PROPERTY TAX ADMINISTRATION FEE

It was then moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried unanimously to adopt the property tax administration fee resolution as follows:

WHEREAS, it is the responsibility of the City of Marquette to administer the property tax; and

WHEREAS, it is the desire of the City Commission to establish a one percent tax administration fee to help defray the costs associated with tax administration; and

WHEREAS, this fee will be levied against all property taxes levied in the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Treasurer of the City of Marquette shall, upon all sums paid before February 15 of the succeeding year, add One Percent (1%) for a property tax administration fee; and

BE IT FURTHER RESOLVED, that pursuant to MCLA 211.44, as amended, the City Commission may waive all or part of the property tax administration fee for senior citizens, paraplegics, quadraplegics, eligible servicemen, eligible veterans, totally and permanently disabled or blind as those persons are defined in Chapter 9 of Act No. 281 of the Public Acts of 1967, as amended.

FEE SCHEDULE AND FEDERAL REVENUE SHARING BUDGET

It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to adopt the 1987-88 fee schedule with the Planned Unit Development fee changes recommended by the Planning Commission. It was then moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried unanimously to adopt the Federal Revenue Sharing Budget as proposed. City Manager Svanda explained that there was a \$1,600 carryover from the last fiscal year and that a formal budget is being adopted to cover any auditing requirements.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, John Weber and Bruce Houghton asked to speak on Item 7, Robert Bordeau asked to speak on Item 8, Ed Brown asked to speak on Item 12, and Debbie Sandstrom asked to speak on Item 10. Mike Roche, on behalf of the Village Business Association, presented "Village Street Walker" tee shirts to each of the Commissioners and urged everyone to attend the "Village Street Walker" fundraiser scheduled for this weekend to raise money for the Heart Association.

BOARD OF EDUCATION - Garfield Avenue Drainage District

A communication from John Weber, regarding the Garfield Avenue drainage special assessment district, was read. Mr. Weber addressed the Commission asking them to reconsider the division of assessments in this special assessment district. Bruce

Houghton, representing Mrs. Tourville, reviewed the history of the drainage assessment and said that the school had been unwilling to participate in finding a solution to the problem. It was moved by Commissioner Acocks and supported by Commissioner Leadbetter to reconsider the establishment of the Garfield Avenue drainage special assessment district. Following lengthy discussion, the following vote was taken:

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

Nays: Commissioners Constance, Johnson, Sciotto.
The motion was carried.

It was then moved by Commissioner Coyne and supported by Commissioner Acocks to rescind the special assessment roll adopted at the last regular City Commission meeting. The following vote was taken:

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

Nays: Commissioner Constance.

It was then moved by Commissioner Coyne and supported by Commissioner Sciotto that the City Commission institute the proceedings necessary to establish a drainage district to solve the Garfield Avenue drainage problem. Following discussion, this motion was withdrawn. It was then moved by Commissioner Johnson and supported by Commissioner Acocks to allow the three parties to get together and come up with an amicable solution to the apportionment of costs for this project. The following vote was taken:

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

Nay: Commissioner Constance.

The motion was carried.

Commissioners agreed that if the three parties could not come up with a solution that the City would petition the County Drain Commissioner for establishment of a drainage district.

HOSPITAL FINANCE AUTHORITY - Issue Refunding Bonds

A communication from the Hospital Finance Authority, regarding the issuance of refunding bonds, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution:

WHEREAS, the City of Marquette Hospital Finance Authority (the "Authority") proposes to advance refund the City of Marquette Hospital Finance Authority Hospital first Mortgage Revenue Bonds (Marquette General Hospital, Marquette Michigan) 1980 Series B, which mature on and after April 1, 1991 (the "Bonds to be Refunded"); and

WHEREAS, the Authority intends to issue City of Marquette Hospital finance Authority Hospital Revenue Refunding Bonds (Marquette General Hospital, Marquette, Michigan) 1987 Series C (the "Series C Bonds") in the principal amount of not to exceed \$16,000,000 to provide funds with which to advance refund the Bonds To Be Refunded; and

WHEREAS, the Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the Authority, the City of Marquette, the State of Michigan or any political subdivision thereof within the meaning of any constitutional, charter or statutory limitation; and

WHEREAS, on _____, 1987 at _____ o'clock p.m. in the City Hall, Marquette, Michigan, the Authority held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Authority has requested that this City Commission approve the issuance of the Series C Bonds; and

WHEREAS, this City Commission desires to express its approval of the issuance of the Series C Bonds by the Authority.

IT IS HEREBY RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARQUETTE, AS FOLLOWS:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the City Commission of the City of Marquette, Michigan, hereby approves the issuance, sale and delivery of not to exceed \$16,000,000 in aggregate principal amount of the Series C Bonds.

2. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Authority.

CITY OF ESCANABA - Surplus Warehouse

A communication from the City of Escanaba, regarding continued operation of the State and Federal Surplus warehouse facility in Escanaba, was read. It was moved by Commissioner Coyne and supported by Commissioner Johnson to adopt a resolution urging the state to continue this operation. During discussion of this motion, Mayor Berube and City Manager Svanda explained how the surplus warehouse is used by nonprofit organizations including local government. Some Commissioners indicated they did not have enough information to support the motion. The following vote was taken:

Ayes: Mayor Berube. Commissioners Acocks, Johnson.

Nays: Commissioners Constance, Coyne, Leadbetter, Sciotto. The motion was defeated.

NORTHERN MICHIGAN UNIVERSITY - Substance Abuse Program

Mayor Berube announced that this was the time set for consideration of a resolution supporting a substance abuse program at Northern Michigan University. The resolution was read. Debbie Sandstrom, the University Health Promotion Coordinator, addressed the Commission regarding the proposed program. Commissioners indicated moral support for the program but that the adoption of the resolution would not indicate financial

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

In light of the negative impact of alcohol and drug use and abuse on the behavior of the students at Northern Michigan University and the resulting effect it has on the residents of Marquette, we, the Marquette City Commissioners, are committed to support and cooperate with the University in the development of the proposed long-ranged, broad-based, institution-wide effort in order to lessen the negative consequences of alcohol and drug use and abuse for every member of the Northern Michigan University community.

PLANNING COMMISSION - Rezone 1699 S. Front St.

A recommendation from the Planning Commission, recommending the rezoning of land at 1699 South Front Street from RS-single family residential to BG-general business was read. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously to set the next regular meeting as the time and date for a public hearing on this rezoning.

AMERICAN LEGION - Bluff St. Parking Lot

A report and recommendation from the City Manager, regarding the construction of the American Legion Parking lot on West Bluff Street, was read. Ed Brown, representing the American Legion, said that they are willing to construct a fence and/or buffer for the neighbors. He said that the Legion bought this property 25 years ago and that they have made many improvements to the land and building since then.

EAST ARCH STREET - Special Assessment

A report and recommendation from the City Manager, regarding the scheduling of a public hearing to determine the necessity of a special assessment project for the distribution of costs associated with the redesign of the 400 block of the East Arch Street Reconstruction Project, was read. It was moved by Commissioner Coyne that the City Commission not schedule a public hearing but concur with the remainder of the City Manager's recommendation. This motion was ruled out of order. Following discussion, it was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to set the next regular meeting as the time and date for a public hearing on the necessity of establishing a special assessment district in the 400 block of East Arch Street for the purpose of distributing the costs associated with redesign of the East Arch Street Reconstruction Project. A communication from Dirk VanOsdol, regarding reconstruction of High Street was also read.

MICHIGAN DEPT. OF TRANSPORTATION - McClellan Ave. Project

A report and recommendation from the City Manager, regarding a Federal Aid Agreement with the Michigan Department of Transportation for the McClellan Avenue Project, was read. It was moved by Commissioner Leadbetter, supported by Commissioner

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Johnson, and carried unanimously to concur with the City Manager's recommendation, to approve the agreement, and to authorize the Mayor and City Clerk to execute it.

ACORN RENOVATIONS - Old Marquette Village Square Project

A report and recommendation from the City Manager, regarding the Old Marquette Village Square Project, was read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously that the project concepts and conditions be approved, that the City Attorney be authorized to draft a formal agreement incorporating these concepts and conditions, and that the Mayor and City Clerk be authorized to execute this agreement on behalf of the City.

CONSENT AGENDA

Mayor Berube announced that this was the time set to consider the consent agenda. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to adopt the consent agenda as follows:

- A. Scheduling two public hearings for the next regular Commission meeting: one on the confirmation of the Village Development Coordinating Committee 1987 Operating Budget - Special Assessment Roll #499, and one on the confirmation of Single Lot Special Assessments - Special Assessment Roll #500 for the next regular Commission meeting.
- B. Approving Amendment A to the construction engineering agreement for the Arch and Ridge Streets Reconstruction Project and authorizing the Mayor and City Clerk to execute it.
- C. Award of bids for skinless weiners to Reinhart Foods in the amount of \$1.25 per pound.

APPOINTMENTS

Mayor Berube indicated that the proposed appointment had not been circulated to the Commission yet so that he would not make it at this time.

FIRE HALL BELL

Mayor Berube then noted that he had received a letter from a City resident regarding an NMU City Firehall bell. Commissioner Sciotto said that it was his opinion that the bell belonged to the Fire Department and that it was only on loan to the University. It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried to leave the bell where it is until a proper location can be found in the Lower Harbor Park.

FEDERAL EMERGENCY MANAGEMENT AGENCY - Flood Insurance

City Clerk Gruber then read a portion of a letter from the Federal Emergency Management Administration announcing that the City's application to participate in the National Flood Insurance Program has been approved.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Richard Hendrickson said that the people on High Street are concerned about their trees and that they should not be assessed for saving the trees since they were not given a choice on the design of the street project.

SCIOTTO - Pavement Repair on North Third Street

Commissioner Sciotto asked when the pavement removal for a sewer repair in the 900 block of North Third Street would be repaired. Public Works Superintendent Lawry explained that the asphalt plants are not open and that if the pavement was repaired with cold patch material, it would not last long.

JOHNSON - Pothole at Wright and Presque Isle, City Cleanup, Dogs in Park, Walking at Presque Isle

Commissioner Johnson said that there was a bad pothole on the corner of Wright and Presque Isle. She praised the City Beautification Committee for a good City cleanup last weekend and said that the trash pickup conducted by the City this spring had cost more than \$98,000. She said dogs are running loose at Presque Isle Park and commended people who walk against the traffic on Peter White Drive at the park.

COYNE - Lawn Water Meters

Commissioner Coyne asked for a report on lawn water meters from the City Manager at the next meeting on lawn water meters.

CONSTANCE - Fire Dept. Housing Inspections

Commissioner Constance asked for a report and recommendation from the City Manager on using Fire Department personnel to do housing inspections rather than hiring a new full time housing inspector.

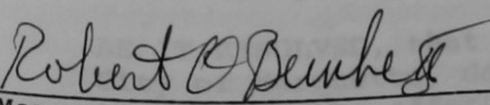
ACOCKS - City Cleanup

Commissioner Acocks said that she was pleased about many positive comments she has received on the City cleanup.

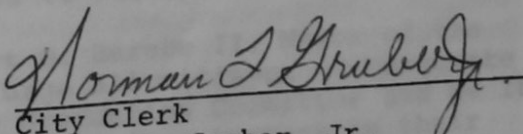
BERUBE - City Cleanup, News Coverage of City Activities

Mayor Berube thanked the people who had participated in the spring cleanup in the City and especially businesses who donated food coupons and garbage bags for use in the cleanup last weekend. He also thanked newspaper and radio reporters for their coverage of the income tax issue, however, he noted the editorial appearing in the Mining Journal did not adhere closely to the facts.

The meeting was adjourned at 10:33 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

May 11, 1987

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CITIZEN COMMENTS: This amount of discussion during the meeting for citizens wishing to address the Commission, Richard Hendrickson said that the people on High Street are concerned about their trees and that they should not be assessed for having trees when they were not given a vote on the design of the street project.

SCOTT: Pavement repair on North Third Street. Commissioner Scott asked when the pavement removal for a sewer repair in the 300 block of North Third Street would be repaired. Public Works Superintendent Barry explained that the repairs are not open and that the pavement was repaired with cold patch material, it would not last long.

JOHNSON - Pot hole at Wright and Presque Isle, City Cleanup, Dogs in Park, Walking at Presque Isle. Commissioner Johnson said that there was a bad pot hole at the corner of Wright and Presque Isle, the pot hole the City Beautification Committee for a good City Cleanup last weekend and said that the trash pickup conducted by the City this spring had cost more than \$28,000. He said dogs are running loose at Presque Isle Park and commended people who walk against the traffic on Peter White Drive at the park.

COYNE - Lawn Water Meters. Commissioner Coyne asked for a report on lawn water meters from the City Manager at the next meeting on lawn water meters.

CONSTANCE - Fire Dept. Housing Inspections. Commissioner Constance asked for a report and recommendation from the City Manager on having Fire Department personnel to do housing inspections rather than hiring a new full time housing inspector.

HOCKS - City Cleanup. Commissioner Hocks said that she was pleased about many positive comments she has received on the City Cleanup.

BERUBE - City Cleanup, News Coverage of City Activities. Mayor Berube thanked the people who had participated in the City Cleanup in the City and especially businesses who donated food coupons and garage bags for use in the cleanup last weekend. He also thanked newspaper and radio reporters for their coverage of the income tax issue, however, he noted the editorial appearing in the Mining Journal did not adhere closely to the facts. He said that he had not received any letters or calls at that time and would review the editorial at 10:30 p.m.

The meeting was adjourned at 10:30 p.m.

Unusual note - The Mayor's Office has received a letter from the City of Marquette dated May 11, 1987, regarding the City of Marquette's participation in the City Cleanup.

City Clerk
Norman L. Gruber, Jr.

Mayor
Robert O. Berube II

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, May 26, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, May 26, 1987 in Commission Chambers of City Hall.

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

MINUTES

Mayor Berube noted that a page of the minutes of the preceeding meeting had not been copied so that approval of those minutes would be delayed until the next regular meeting.

BILLS PAYABLE

Total bills payable in the amount of \$351,198.55 were presented. It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried unanimously to pay these bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added two proclamations as Items 1a and 1b and discussion of the City policy for street trees and arborist as Item 5a. Commissioner Coyne asked that Item 15, discussion of the Board of Zoning Appeal minutes regarding selling parking lots be added, and City Attorney Martin asked that Item 16, a proposed bicycle riding ordinance, and Item 17, a proposed animal waste ordinance, be added.

PROCLAMATIONS

Mayor Berube then made the following two proclamations:

High School Graduation Alcohol-Free Night

WHEREAS, the Marquette Senior High School desires to honor its Seniors, and

WHEREAS, the Graduation Committee would like to provide a safe, alcohol free all night long party at Westwood Lanes on Thursday, June 4, and

WHEREAS, Local Businesses and Service groups are donating time, money, food and supplies to this party,

BE IT RESOLVED, that I, Robert O. Berube II, Mayor of the City of Marquette, do hereby urge all citizens of Marquette to support the efforts of the Graduation Committee and be it further resolved that I wish the Seniors success in their future endeavors.

May 26, 1987

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National Safe Boating Week

To remind Americans of the need to keep safety in mind while on the Nation's waters, one week out of every year is designated as National Safe Boating Week. This year, it is estimated, over 68 million Americans will enjoy boating on our country's lakes, rivers, streams, oceans, and bays. Boating is fun and relaxing, but the marine environment is not without hazards. Therefore, it is imperative that all boaters learn and practice safe boating techniques.

The theme of this year's National Safe Boating Week, "Be Smart! Take a Boating Course!", emphasizes the importance of learning safe ways to enjoy the sport of boating. As each year passes, our Nation's waters become increasingly crowded with new and exciting craft. In addition to the traditional sailboats, cruisers, canoes, and rowboats, we now have jet-powered water skis, sailboards, and high-speed power boats whose capabilities rival the racing craft of yesteryear.

Because of these developments, it is vital that all boaters understand the courtesies and basic principles of boating safely. Using a boat requires knowledge and experience, just like operating an automobile. Uneducated boaters not only expose themselves to hazards, but also jeopardize their passengers and other boaters. A lack of knowledge, coupled with fatigue, alcohol or drug use, or faulty equipment, can produce fatal results. Since the majority of boating accidents are due to operator error, education is the key to their prevention.

In recognition of the need for safe boating, I, Robert O. Berube II, Mayor of the City of Marquette, do hereby proclaim the week of June 7 - 14 as SAFE BOATING WEEK in the City of Marquette.

PUBLIC HEARING - Special Assessment in 400 Block of East Arch

Mayor Berube then announced that this was the time set for a public hearing on a proposed special assessment district for redesign of the reconstruction of the 400 block of East Arch Street. Four persons addressed the Commission objecting to the proposed assessment and stating that the cost of redesign should be the City's cost since the redesign will save the City money and since saving the City street trees should be the responsibility of all citizens. One person presented the Public Works Advisory Board recommendation regarding standardized street designs. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously that the City absorb the \$4,825 extra design cost for the 400 block of East Arch Street.

PUBLIC HEARING - Special Assessment on the VDCC Budget
Mayor Berube then announced that this was the time set for a public hearing on the confirmation of special assessment roll #500 establishing the Village Development Coordinating Committee Operating Budget for 1987. There being no citizens wishing to address the Commission, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously that the resolution of confirmation for special assessment roll #500 be adopted as follows:

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

**VILLAGE DEVELOPMENT COORDINATING COMMITTEE
OPERATING BUDGET 1987**

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

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

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

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

RESOLVED, that said special assessment roll, to wit: Special Assessment Roll # 500 and the respective assessments therein, are hereby confirmed:

FURTHER RESOLVED, that such assessments shall be paid at the time fixed for the payment of regular city taxes, together with interest at the rate of 9.5% per annum from the date of confirmation of said special assessment roll.

PUBLIC HEARING - Single Lot Special Assessments
Mayor Berube then announced that this was the time set for a public hearing on the adoption of special assessment roll #499 - Single Lot Special Assessments - May 26, 1987. John Schroeder objected to the assessment against the property at 131 W. Arch Street on the basis that the work was done prior to his purchase of the property and that he had not received notice that the property would be assessed for this work. A communication from Stanley Gierlack, regarding his assessment at 216 W. Ridge Street, was read. The hearing was closed. It was moved by

Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to adopt the resolution of confirmation for special assessment roll #499 excluding the assessment against John and Jean Schroeder. The following resolution was adopted:

RESOLUTION OF CONFIRMATION

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

SINGLE LOT SPECIAL ASSESSMENTS - MAY 26, 1987

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

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

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

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

RESOLVED, that said special assessment roll, to wit: Special Assessment Roll # 499 and the respective assessments therein, are hereby confirmed:

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

The administration was directed to prepare a report and recommendation for the next regular meeting regarding the Schroeder's assessment.

PUBLIC HEARING - Rezoning - 1699 South Front Street
Mayor Berube then announced that this was the time set for a public hearing on a rezoning at 1699 South Lake Street. There

being no citizens wishing to address the Commission, the hearing was closed. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur with the recommendation of the Planning Commission and to rezone the vacated right-of-way of Sandstone Street east of South Front Street from RS-Single Family Residential to BG-General Business.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Peter Kelly, Bob Heyd, Barb Kelly, and Mary Lynn Heyd asked to speak on Item 5a. Richard Hendrickson asked when the people on High Street will be consulted regarding the redesign of High Street and Krystal Laundre asked about an outstanding bill for sewer repair at 331 East Crescent Street. Commissioners referred Ms. Laundre to the Sewer and Water Utility Advisory Board and indicated their next meeting would be on June 4, 1987. City Manager Svanda said that he had notified the City Commission their actions regarding the redesign of the 400 block of East Arch Street would be precedent setting regarding any potential redesign for other portions of the East Arch Street Reconstruction Project and that that would establish the procedure for High Street also. He also indicated that the Planning Commission would be directed to hold public hearings on street redesign in with their review of the capital outlay budget in the future.

WATER/SEWER UTILITY ADVISORY COMMITTEE - Lawn Meter Policy

Mayor Berube announced that this was the time set for a presentation by the Water and Sewer Utility Advisory Committee. Committee Chairman Charles Coffey presented the recommendations from the Committee regarding lawn water meter policy and replacement. He answered questions directed to him by the Commission.

STREET TREE POLICY

Mayor Berube then announced that this was the time set for discussion of the City policy for street trees and a City Arborist. City Manager Svanda reported on the status of the current City Arborist. He said in addition to that position which may be filled if the Arborist becomes available, that the City Commission has approved an Assistant Sexton/Arborist position in the upcoming budget and that this person could fill in on the Arborist duties until the status of the current arborist is determined. Mayor Berube suggested that the Planning Commission, Water and Sewer Advisory Board, Public Works Advisory Board, and Tree Committee meet to develop a City street tree policy. Barb Kelly addressed the Commission discussing a packet of information that she had submitted on street trees and presenting a petition supporting the maintenance and preservation of street trees. Peter Kelly said that the City should bear the cost of preserving street trees. He showed slides of streets that have been reconstructed where the majority of trees have been removed as well as slides of East Arch Street where the trees have not been removed. Mary Lynn Heyd said that the City should take the

May 26, 1987

responsibility for preserving trees. Bob Hyde said that preserving trees benefitted the entire City. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to call for a meeting of the Planning Commission, the Water and Sewer Utility Advisory Board, the Public Works Advisory Board, and the Tree Committee and to ask them to develop a policy for the preservation of street trees.

DOWNTOWN DEVELOPMENT AUTHORITY - Ramp Parking Fines

A communication from the Downtown Development Authority, recommending that the two-hour parking restriction violation fee for the Parking Ramp be raised from \$2.00 to \$5.00, was read. It was moved by Commissioner Acocks and supported by Commissioner Sciotto to concur in this recommendation and to increase the fine. The following vote was taken:

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

Nay: Commissioner Johnson.

The motion was carried.

MICHIGAN MUNICIPAL LEAGUE - Region X Meeting

A communication from the Michigan Municipal League, regarding the Annual Region X Meeting, was noted.

GREG KESKITALO - King Koin Launderette Barrier Free Easement

A communication from Greg A. Keskitalo, requesting an easement to allow the construction of a barrier-free ramp for the King Koin Launderette at 629 North Third Street, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to approve this easement and authorize the Mayor and City Clerk to execute it subject to approval of the Village Development Coordinating Committee.

PARKS AND RECREATION ADVISORY COMMITTEE - Presque Isle Road Closing Policy

A communication from the Parks and Recreation Advisory Committee, regarding the road closing policy at Presque Isle Park, was read. It was moved by Commissioner Berube, supported by Commissioner Coyne, and carried unanimously to concur in this recommendation and to establish the new policy as having the road closed to vehicular traffic from 7:00 a.m. to 1:00 p.m. each Tuesday and Thursday and on a trial basis for the 1987 season from 6:00 p.m. to 8:00 p.m. on Monday and Wednesday.

INVESTMENT ADVISORY BOARD - Municipal Investment Fund

A communication from the Investment Advisory Board, regarding City participation in Municipal Investment Fund agreements with local financial institutions, was read. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously to concur with the recommendation and to authorize the City to enter into a Municipal Investment Fund Trust agreement with First of America Bank, an Investment Services agreement with the First National Bank, a lockbox services agreement with First National Bank, to authorize Finance

Director Donna Kohut to execute these agreements on behalf of the City, and to review banking services annually.

MARQUETTE TRANSPORTATION CENTER - Lease with MAISD

A report and recommendation from the City Manager, regarding a lease with the Marquette-Alger Intermediate School District, for space in the Marquette Transportation Center, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried unanimously to concur with this recommendation, to approve the lease, and to authorize the Mayor and City Clerk to execute it.

CONSENT AGENDA

Mayor Berube then presented the Consent Agenda. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to adopt the Consent Agenda as follows:

A. Award the bids for liquid chlorine in the amount of \$475/ton cylinder and Liquid Hydrofluosilicic Acid in the amount of \$0.105/pound to The Hydrite Chemical Company; and the bid for Liquid Ferric Chloride in the amount of \$182/dry ton to Yelland Chemicals of Gwinn.

B. Award the bid for group term life insurance to the Elder Agency as the low bid at \$.33/month/\$1,000.

C. Award the bid for testing and repair of large water meters to Menzel's Field Service from Heafford Junction, WI as the low bid.

D. Award the bid for street maintenance and repair materials to Custom Asphalt Paving, Inc. of Negaunee as the low bidder at the unit prices bid.

E. Award the bid for plant site delivery of 28B aggregate, job site delivery of 22A aggregate, 28B aggregate and pit run aggregate, and all ice control sand to A. Lindberg and Sons; and the bid for plant site delivery of 22A aggregate, 6A aggregate, and pit run aggregate, job site delivery of 6A aggregate to Schinella-Mottes.

F. Approve the two-year lease extension for the Kirlin Road and authorize the Mayor and City Clerk to execute it.

MARQUETTE HOTEL RESTAURANT CORPORATION - Liquor License Transfer

A report and recommendation from the City Manager, regarding a liquor license transfer for the Marquette Hotel Restaurant Corporation, was read. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously that the request from the Marquette Hotel Restaurant Corporation for transfer ownership of 1982 B-Hotel License with Dance Permit located in escrow at 214 North Front Street, Marquette, Michigan, Marquette County, from First of America Bank N.A. be considered for approval subject to compliance with local fire, property maintenance, and zoning codes.

May 26, 1987

APPOINTMENTS

Mayor Berube then made the following appointments with the Commission's concurrence:
Traffic Parking Advisory Committee - Sally Shaver and Robert Mallette for terms expiring May 30, 1990.
Tree Committee - Marion Lovewell for a term expiring February 11, 1990.
Board of Zoning Appeals - Terry Szczepanski as an alternate for a term expiring February 15, 1989.

BOARD OF ZONING APPEALS - Discuss Sale of Parking Lots

Mayor Berube announced that this was the time set to discuss the Board of Zoning Appeals minutes. It was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried unanimously to direct the City Manager to meet with the Board of Zoning Appeals and to discuss with them their concerns regarding sale of City-owned parking lots.

PROPOSED ORDINANCES - Bicycles on Sidewalks, Animal Excrement

A communication from the City Attorney, regarding two proposed ordinances, was read. It was moved by Mayor Berube, supported by Commissioner Constance, and carried unanimously to set the next regular meeting as the time and date for a public hearing on an ordinance prohibiting bicycle riding on sidewalks. It was then moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to set the next regular meeting as the time and date for a public hearing on an ordinance requiring removal of animal excrement.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Richard Hendricksen said that he still does not understand what is going on with the redesign of High Street and whether or not he and his neighbors will have input. Mayor Berube recommended that he talk to the City Manager for clarification.

ACOCKS - Letter from Keskitalo, Dogs at Deer Pen

Commissioner Acocks noted that the letter from Mr. Keskitalo had been addressed to the Commission. She also said that it should be made public when restitution is made by the owners of the dogs responsible for killing deer at the Presque Isle Zoo.

CONSTANCE - Water/Sewer Utility Advisory Board Minutes, Length of Citizen Comment

Commissioner Constance said that the minutes of the Water/Sewer Utility Advisory Board were incomplete. He also said that citizen comment on specific agenda items should not be limited to two minutes each.

COYNE - Shiras Pool Project

Commissioner Coyne asked for an update on the Shiras Pool Project and waterslide at the next regular Commission meeting. Purchasing

Agent Cardone reported on the bids that were received for the waterslide.

JOHNSON - Local Vendor Bid Policy, Animal Pickup, Income Tax, Park Cemetery Vandalism

Commissioner Johnson asked for a report from the Administration on establishing a local vendor bid policy. She also asked who picks up animals caught in private traps over the weekend. Police Chief Johnson said that it is the Police Department's responsibility, however, discretion is involved. Commissioner Johnson also noted many calls of disappointment that the income tax had not been adopted, and calls from people concerned about vandalism at Park Cemetery.

LEADBETTER - Maritime Museum

Commissioner Leadbetter said that he had been very impressed by a recent visit to the Maritime Museum and urged all citizens to visit the museum.

SCIOTTO - Removal of Dead Trees

Commissioner Sciotto asked what department should be contacted regarding the removal of dead trees in the median strip. City Manager Svanda said that Steve Lawry or Ted Gagnon at the Public Works Department should be called.

BERUBE - Lauri Bulera Leaving, Commission Exchange with Muskegon

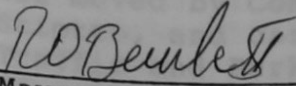
Mayor Berube noted the departure of Lauri Bulera as the Marquette Main Street Director. He said that she had served in that position for three years and that she will be missed. He then commented on the visit of five of the Commissioners to Muskegon on the Commission Exchange Program last weekend. He said that Muskegon has serious problems as does Marquette and that it is refreshing to find that we are not the only ones with problems. He said that all involved learned a lot and that the visit was stimulating. He noted that the Commissioners from Muskegon will return the visit in two weeks.

City Manager Svanda reiterated that the Police Department is responsible for picking up animals.

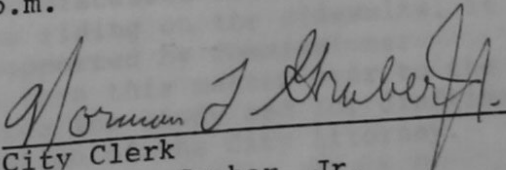
COYNE - Blight Ordinance, Municipal Foundation

Commissioner Coyne said that Muskegon has a blight ordinance and a municipal foundation and said that both of these should be considered for Marquette. He also said that their City Hall had the same heating and air conditioning designer and that theirs doesn't work either.

The meeting was adjourned at 9:32 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

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Agent Carbone reported on the bids that were received for the
veteran's...
JOHNSON - Local Vendor Bid Policy, Animal Pickup, Income Tax,
Park Cemetery Vandalism
Commissioner Johnson asked for a report from the administration
on establishing a local vendor bid policy. He also asked who
picks up animals caught in private traps over the weekend. Police
Chief Johnson said that it is the Police Department's
responsibility. However, discussion is being held. Commissioner
Johnson also noted many calls of disturbance from the public
tax had not been adopted, and calls from people concerned about
vandalism at the cemetery. He said - "I am not sure if we
will succeed at this but we will try to get it done."
LEADSTON - Maritime Museum II. A certain amount of money
Commissioner Leadston said that he had been very impressed by a
recent visit to the Maritime Museum and urged all citizens to
visit the museum which would be a great asset to the city.

SCIOFFO - Removal of Dead Trees

Commissioner Scioffo asked what department should be contacted
regarding the removal of dead trees in the median strip. City
Manager Svanda said that Steve Newry or Ted Gagnon at the Public
Works Department should be called. He said that the department
as no record of dead trees and that the city has no record of
BENNETT - Early Butler Building, Commission Exchange with Marquette
Mayor Bennett noted the departure of Earl Butler as the Marquette
Main Street Director. He said that the job would be that of
position for three years and that the city was interested. He
commented on the visit of five of the Commissioners to Marquette
on the Commission Exchange Program last weekend. He said that
Marquette has serious problems as does Marquette and that it was
interesting to find that we are not the only ones with problems.
He said that all involved parties were and that the visit was
stimulating. He noted that the Commissioners from Marquette will
return the visit in two weeks. He said that he was very
impressed with the visit and that he was very interested in
the visit and that he was very interested in the visit.

City Manager Svanda reiterated that the Police Department is
responsible for picking up animals. He said that the department
had a list of animals and that the department was interested in
COYNE - Right Ordinance, Municipal Foundation
Commissioner Coyne said that Marquette has a right ordinance and
a municipal foundation and said that both of these should be
considered for Marquette. He also said that City Hall had
the same hearing and all bonding design and that the
doesn't work either.

Mayor Bennett said to continue with the ordinance and that
the meeting was adjourned at 6:32 p.m. and that the meeting
out of detail and that the meeting was adjourned.

Robert O. Bennett II, Mayor
Norman L. Gribble, City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 8, 1987

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

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

MINUTES

It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously to approve the minutes of the May 11 and May 26 meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$418,951.57 were presented. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously to pay the bills as presented with the exception of the one to Commissioner Acocks in the amount of \$8.50 and the one to Mayor Berube in the amount of \$14.00. It was then moved by Commissioner Johnson and supported by Commissioner Constance to pay the above excluded bills and to allow Mayor Berube and Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: Mayor Berube, Commissioner Acocks.
The motion was carried.

AGENDA CHANGES

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

PUBLIC HEARING - Ordinance to Prohibit Bicycles on Sidewalks
Mayor Berube announced that this was the time set for a public hearing on a proposed ordinance prohibiting bicycle riding on sidewalks. Don Wilkie, Mike Beauchamp, and Sandra Caden addressed the Commission opposing the ordinance on the basis that young children should not be expected to ride their bicycles in the street. Two letters opposing the ordinance were read. The hearing was closed. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to not pass this ordinance as written. The Commission discussed areas where bicyclists should be prohibited from riding on the sidewalks. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to turn this matter over to the Traffic and Parking Advisory Committee for study and for drafting of a revised ordinance with consultation of the City Attorney.

June 8, 1987

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PUBLIC HEARING - Ordinance to Require Removal of Animal Excrement
Mayor Berube announced that this was the time set for a public hearing on a proposed ordinance requiring removal of animal excrement. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to adopt ordinance #403 as follows:

AN ORDINANCE TO

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Wayne Premeau asked to speak on item 14 and Paul Churchville asked to speak on item 4.

MICHIGAN COALITION FOR SAFETY BELT USE - Award for Police Dept.

A communication from the Michigan Coalition for Safety Belt Use presenting an award of recognition to the Marquette City Police Department for enforcement of the safety belt law was read.

PAUL CHURCHVILLE - Water Tap for BMX Track

A communication from Paul Churchville, regarding a water tap for the BMX track, was read. City Manager Svanda explained the past practice on allowing use of City equipment when employees volunteer their time to use it to do work for community oriented organizations. Paul Churchville answered questions about the proposed water tap and said that the BMX organization brings many people to the City. It was moved by Commissioner Sciotto, supported by Commissioner Johnson, and carried unanimously to approve this request to allow City workers to do the water tap on their own time providing there is no liability to the City.

DISCUSS MUSKEGON PROPERTY MAINTENANCE CODE

Mayor Berube announced that this was the time set to discuss the City of Muskegon property maintenance code. He said that this code had come to the Commission's attention during the Commission Exchange activities and that parts of it were applicable to Marquette. It was moved by Commissioner Sciotto, supported by Commissioner Acocks, and carried unanimously to direct the City Manager and Administration to review our property maintenance code and the one from Muskegon and to prepare an ordinance that will satisfy the needs of Marquette.

RESCHEDULE JULY 27 MEETING

Mayor Berube then announced that this was the time set to consider rescheduling of the July 27 City Commission meeting. He said that the American Wind Symphony would be in town on the 27th and 28th presenting concerts. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to reschedule the July 27, 1987 Commission meeting to Wednesday, July 29, 1987 at 7:00 p.m.

CREATE AD HOC COMMITTEE - Street Reconstruction Standards

Mayor Berube said that this was the time set to schedule a meeting to establish street reconstruction standards. It was

moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to establish an Ad Hoc Committee made up of one member each from the Planning Commission, Water/Sewer Advisory Board, Public Works Advisory Board, and Tree Committee with the City Commission and Board of Light and Power to be invited members and to establish a meeting for 7:00 p.m. on June 18 for this Committee to begin work on developing street reconstruction standards.

GARFIELD AVENUE DRAINAGE - Agreement for Cost Sharing

A report and recommendation from the City Attorney, regarding an agreement for the distribution of costs for the Garfield Avenue drainage project, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried unanimously to accept the proposed agreement with the cost of the project to be \$103,342.91 and with the City, the School Board, and Tourville North Apartment Complex to divide the costs equally. City Manager Svanda said that the 1987-88 budget contains an amount that is smaller than the City's share and that extra funds will have to be appropriated.

425 NORTH FOURTH - Extension of Deadline for Repairs

A report and recommendation from the City Manager, regarding the status of repairs to 425 North Fourth Street, was read. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to grant Mrs. Guelff until the 1st of July to completely comply with the requirements of the agreement she signed with the City and to ask for a report from the staff at the first regular meeting in July.

EAST ARCH STREET RECONSTRUCTION PROJECT - Amendment to Design Engineering Agreement

A report and recommendation from the City Manager, regarding an amendment to the design engineering agreement for the East Arch Street Reconstruction Project, was read. It was moved by Commissioner Sciotto, supported by Commissioner Leadbetter, and carried unanimously to concur in the recommendation, to approve this agreement, and to authorize the Mayor and City Clerk to execute it.

MCCLELLAN AVE. CONSTRUCTION PROJECT - Approve Construction Engineering Agreement

A report and recommendation from the City Manager, regarding a construction engineering agreement for the McClellan Avenue Construction Project, was read. Commissioner Constance said that this work should have been bid out as was the design engineering work. City Manager Svanda said that the rates for this agreement are the same as those bid for the design engineering but that it is often unwise to bid both design and construction engineering at the same time as the construction work may take place years later than when the design was done. It was moved by Commissioner Sciotto and supported by Mayor Berube to concur in the recommendation, to approve the agreement, and to authorize the Mayor and City Clerk to execute it. The following vote was taken:

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

IBM SYSTEM 36 - Authorize Purchase

A report and recommendation from the City Manager, regarding the purchase of an IBM System 36 Computer, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur with the recommendation, to waive the competitive bidding process as there is no advantage to the City, to authorize the purchase of this computer, and to authorize the Mayor and City Clerk to execute the financing documents for this acquisition.

COMPUTER AIDED DESIGN AND DRAFTING SYSTEM - Authorize Purchase

A report and recommendation from the City Manager, regarding the purchase of a computer-aided design and drafting system, was read. City Manager Svanda said that this purchase is being paid for in large part by the reduction of one staff position in the Engineering Department. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to concur in the recommendation, to authorize the purchase of the system from Microage of Marquette at a cost of \$30,457.00, to authorize the projected balance of \$13,000 in the 1986-87 City Engineer budget to be used for this purchase along with the \$5,500 from the 1987-88 budget, and to authorize the Mayor and City Clerk to execute the necessary financing documents.

SHIRAS POOL WATERSLIDE - Authorize Purchase

A report and recommendation from the City Manager, regarding bids for the Shiras Pool Waterslide, was read. Wayne Premeau addressed the Commission at length saying that his bid was the low bid and that if the City desires to purchase something other than the waterslide that was specified, he would be willing to provide alternatives at the low bid price. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried unanimously to award this bid to the low bidder, Quality Concrete, in the amount of \$58,666.89. It was then moved by Commissioner Berube and supported by Commissioner Constance and carried unanimously that Mr. Premeau and a representative from the waterslide manufacturer sit down with City staff to review the options and come up with the best slide possible for the low bid amount.

131 W. ARCH STREET - Confirm Special Assessment

A report and recommendation from the City Manager, regarding a single lot special assessment for 131 W. Arch Street, was read. John Schroeder addressed the Commission saying that he had been unaware of the charges against this property when he purchased it. It was moved by Commissioner Johnson, supported by Mayor Berube, and carried unanimously that the single lot special assessment for 131 W. Arch Street be added to special assessment roll #499.

CONSENT AGENDA

Mayor Berube announced that this was the time set to consider the consent agenda. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to adopt the consent agenda as follows:

- A. Award the bid for brochure printing to Lake Superior Press in the low bid amount of \$3,752.00.
- B. Approve an agreement for tax collection delivery schedule with Marquette Area Public Schools and authorize the Mayor and City Clerk to execute it.
- C. Approve a solid waste disposal agreement with the Michigan Department of Natural Resources and authorize the Mayor and City Clerk to execute it.
- D. Schedule a public hearing for the next regular City Commission meeting on June 29, 1987 on a proposed rezoning at 800, 802 South Lake Street and 200 E. Hampton Street.
- E. Schedule a public hearing for the next regular City Commission on June 29, 1987 on a proposed rezoning on Fisher and Altamont Street.

APPOINTMENTS

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

Housing Commission - Gerald Elmlad for a term expiring May 8, 1992.

Traffic/Parking Advisory Board - Irving Wagner for a term expiring May 30, 1989 and David Allie for a term expiring May 30, 1990.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Mike Beauchamp complained about construction debris in the back yard at 425 North Fourth Street. She said it is dangerous for neighborhood children. City Manager Svanda said that this matter would be checked on tomorrow.

COMMISSIONER SCIOTTO

Commissioner Sciotto said that the closing of Presque Isle Park to motor vehicles should be closely monitored to be sure that the non-vehicular times are being utilized. He also said that we should seek alternate uses for the Marquette Industrial Park property so that it would not sit vacant.

COMMISSIONER LEADBETTER

Commissioner Leadbetter noted calls of concern about grooming of the cemetery. City Manager Svanda said that new equipment will be purchased in the new budget and that there have been budget cutbacks which will affect the quality of grooming.

COMMISSIONER JOHNSON

Commissioner Johnson noted a call from a woman last year who wanted to put a trailer park in the industrial park. She also

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noted an overfilled dumpster on Bluff Street, cars parked in the parkway throughout the City even though it is summer, commented that it is a good idea for people to walk against the traffic on Presque Isle, said that no carnival fee should be charged to the Skerbeck Carnival because Bay Cliff Health Camp which sponsors the carnival needs the money, said that the City Band concert had not been well-attended, and that the Commission should subsidize the band, noted complaints about garbage being put out during the day on Sunday when people are walking to church, and asked when the Island Store would be open. City Manager Svanda said that it should be open next week. Commissioner Johnson also said she was very disappointed over a conflict in scheduling Tourist Park for a church picnic and congratulated the class of 1987 graduates saying that they had had a fine commencement exercise and a good all-night party.

COMMISSIONER CONSTANCE

Commissioner Constance said that tonight is the first night of the new schedule that will close Presque Isle to all but pedestrian traffic on occasion, said that there is a serious problem with birds attacking bicyclists and runners on the bike path, and said that there would be a free antique auto show downtown on this Saturday and Sunday.

COMMISSIONER ACOCKS

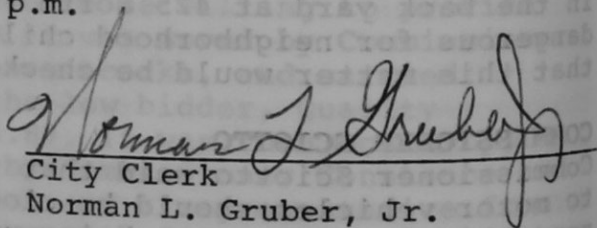
Commissioner Acocks asked what can be done about pigeons in Marquette. City Manager Svanda said that people can call the Animal Control Officer. Mrs. Acocks also said that the debris at 425 North Fourth Street should be cleaned up immediately.

MAYOR BERUBE

Commissioner Berube noted that the animal excrement ordinance removal will take effect in ten days.

The meeting was adjourned at 9:00 p.m.

Mayor
Robert O. Berubé II



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, June 29, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, June 29, 1987 in Commission Chambers of City Hall.

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

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

APPROVAL OF MINUTES

It was then moved by Commissioner Constance, supported by Commissioner Acocks, and carried to approve the minutes of the June 8, 1987 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$461,277.55 were presented. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to pay the bills as presented with the exception of the one to Becky Berube in the amount of \$20.35. 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, Leadbetter.

Nays: None.

Abstention: Mayor Berube.

The motion was carried.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added Item 9a, a presentation by David Allie, Item 16, discussion of the "ice shanty" in the downtown pocket park, and Item 17, discussion of obtaining options for the purchase of development land. Commissioner Leadbetter asked that Item 18, discussion of vandalism in the City, be added, and Commissioner Acocks asked that Item 9b, discussion of lawn meters, be added.

PUBLIC HEARING - Rezoning on East Hampton and South Lake St.
Mayor Berube announced that this was the time and date set for a public hearing on a rezoning on East Hampton and South Lake Street. There were no citizens wishing to address the Commission, and the hearing was closed. Commissioner Coyne asked about the uses permitted in the industrial zoning district. City Manager Svanda and City Planner Gruber explained that, although the land is zoned industrial, manufacturing or processing activities would

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still be required to obtain a conditional use permit before they could be located in this area. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to concur with the Planning Commission's recommendation and rezone the land at 800 and 802 South Lake Street and 200 East Hampton Street from BG-General Business to I-Industrial.

PUBLIC HEARING - Rezoning on Altamont and Fisher Streets

Mayor Berube then announced that this was the time set for a public hearing on a proposed rezoning on Altamont and Fisher Streets. Anton Wedal, Commandant of the Jacobetti Veteran's Facility offered to answer questions regarding this rezoning. The hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried to rezone the lots at 347 and 351 Fisher Street, the Veteran's Facility at 425 Fisher Street, the former Catholic Orphanage at 600 Altamont Street, and the house at 525 Fisher Street from RG-General Residential to RM-Multiple Family Residential as recommended by the Planning Commission.

PRESENTATION - U.P. Steelheader's Association

Mayor Berube announced that this was the time set for a presentation by the U.P. Steelheader's Association. John Rutherford, representing the U.P. Steelheaders presented Mayor Berube with a check for \$250.00 to be used for gravel for upgrading the Lower Harbor launch area. Mayor Berube accepted this check on behalf of the City and thanked the steelheaders for their continuing involvement in upgrading the City's launch facilities. Mr. Rutherford described other aspects of the launch ramp repair and upgrading in which his organization is involved.

PRESENTATION - Marquette Maritime Museum

Mayor Berube announced that this was the time set for a presentation by the Marquette Maritime Museum. Bill Wilson, representing the Museum, thanked Commissioner Leadbetter for his statements at a recent Commission meeting in support of the Museum and presented him with him with a Maritime Museum tee shirt. Mr. Wilson also expressed the Museum's thanks to Chief Johnson for his donation of an antique diving helmet to the Museum.

CITIZEN COMMENT

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

NO SMOKING TASK FORCE - Amendment to Smoking Ordinance

A communication from the No Smoking Task Force, regarding a proposed amendment to the Smoking Ordinance, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to set the next regular meeting as the time and date for a public hearing on this proposed amendment.

JOSEPH NOWAKOWSKI - Stealth Bomber Lobbying

A communication from Joseph Nowakowski, regarding lobbying by City officials for location of the stealth bomber at K.I. Sawyer Air Force Base, was read. Mayor Berube said that the world is not as we might wish it to be and that our country must be defended. He said this defense preserves our way of life and our democratic right including the right of free speech. Commissioners Constance and Acocks supported his statement.

TONY GRUDNOSKI - Cable Television Programming

A communication from Tony Grudnoski, regarding the removal of PTL from the Bresnan Cable System, was read. No action was taken.

MARQUETTE CITY BAND BOOSTER BOARD - Request for Financial Support

A communication from the Marquette City Band Booster Board, requesting funding assistance for the 1987 summer season, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Johnson to grant the request for \$1,000 assistance for the City Band. After discussion, the Commissioners voted as follows:

Ayes: None.

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

The motion was defeated.

ACQUISITION OF TAX REVERTED LAND

A report and recommendation from the City Manager, regarding the acquisition of tax reverted land, was read. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried to adopt the following resolution:

WHEREAS, Act 223, P.A. 1909, as last amended by Act 196, P.A. 1970 provides for the conveyance of State-owned tax-reverted lands to municipal units for public purposes, and

WHEREAS, such lands are under the jurisdiction of the State of Michigan, Department of Natural Resources and are available for acquisition under the provisions of the above mentioned act, and

WHEREAS, the City of Marquette desires to acquire such lands for purposes of street easements, and to recover special assessment costs,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager of the City of Marquette is authorized to make application to the State of Michigan, Department of Natural Resources, Lands Division for conveyance of the following land to the City of Marquette for a nominal fee as set by the Natural Resources Commission: The North 511.5 feet of the SW1/4 except the East 175 feet of the North 511.5 feet and except the street r/w all of which is a part of Section 22, Township 48 North,

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Range 25 West and identified on the tax records of the City of Marquette as tax code No. 514270.

FURTHER, BE IT RESOLVED, that the City of Marquette shall set up necessary procedures and controls to provide for the proper distribution of funds arising from the subsequent sale of said property in conformity with the above mentioned acts.

DAVID ALLIE - Proposed Boatyard in Lower Harbor Park

Mayor Berube then announced that this was the time set for a presentation by David Allie. Mr. Allie addressed the Commission regarding a proposed boatyard in the Lower Harbor Park at the Cinder Pond Marina. He asked for an option to lease the Cinder Pond area for construction of this boatyard. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to ask the City Manager to pursue investigation of an option to lease the Cinder Pond area to the D. Gareth Boatworks, to investigate the amount of land needed for the boatyard, and to receive input from the Harbor Committee the Parks and Recreation Advisory Board, the Downtown Development Authority, and the Lower Harbor Redevelopment Committee on this proposal.

LAWN METERS - Policy for Installation

Mayor Berube then announced that this was the time set for discussion of lawn meters. Commissioner Acocks said she had received many comments from citizens regarding the process for installation of new lawn meters. She asked if it was true that the policy for installation will not be adopted until late in the year. City Manager Svanda said that this is true.

SOLID WASTE DISPOSAL - Amendment to Solid Waste Transfer Agreement

A report and recommendation from the City Manager, regarding an amendment to the Solid Waste Transfer Agreement with Peninsula Sanitation, was read. It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried to approve the agreement and to authorize the Mayor and City Clerk to execute it on behalf of the City.

EAST ARCH STREET PROJECT - Construction Engineering Agreement

A report and recommendation from the City Manager, regarding an agreement for construction engineering on the East Arch Street Reconstruction Project, was read. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to approve the agreement as presented and to authorize the Mayor and City Clerk to execute it on behalf of the City.

HIAWATHA MUSIC CO-OP - Use Agreement for Tourist Park

A report and recommendation from the City Manager, regarding a use agreement with the Hiawatha Music Co-op for the Tourist Park, was read. It was moved by Commissioner Johnson and supported by Commissioner Leadbetter to approve this agreement and to authorize the Mayor and City Clerk to execute it. Commissioner

Coyne asked if the agreement contained provisions as directed by the City Commission that would require the user of the park to limit the access of minors to alcoholic beverages. Following discussion, it was agreed to approve the agreement subject to wording to be added at the next Commission meeting regarding access of minors to alcoholic beverages. The motion was then carried 6-0.

ROTARY WEST - Use Agreement for Seafood Festival in Lower Harbor
A report and recommendation from the City Manager, regarding a use agreement with Rotary West for the Seafood Festival in the Lower Harbor Park, was read. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to approve this agreement subject to an amendment to be approved at the next Commission meeting which would limit the access of minors to alcoholic beverages.

CONSENT AGENDA

Mayor Berube then announced that this was the time set to consider the consent agenda. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried to approve the consent agenda as follows:

- A. Approval of the property exchange with Upper Peninsula Office Supply Company and authorization of the Mayor and City Clerk to execute the required documents.
- B. Approval of the Downtown Development Authority Budget for 1987-88 Fiscal Year.
- C. Approval of a one-year contract with an optional one-year extension with Elliott Sheet Metal of Gwinn for inspection and maintenance of the compressors at the Lakeview Arena in the amount of \$7,540.
- D. Award of a bid for sanitary sewer cleaning, televising, and root control to the low bidder, PTS Contractors of Green Bay, Wisconsin at the unit prices bid.
- E. Award of a bid for a two-wheel drive pickup truck to the low bidder, Superior Ford of Marquette, in the amount of \$10,375.00.
- F. Award of bids for miscellaneous concrete repairs to the low bidder, Quality Concrete of Marquette, at the unit prices bid.

SALARY INCREASES - City Manager and City Attorney

Mayor Berube then announced that this was the time set to review the salary of the City Manager and of the City Attorney. It was moved by Commissioner Constance and supported by Commissioner Acocks to grant the City Attorney a 3% salary increase. The following vote was taken:

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

Nay: Commissioner Johnson.

The motion was carried.
Mayor Berube said that the Commission is pleased with the work of the City Attorney and that he is doing a much better job of keeping the Commission informed of the legal position of the

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City. It was then moved by Commissioner Acocks and supported by Commissioner Coyne to increase the City Manager's salary by 8%. Commissioners agreed that the City Manager is doing an excellent job, but differed on how much of a raise was appropriate in these tight budget times. The following vote was taken:

Ayes: Mayor Berube. Commissioners Acocks, Coyne.

Nays: Commissioners Constance, Johnson, Leadbetter.

The motion was not carried.

It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried to increase the City Manager's salary by 5%. Commissioner Johnson then rescinded her negative vote on the City Attorney's salary.

DOWNTOWN POCKET PARK - "Ice Shanty"

Mayor Berube then announced that this was the time set to discuss the "ice shanty" in the downtown pocket park. It was moved by Commissioner Acocks and supported by Mayor Berube to tear down the ice shanty in the pocket park. Following discussion, Mayor Berube withdrew his support and the motion died for lack of support. It was then moved by Commissioner Coyne and supported by Commissioner Constance that the information booth in the pocket park be studied with the goal of replacing it with a more aesthetically pleasing structure. The following vote was taken:

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

Nay: Commissioner Acocks.

The motion was carried.

LAND DEVELOPMENT OPTIONS

Mayor Berube then announced that this was the time set to discuss obtaining options for land development. He said that he believes the difficulty of assembling large tracts of land for development in the City is preventing development from occurring. It was moved by Mayor Berube, supported by Commissioner Acocks, and carried to ask the staff to report on ways to assist developers in assembling large tracts of land in the City.

VANDALISM - Graffiti at Picnic Rocks

Mayor Berube then announced that this was the time set to discuss vandalism in the City. Commissioner Leadbetter said that the Picnic Rocks are being defaced by painted graffiti and that the Parks and Recreation Department has received an estimate of \$2,500 to remove this paint by sandblasting. It was moved by Commissioner Leadbetter, supported by Commissioner Acocks, and carried to ask for a report on ways that the picnic rocks can be cleaned more economically.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, George Hanson said that the cable company has a monopoly and that the City Commission should monitor their program offerings. Peter Embley opposed lobbying for stealth bombers, said that K.I. Sawyer Air Force Base is the same as a

German gas chamber, and said that the City should figure out how to use the Air Base when it closes.

LEADBETTER

Commissioner Leadbetter said that the Antique Car Show downtown had been really great, but that he was very concerned about public intoxication of minors during the event. It was moved by Commissioner Leadbetter and supported by Commissioner Johnson to ask for a report on what to do about this problem in the future. Commissioner Constance said that he had been at the Antique Car Show all day, specifically watching for intoxicated minors, and that he had not observed any. The following vote was taken:
Ayes: Mayor Berube. Commissioners Acocks, Coyne, Johnson, Leadbetter.

Nay: Commissioner Constance.

The motion was carried.

JOHNSON

Commissioner Johnson said that she has received many complaints about the geese at Presque Isle, that she wanted to congratulate Harlan Larson on the expansion of the Ramada Inn, and asked if cars can be parked between the curb and the sidewalk. City Manager Svanda said that they could. She also said that the cemetery isn't being watered as much as in the past and that there is vandalism occurring there. City Manager Svanda said that due to a reduced budget and difficulties with the water system, the cemetery would not be watered as much as in the past. Commissioner Johnson also said that the band concerts at Presque Isle Park have been well attended, that the fence recently erected by the Public Works Department at the corner of Granite and Wright Street is appreciated by the neighbors, and that large properties which are not maintained are real eyesores in the City. She asked how many children are active in the program at Harlow Park and said that the artwork in the trees there is not acceptable.

COYNE

Commissioner Coyne said that he is interested in the plans for removing the geese, that Bresnan Cable Company does not have a monopoly and the City Commission has no way of controlling their program offerings, and asked questions about sewer and water installation to the Front Street Fire Station.

ACOCKS

Commissioner Acocks said that PTL was dropped by many cable systems due to lack of payment, that the animal excrement ordinance covers cats which must be licensed under City Ordinance, that the building housing the Women's Center and Johnson's Printing as well as the Beef-a-Roo Restaurant are looking very good this year, complimented the Fire Department for their work in the Third Street parking lot, and said that the people who are maintaining the area at the intersection of the Bypass and Front Street have that area looking very good also.

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MAYOR BERUBE

Mayor Berube said that the Coast Guard has saved several lives in the past week and that their continued presence in Marquette is important to all of us. He said that they need our support during any hearings on possible closure of the Coast Guard Station here.

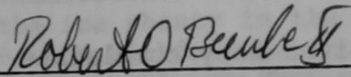
ASSISTANT MANAGER EVANS

Assistant City Manager Evans reported that as many geese as possible will be removed from Presque Isle this week.

COYNE

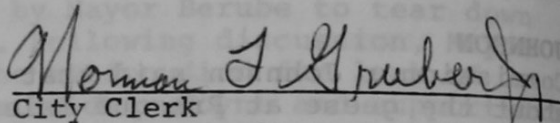
Commissioner Coyne said that there are also many geese between the tank farm and the power plant.

The meeting was adjourned at 8:54 p.m.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

COYNE
Commissioner Coyne said that the City Commission has not yet decided whether to purchase the property at the corner of Franklin and Wright Streets. He said that the property is owned by the Public Works Department and that the City Commission has not yet decided whether to purchase the property. He said that the property is owned by the Public Works Department and that the City Commission has not yet decided whether to purchase the property.

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

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

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

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to approve the minutes of the June 29, 1987 meeting with the correction to show that the \$1,000 request from the City Band Boosters Board was not approved.

BILLS PAYABLE

Total bills payable in the amount of \$504,378.96 in the 1986-87 fiscal year and \$109,059.23 in the 1987-88 fiscal year were presented. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to approve the bills as presented with the exception of two bills to Loretta's Craft Corner in the amount of \$38.36 in the 1986-87 year and \$1.55 in the 1987-88 fiscal year. It was then moved by Commissioner Johnson and supported by Commissioner Leadbetter to approve the above excluded bills and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

AGENDA CHANGES

During the time set for announcing additional agenda items, Commissioner Acocks asked that Item 7a, a discussion of funding for the City Band be added. Commissioner Johnson asked that Item 22, discussion of the 1% tax collection fee be added, and Commissioner Acocks asked that Item 23, discussion of City employee residency requirements be added.

PROCLAMATIONS - Art on the Rocks / Season for the Arts

Mayor Berube then made the following proclamations:

Art on the Rocks

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

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

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

WHEREAS, this 28th anniversary exhibit of ART ON THE ROCKS demonstrates the commitment of artists, craftsmen, and the Lake Superior Art Association to bring an outstanding exhibit to Marquette, Michigan,

NOW, THEREFORE, I, Robert O. Berube II, Mayor of the City of Marquette, Michigan, do hereby proclaim July 25 and 26, 1987 as ART ON THE ROCKS WEEKEND IN THE CITY OF MARQUETTE, and I extend congratulations and appreciation from the people of the City of Marquette to the artists, craftsmen and members of the Lake Superior Art Association who are participating in ART ON THE ROCKS on July 25 and 26, 1987. I urge all citizens and visitors to the City to visit ART ON THE ROCKS and to recognize this contribution to the City of Marquette, Michigan.

Season for the Arts

WHEREAS, the City of Marquette will host the Detroit Symphony Orchestra at Lakeview Arena on July 14; and

WHEREAS, the Hiawatha Traditional Music Festival will be held at Tourist Park on July 17 - 19; and

WHEREAS, the annual Art on the Rocks will take place at Presque Isle Park on July 25 and 26; and

WHEREAS, the American Waterways Wind Orchestra will visit Marquette for a performance on the shore of Lower Harbor Park on July 28; and

WHEREAS, Art Train will be stopping in Marquette for an exhibit at Lower Harbor Park on September 10 through 13;

NOW, THEREFORE, BE IT PROCLAIMED that, I, Robert O. Berube II, Mayor of the City of Marquette declare the summer of 1987 as the Season for the Arts in Marquette.

PUBLIC HEARING - Proposed Amendment to Smoking Ordinance

Mayor Berube then announced that this was the time and date set for a public hearing on a proposed amendment to the smoking ordinance. The proposed amendment was read. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried unanimously to adopt ordinance #404 as follows:

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 35, SECTION 35.06 OF THE CODE OF THE CITY OF MARQUETTE TO CHANGE THE REGULATIONS ON POSTING OF SIGNS REGARDING SMOKING.

Dean Wielinski, President of the U.P. Chapter of the American Lung Association, then presented the City with a Clean Indoor Air Award. He complimented the City for their adoption of the smoking ordinance. Mayor Berube accepted the award on behalf of the City and thanked the no smoking committee for their work in this area and on developing the ordinance.

Mayor Berube announced that Item 5, a presentation by the Sister City Delegation, would be delayed until the next meeting.

ADOPT-A-PARK - Recognition of Participants

Mayor Berube announced that this was the time set for City Commission recognition of Adopt-A-Park participants. Those recognized included Yesterday's Girls who have adopted the U.S. 41 Bypass/South Front Street median strip, the Telephone Pioneers of America who have adopted the Dead River Bridge Park and the Community Entrance signs, American Legion Post 44 who have adopted Harlow Park, the Marquette Business and Professional Women who have adopted the Lower Harbor Park, and the Marquette Lion's Club who have adopted Lakeside Park. He complimented each of these groups for their dedication to the City and work on maintaining these parks. Representatives of each group responded.

CITIZENS

Mayor Berube announced that this was the time set for citizens wishing to address the Commission. Bill Birch addressed the Commission saying that he was the President of the Marquette Rotary Club. He presented a check for \$3,000 which was the first of two installments to pay for the new entrance arch for Presque Isle Park. Mayor Berube thanked the Rotary Club for this donation. Tom Roy, representing the American Legion Fourth of July Corporation, thanked the City Commission and City Departments for their support of the Fourth of July activities. He also recognized the many organizations and individuals who participated in the celebration. Mayor Berube thanked Mr. Roy and all of the many volunteers for their efforts in presenting an excellent Fourth of July celebration. Mrs. Richard O'Dell complained about washroom conditions at the Tourist Park and about the 1% collection fee on taxes. Darrell Davis said that, in regard to Item 18, the Commission should not commit itself to any one marina development until it issues an RFP and considers the options.

WATER/SEWER ADVISORY COMMITTEE - Special Assessment for Water Lines on Wilkinson and Summit

Mayor Berube announced that this was the time set for a report and recommendation from the Water and Sewer Advisory Committee. Committee Chairman Charles Coffey presented the recommendation

that the City Commission create a special assessment district for the installation of water lines on Wilkinson and Summit Streets. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to set the next regular meeting as the time and date for a public hearing on this proposed special assessment district.

SUPPORT OF CITY BAND

Mayor Berube announced that this was the time set to discuss support for the City Band. Commissioner Acocks said that because of budget difficulties, the support could not be continued and that Peninsula Sanitation had agreed last year to pick up some of the costs. It was moved by Commissioner Johnson and supported by Commissioner Sciotto to contribute \$1,000 from the contingency fund to support the City Band. The following vote was taken:

Ayes: Commissioners Johnson, Sciotto.

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

The motion was defeated.

BRESNAN COMMUNICATIONS - Customer Satisfaction Survey

A communication from Bresnan Communications submitting a customer satisfaction survey was read. Mike Bresnan addressed the Commission regarding the survey. He said that even though most customers seem satisfied with cable service in Marquette, Bresnan Communications will continue to work to improve the system. He also said that he would be leaving the area and introduced new System Manager Ed McCullough.

MICHIGAN MUNICIPAL LEAGUE - Delegates to Annual Meeting

A communication from the Michigan Municipal League, regarding delegates to the Annual Meeting, was noted. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to designate Mayor Berube as the City's delegate and Mayor Pro Tem Coyne as the City's alternate to the meeting.

MICHIGAN MUNICIPAL WORKERS' COMPENSATION FUND - Election of Trustees

A communication from the Michigan Municipal Worker's Compensation Fund, regarding election of trustees, was read. It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried unanimously to concur with the nominating of the Michigan Municipal Worker's Compensation Fund, and to cast the City's vote for the proposed nominees.

SALE OF CITY-OWNED LAND - Recommendation from Planning Commission

A recommendation from the Planning Commission, regarding sale of City-owned land, was read. A memorandum from Public Works Superintendent Lawry was also read. It was moved by Commissioner Johnson, supported by Commissioner Leadbetter, and carried unanimously to concur with the Planning Commission's recommendation for sale of this property and to take into consideration the memo from the Public Works Superintendent.

SOLID WASTE DISPOSAL - Discuss Solid Waste Authority

Mayor Berube announced that this was the time set for discussion of potential landfill sites and the Sands-Marquette Solid Waste Disposal Authority. He noted that approval of the agreement with Sands Township to establish an authority has been delayed well beyond the original time set. It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried unanimously that the East Marquette and West Marquette County Solid Waste Authorities be given ten days from tomorrow morning to accept the agreement.

SHIRAS POOL - Inspection Opening Date

Mayor Berube then announced that this was the time set for discussion of the construction and opening of the Shiras Pool. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried unanimously to delay opening of the Shiras Pool until construction of the waterslide is completed, to authorize the City Manager to hire an independent professional engineer to review the design and construction of the pool, and to withhold the final payment of \$100,400 until this review is completed.

LAND PURCHASE FOR EXTENSION OF SEVENTH STREET

A report and recommendation from the City Manager, regarding purchase of a parcel of land for extension of Seventh Street south of Washington, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur with the City Manager's recommendation and to authorize this purchase with the money needed this year to come from the contingency fund. Commissioner Sciotto asked questions regarding the narrowness of the lot being acquired versus the normal 66 foot right-of-way. City Planner Gruber and City Manager Svanda responded to his concern.

PROPERTY ASSEMBLAGE FOR DEVELOPMENT PROJECTS

A report and recommendation from the City Manager, regarding property assemblage for development projects, was read. It was moved by Mayor Berube, supported by Commissioner Johnson, and carried unanimously to direct the City staff to utilize the methods on this list in the future when working with developers who need to purchase land in the City.

DOWNTOWN ANTIQUE CAR SHOW - Alcohol Consumption

A report and recommendation from the City Manager, regarding control of alcohol consumption by minors during the Downtown Antique Car Show, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried to concur with the Manager's recommendation.

HIAWATHA MUSIC FESTIVAL/SEAFOOD FEST USE AGREEMENTS - Additional Language

A report and recommendation from the City Manager, regarding additional proposed language for the use agreement for the Hiawatha Music Festival and the Seafood Festival, was read. It

was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to approve both of these use agreements and to authorize the Mayor and City Clerk to execute them.

D. GARETH BOATWORKS - Letter of Intent to Lease Land in Lower Harbor Park

A report and recommendation from the City Manager, regarding D. Gareth Boatworks' request for an option to lease land in the Lower Harbor Park, was read. It was moved by Commissioner Constance and supported by Commissioner Leadbetter, to concur with the City Manager's recommendation and approve a three-month letter of intent to lease this property to D. Gareth Boatworks. The Commission discussed at length the proposal for an option, it's exclusivity, and the meaning of a letter of intent. During the discussion, Bob Anderson, representing D. Gareth Boatworks, said that they are asking for an option for a future possible lease which would be negotiated at a later time. Following the discussion, the motion was carried unanimously.

NYSTROM'S MOVING AND STORAGE - Driveway Easement

A report and recommendation from the City Manager, regarding a driveway easement for Nystrom's Moving and Storage, Inc., was read. It was moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried unanimously to concur in the recommendation, to approve an easement with Nystrom's Moving and Storage, Inc., and to authorize the Mayor and City Clerk to execute the documents.

BIDS FOR EAST ARCH STREET RECONSTRUCTION PROJECT

A report and recommendation from the City Manager, regarding bids for the East Arch Street Reconstruction Project, was read. It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried unanimously to concur with the recommendation and award this bid to the low bidder, A. Lindberg and Sons, in the amount of \$675,286.92.

APPOINTMENTS

Mayor Berube, with the Commission's concurrence, then appointed Luanne Balding and Mark Canale to the Village Development Coordinating Committee for four-year terms ending July 31, 1991 to replace the expiring terms of Jim Otto and Carol Pinkos.

PROPERTY TAX COLLECTION FEE

Mayor Berube announced that this was time set to discuss the property tax collection fee. Commissioner Johnson said that she has received many complaints about this collection fee. There was a discussion regarding the need for the revenue, the fact that most other governmental units in the area collect the same fee, and the loss of revenue from investment of money collected for school taxes. It was moved by Commissioner Sciotto and supported by Commissioner Johnson to rescind the 1% tax collection fee for this year. City Attorney Martin said that many people had paid

this fee already and that it could not be rescinded for the current year. Mayor Berube ruled the motion out of order.

CITY EMPLOYEE RESIDENCY

Mayor Berube then announced that this was the time set for discussing the City employee residence clause. Commissioner Acocks asked if there was a residency clause for the City employees. City Manager Svanda said that there is no Charter requirement since it was repealed several years ago. City Attorney Martin said that there is residency clause in two of the five labor agreements and that such a clause would have to be negotiated into the other agreements.

CITIZENS

During the time set for citizens wishing to address the Commission, Chuck Coffey expressed concern about the use of illegal fireworks by the general public during the Fourth of July celebration, especially in the crowded area at the Lower Harbor Park. Gordon Peterson, on behalf of the Lion's Club, thanked the City Commission for recognizing the Lion's Club for their participation in the Adopt-a-Park Program and said that he is very concerned that everyone's work is needed to prevent substance abuse by minors.

DELTA TRAIL SYSTEMS - DNR SNOWMOBILE TRAIL PERMIT

A communication from Ann Trudell, regarding a snowmobile trail permit, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to grant this trail permit and to authorize Mayor Berube to execute it.

ACOCKS

Commissioner Acocks noted an ad on the radio from the Lakeview Arena Advisory Board Subcommittee inviting applications for a committed to study an indoor sports arena. City Manager Svanda said he will investigate this ad.

CONSTANCE

Commissioner Constance asked about the status of 425 North Fourth Street. City Manager Svanda said a report on this was forthcoming at the next meeting. Commissioner Constance also asked that there be more police enforcement at major City events.

COYNE

Commissioner Coyne asked Police Chief Johnson about the penalty for use of illegal fireworks. Chief Johnson said that it is a misdemeanor with a maximum \$100 or 90 day fine. Commissioner Coyne said we should be enforcing fireworks laws and alcohol abuse laws and that the City should participate in education of the public on the dangers of substance abuse and illegal fireworks. He asked about Mrs. O'Dell's complaint at the Tourist Park, and why there is only one T.V. camera tonight instead of two. He said that over 50 geese have been livetrapped from the Presque Isle area and relocated and that it was legal to put the

water and sewer lines in the same trench at the Fire Station on Front Street. He noted complaints about moving the Presque Isle Store to the Shiras Pool building, said that the American Waterway Wind Orchestra will be presenting free concerts in Marquette next week and that part of the \$15,000 cost of these concerts still needs to be raised, and said that efforts are proceeding to establish a Marquette foundation.

JOHNSON

Commissioner Johnson said that she has heard good things about the Tourist Park, said that the Fourth of July celebration had been wonderful, noted that there were tall weeds and tall grass to be cut in many places, said that the ballparks in North Marquette are clean, while Hurley Field is not, said that the South Beach Park had been fixed up nicely, and noted complaints about the closing of Presque Isle Park to vehicular traffic during some evening hours. She also asked about vandalism to newly planted trees at Presque Isle Park, said that 425 North Fourth Street looks lovely and is an asset to the neighborhood, and commended Mayor Berube for his comments at the Fourth of July activities at the Veteran's Center.

LEADBETTER

Commissioner Leadbetter said that there needs to be more education for the public on fireworks safety and asked if records are being kept on pedestrian and bicycle use of the island during closing of Peter White Drive.

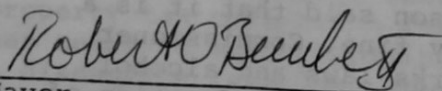
SCIOTTO

Commissioner Sciotto said there is a need to evaluate the animal ordinance in regard to cats roaming loose at night and said that he is very concerned about health violations, consumption of alcohol, and trash at Hurley Field.

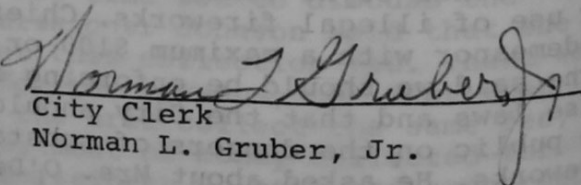
MAYOR BERUBE

Mayor Berube said that he is concerned about the use of illegal fireworks, that there is a new carillon at the Jacobetti Veteran's Facility which broadcasts beautiful music, commended the Police Department for their performance at the Ratt-Poison concert, and said the City Commission should offer to the neighbors of Hurley Field to close the field to alcohol unless the Leagues keep the field clean.

The meeting was adjourned at 9:50 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday, July 30, 1987

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

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

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried unanimously to approve the minutes of the July 13, 1987 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$78,345.22 in the 1986-87 fiscal year and \$202,758.54 in the 1987-88 fiscal year were presented. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously to pay the bills as presented with the exception of the one to Loretta's Craft Corner in the 1987-88 fiscal year in the amount of \$12.39. It was then moved by Commissioner Johnson and supported by Commissioner Constance to pay the above excluded bill and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube asked that Item 7A, discussion of the Shiras Pool change orders and additions, be added and said that Item 6 would be moved to Item 9 to allow the Commission to go into closed session. Commissioner Leadbetter asked that Item 8A be removed from the consent agenda and considered as Item 7B.

ADOPT-A-PARK - Recognition of Participants

Mayor Berube then announced that this was the time set for recognition of Adopt-a-Park participants. He called upon representatives of the Marquette Fire Department who have adopted the Third Street parking lot. He said that they have planted flowers and shrubbery and kept the area much cleaner than it had previously been. Phil Milkie and Joe Borro addressed the Commission, saying that they enjoyed working on the parking lot and keeping it looking good. Mayor Berube said that the Fire Department had been maintaining this area for nearly five years and thanked them for their hours of hard work. Mayor Berube said

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that the Marquette Work Center had adopted the McCarty's Cove area, where they mow grass and keep the area picked up. Representative Greg LaCasse said that they enjoy working in that area and that credit should also go to Carl Tuch and the workers from the Marquette Work Center. Mayor Berube next announced that the Keg League had been maintaining Setter Field at the Tourist Park and has provided several items of new equipment at the field. League representatives Tom Sullivan and Bob Oberg responded by thanking the Commission for the opportunity to take care of this area. Mayor Berube said that Century Club members have been taking care of the triangle at the intersection of Pine Street and Lakeshore Boulevard. Carolyn McDonald, representing the club, said that they have enjoyed planting flowers and shrubs there and that their work is done to honor deceased relatives or friends of Century Club members. Mayor Berube said that the Superiorland Kiwanis has been doing maintenance at Hurley Field, including painting and fixing up some of the facilities at the field. Mayor Berube then said that the Shiras Hills Park Project has taken over operation of the Shiras Hills Park and that they have provided new equipment and maintenance of this area. Richard Sexton said that it has been gratifying to do this work and watch the park become used once more.

PUBLIC HEARING - Wilkinson - Summit Special Assessment District

Mayor Berube then announced that this was the time and date set for a public hearing on a special assessment to install watermain on portions of Wilkinson and Summit Streets. Robert Boyer asked questions about the proposed assessment district. Iris Skoiens said that NMU should pay for part of the project and that she cannot afford any assessments. Lester White said that he had installed water many years ago at his own expense and opposed the project. Al Wirkula, representing his father, said that he was hooked up to City water in 1948 and has been paying for water since then, has good water pressure, and feels he should not have to pay an assessment. Iris Skoeins objected once more to the proposed assessments. The hearing was closed. A letter from Mr. and Mrs. John Higgins was read. The report and recommendation from the City Manager was also read. It was moved by Commissioner Coyne and supported by Commissioner Constance to discuss this matter. Upon being questioned, City Attorney Martin said that this was not an appropriate motion. Mayor Berube then ruled the motion out of order. It was then moved by Commissioner Coyne and supported by Commissioner Constance to adopt the standard form resolution with the provision that the \$51,000 total cost of the project be divided proportionally between the City, NMU, and the property owners in the district. Following a lengthy discussion during which the City Manager answered several questions regarding the proposed project, it was moved by Commissioner Leadbetter and supported by Commissioner Johnson to table the motion. The following vote was taken:

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

SISTER CITY DELEGATION - Report on Visit to Yokaichi

Mayor Berube then announced that this was the time set for a presentation by the Sister City Delegation. Sister City Relations Director, Dr. Pryse Duerfeldt, addressed the Commission. He said that ten delegates from Marquette had visited our Sister City, Yokaichi, Japan between May 9 and May 22 of this year. He described the itinerary of the delegation and gave examples of places visited. He said that they were very pleased to be able to meet with high officials Shiga Prefecture and of Shiga University and to find them very open and willing to discuss questions that the delegates proposed. Linda Berry spoke on her experiences as a delegate and said that it helps to actually visit Japan to understand the people. Stephanie Mattson said that she feels everyone should be able to experience visiting Japan and that greater understanding of the people that is gained from such a visit. Louise Duerfeldt said that after several trips, she finds that she has very good friends in Japan with whom she enjoys sharing both happy and sad experiences. Mayor Berube thanked Dr. Duerfeldt and the delegates for their report and for representing the City in Yokaichi.

CITIZENS

During the time set for citizens wishing to address the Commission, Sarah White, President of the Marquette Senior High School Student Council, said that painting of class year numbers on picnic rocks is harmless and gives the community character. She said it is a source of focus for the youth of the community. Mike Quayle complained about the \$55.00 user fee for block parties.

DOWNTOWN DEVELOPMENT AUTHORITY - Terminate Lease for Information Booth

A communication from the Downtown Development Authority terminating the lease for the information booth site in the downtown pocket park, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to thank the DDA for this action and to recommend that they work to beautify the area after the booth is removed. Commissioners agreed that a planter with flowers would be an appropriate replacement for the booth.

MARQUETTE ROTARY WEST - Change Use Agreement for Lower Harbor Park

A communication from Marquette Rotary West, regarding the use agreement for the Lower Harbor Park for the Seafood Fest, was read. It was moved by Commissioner Acocks and supported by Commissioner Coyne to agree with this request and to alter the use agreement with 25% of the user fee to be given as soon as the final figures are derived and the remaining percentage to be given in the spring as a means of publicizing the Seafood Fest.

PICNIC ROCKS - Removal of Graffiti

A report and recommendation from the City Manager, regarding removal of graffiti from the picnic rocks, was read. It was moved

by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously that the City not pay to have the graffiti removed from the picnic rocks. Commissioner Sciotto spoke on the derivation of the word graffiti and said that painting of class numbers is not properly called graffiti.

SHIRAS POOL - Change Orders and Additions

Mayor Berube announced that this was the time set to discuss Shiras Pool change orders and additions. He said that a letter has been received from the Kaufman Foundation giving the City \$5,000 to construct a patio next to the island store and a second \$5,000 to landscape the patio. It was moved by Commissioner Coyne, supported by Commissioner Constance, and carried unanimously to accept this money. Mayor Berube said that much of this work has been completed already in order to get the pool ready for opening as soon as possible. Mayor Berube then said that the contractor for the pool has submitted a change order asking for extra money for dewatering costs. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to ask the City Manager for a report and recommendation on this proposed change order. Architect Barry Polzin then presented a change order for \$500 from the landscaping contractor. He said that this had been prompted by the delay in landscaping involved in putting in the waterslide and that it was a reasonable request. It was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried unanimously to pay the change order as proposed with the money to be taken from the project contingency fund.

A communication from Parks and Recreation Director John Turausky outlining extra work that needs to be done at the pool and the Island Store, was read. It was moved by Commissioner Johnson and supported by Commissioner Coyne to spend some of the contingency fund money in the proper manner. Mayor Berube ruled the motion out of order due to insufficient details.

The Commission then discussed at length the list of improvements, a priority order for this list, and items that should be added to the list. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to make improvements to the Island Store and Shiras Pool using the following priority list.

1. Life hooks (3 @ \$58.00)	\$175.00
2. Island Store Service Window	303.00
3. 12,000 BTU Air Cond. for Island Store	838.00
4. Window screens/service window	825.00
5. Lifeguard office window charge	220.00
6. Pool sound system	1,800.00
7. Pool line dividers (3 @ \$265)	800.00
8. Pool vacuum machinery	2,000.00
9. Picnic Tables	

SHIRAS POOL - (continued)

10. Equipment for children
11. Painting for the inside of the island store area
12. Reversing the door swing on the exit door from the island store.

Commissioners agreed to remove the picnic tables from the inside of the Island Store so they can be used outside and to leave the store unfurnished until proper equipment can be afforded.

BIDS - Smokeeters for the Donor's Room

A report and recommendation from the City Manager, regarding bids for air filters for the Lakeview Arena, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried unanimously to not concur with the recommendation and not purchase the Smokeeters. There was a lengthy discussion regarding whether the Smokeeters would work as expected and how they would be used in the Donor's Room. Commissioner Leadbetter said that as long as the Smokeeters are not installed in the exhaust duct which connects the Donor's Room in the Russell Arena, smoke from the Donor's Room would reach the Russell Arena. Commissioners agreed that they would accept installation of the Smokeeters for a trial period with payment not to be made unless they provide the service expected by keeping the Russell Arena free of smoke from the Donor's Room. It was moved by Commissioner Constance and supported by Commissioner Sciotto that the City contact the low bidder regarding doing the same work under the conditions discussed at this meeting and to ask the bidder to describe how the system would function. The following vote was taken:

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

Nays: Mayor Berube. Commissioner Coyne.

The motion was carried.

CONSENT AGENDA

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

- B. Award of a bid for purchase of PVC pipe, fittings and miscellaneous hardware for the Wastewater Treatment Plant to Babco Supply, Inc., the low bidder, at the unit price of \$5,569.18.
- C. Award of a bid for replacement of 18 water service lines to Bill Siler Contracting, Inc. of Hancock, the low bidder, in the amount of \$55,651.00.
- D. Approval of a property exchange with Pellow Roofing on Coles Drive and authorization of the Mayor and City Clerk to sign the documents.

GRIEVANCE - Public Works Chapter of AFSCME

Mayor Berube noted the receipt from the Union steward requesting that Item 9, a grievance from the Public Works Chapter of AFSCME, be considered in closed meeting. It was moved by Commissioner

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Coyne, supported by Commissioner Constance, and carried unanimously to go into closed session.

The Commission recessed at 9:01 p.m.

GRIEVANCE (continued)

The Commission reconvened at 9:50 p.m. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur with the recommendation of the City Manager and to deny the grievance from the Public Works Chapter of AFSCME.

APPOINTMENTS

It was then moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried unanimously to modify the agenda to include appointments by the Mayor. Mayor Berube then reappointed Eric Durham to the Investment Advisory Board for a term expiring July 1, 1990 and Burt Parolini to the Local Officer's Compensation Board for a term expiring August 8, 1994. He noted that there are two openings available on the Public Works Advisory Board.

SCIOTTO

Commissioner Sciotto asked if there is a time frame for closing off the area under the concession stand at Hurley Field. Parks and Recreation Director Turausky said that this work would be done as soon as the Board of Light and Power moves the electrical service. It was moved by Commissioner Sciotto, supported by Commissioner Acocks, and carried unanimously to ask the City Attorney to review the dog and cat ordinance and to propose ways to keep dogs and cats from running loose in the City, especially on the beach. Commissioner Sciotto commended the management and workers at Snowberry Heights for their excellent maintenance of the landscaping at that building this summer.

JOHNSON

Commissioner Johnson moved that the \$1,000 not spent in cleaning off picnic rocks be given to the City Band. Mayor Berube ruled this motion out of order as Commissioner Johnson had not voted in the majority on the previous motion regarding band funding. Commissioner Johnson noted a tax deferrment plan available to senior citizens who make less than \$20,000 a year and said that the Commission on Aging as well as the Senior Citizen Centers throughout the County have volunteers to help with this matter and with filling out Social Security and Medicare forms. Commissioner Johnson also said that last weekend and this week have been excellent times in the City with Art on the Rocks and the American Waterways Orchestra Concert Tuesday night. She asked if the Parking Committee had ever made a determination on streets where bicycles should not be allowed and said that the Champion Street bridge should be one of these streets. She noted the open house at the new State Police Crime Lab on Friday afternoon, said that people are using the parks and that the parks are well-kept with most of the problems being caused by adults not children,

and noted complaints about bottles and debris at the East end of McCarty Cove. She said that cars driving 25 miles an hour on Peter White Drive on Presque Isle Park are dangerous as there are bicycles and walkers there also.

COYNE

Commissioner Coyne said that the problems resulting from some block parties have prompted the user fee and that one of its functions is to discourage a lack of responsibility on the part of people organizing block parties. He also said the fee is based on the City's cost for monitoring the block party and setting up barricades. He asked what is happening with the Hurley Field renovation. City Manager Svanda said that insufficient funds have been received as yet to begin work. Commissioner Coyne said that July has been a very busy and enjoyable month with many activities and said that he has received many good comments about Parks and Recreation Director John Turausky for his cooperation and work on these activities.

CONSTANCE

Commissioner Constance asked when Shiras Pool would be open. City Manager said that it would probably be open a week from Monday. Commissioner Constance also asked about the disposition of the Rosewood Inn demolition. City Manager Svanda said that the extension should expire this fall. Commissioner Constance also encouraged everyone to watch or participate in the State Games this weekend.

ACOCKS

Commissioner Acocks asked what had happened to the second T.V. camera. Commissioner Coyne said that Bresnan Communications has contacted him saying that the switcher which allows the operation of two cameras is being repaired. Commissioner Acocks also said that there was an excellent story on John Turausky in the Mining Journal. She asked who pays for the 100 feet in the Wilkinson and Summit special assessment district. City Manager Svanda said that this matter needs research.

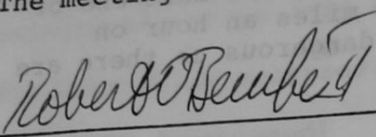
BERUBE

Mayor Berube said that the torch run for the State Games will be arriving tomorrow night and described the route on which it would enter the City. He said that so far 3,500 people have entered the State Games. He thanked people who worked hard on the American Waterway Wind Symphony Orchestra and noted the City's thanks to the Kaufman Foundation for their extra funding for the patio at the Shiras Pool. He also noted the Crime Lab open house on Friday afternoon saying that this is an outstanding facility.

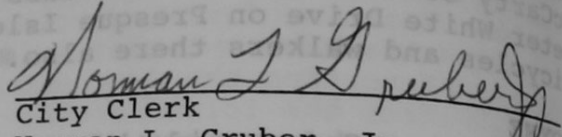
CITY MANAGER

City Manager Svanda said that meetings with the DNR, Sands Township, and the owners of the proposed new landfill site have been ongoing, along with the technical aspects of the design process.

The meeting was adjourned at 10:17 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, August 10, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, August 10, 1987 in Commission Chambers of City Hall.

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

APPROVAL OF MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve the minutes of the July 30 open and closed meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$86,913.93 in the 1986-87 fiscal year and \$292,929.59 in the 1987-88 fiscal year were presented. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried unanimously to approve the bills payable with the exception of the one in the 1987-88 fiscal year to Loretta's Craft Corner in the amount of \$12.69. It was then moved by Commissioner Johnson and supported by Commissioner Coyne to pay the above excluded bill and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

AGENDA CHANGES

During the time set for announcing additional agenda items Commissioner Johnson asked that item 12, a letter regarding water safety at the Hot Pond area, be added. Commissioner Coyne asked that item 13, a communication from the City Manager regarding Ludington Tours, be added. Commissioner Constance asked that item 14, disposition of the Clean Michigan Funds, be added. Mayor Berube asked that item 15, discussion of the geese at the Shiras Pool, be added.

INTERNATIONAL FOOD FEST

Mayor Berube then announced that this was the time set for a presentation by the Marquette Exchange Club. Howard Kitzman, representing the Club, addressed the Commission. He thanked all the persons and agencies involved in making the International Food Fest a success and presented Mayor Berube with a check for \$3,150.99 which represents the fee for use of the Lower Harbor Park and the Exchange Club's contribution to the Lower Harbor Development Fund. Mayor Berube thanked Mr. Kitzman and the Exchange Club members for their work on a very popular community

event and assured them that the money would be spent in developing the park area.

RECOGNITION OF ADOPT-A-PARK PARTICIPANTS

Mayor Berube then announced that this was the time set for recognition of Adopt-a-Park participants. He said that Diane Kordich had been planting flowers at Father Marquette Park and keeping it clean. Ms. Kordich said that this year she had help from the Upper Peninsula Catholic Historic Society and specifically from Arnold Mulzer. She said the Society had furnished money to have a State Historic marker erected in the Park. Jean McPherson and Shirley Moore were recognized for maintaining the grounds at the Municipal Water Plant. The ladies said that they had just started this year but were making good progress. The Marquette Tennis Club, represented by Jim Kiesby, is maintaining the seven City tennis courts located at Williams Park, Sandy Knoll School, and Presque Isle Park. Mr. Kiesby said that they keep the courts maintained and buy tennis nets. Mayor Berube said that Sue LeGalley and Peggy Frazier are taking care of the Shiras Hills East entrance including planting flowers. The Lake Superior Art Association, represented by Jane Hiebel and Evelyn VanDine is maintaining the Anita Meyland Gazebo at Presque Isle Park. The Association had donated the Gazebo in honor of Mrs. Meyland two years ago. The Sandy Knoll Indian Education students are taking care of Chief Kawbawgam's grave on Presque Isle including planting flowers, placing rocks around the gravesite, and keeping it clean. Virginia Long and Mary Ferguson are taking care of the grounds at the Maritime Museum including planting flowers in the large urn at the foot of Ridge Street.

SPECIAL ASSESSMENT - Water Main on Wilkinson and Summit Streets

Mayor Berube then announced that this was the time set for continued discussion of the special assessment district for the installation of water main on Wilkinson and Summit Streets. A report and recommendation from the City Manager was read. Following a lengthy discussion regarding the fairness of the assessments and the cost of fire protection versus residential water service, it was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to lay this item on the table until the next meeting so that the Commission can receive responses to the questions that were raised during the discussion and the property owners can be notified of the revised cost estimates.

WALK MICHIGAN DRAWING

Mayor Berube announced that this was the time set for the Walk Michigan drawing. A communication from Parks and Recreation Director John Turausky was read. Mayor Berube and Commissioner Johnson stepped to the center of the room where Commissioner Johnson pulled the card of John Keenan from the drum. Mr. Keenan as the local Walk Michigan winner will receive a trip to Mackinac Island on Labor Day weekend.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Pete Lavender, representing Payne and Dolan, Inc., said that, in reference to item 10a bids for Fair Avenue paving, Custom Asphalt could not meet the technical specifications required in the City's bid. He said that if the City wishes to accept lower standards, that all bidders should be notified so that they are being treated equally. Commissioner Leadbetter asked that item 10a be removed from the consent agenda and considered following item 9.

JUNIOR HOCKEY - Expansion of Lakeview Arena

A communication from Marquette Junior Hockey, regarding a proposed addition to the Lakeview Arena, was read. Joe Borro, representing Junior Hockey, answered questions about the proposed addition. It was moved by Commissioner Sciotto, supported by Commissioner Acocks, and carried unanimously to approve the expansion of the Junior Hockey area at the Arena as proposed as long as it is done to code and all appropriate permits are acquired.

PLANNING COMMISSION - Lower Harbor Park

A recommendation from the Planning Commission, regarding the proposed rezoning of the Lower Harbor Park, was read. Following a discussion regarding the proposed zoning, the area that would be included, and the interest of other groups, it was moved by Commissioner Acocks and supported by Commissioner Constance to set the next regular meeting as the time and date for a public hearing on the proposed rezoning. The following vote was taken:

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

Nay: Commissioner Leadbetter.

The motion was carried.

PLANNING COMMISSION - Street Vacations in Presque Isle Addition

A recommendation from the Planning Commission, regarding the proposed vacation of certain streets in Presque Isle Addition, was read. Following a lengthy discussion regarding whether "F" street, which is not proposed to be vacated, should be, it was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to set the next regular meeting as the time and date for a public hearing on the proposed vacation of "C", "D", "E", and "G" Streets in Presque Isle Addition. It was then moved by Commissioner Johnson and supported by Commissioner Leadbetter to refer the "F" Street vacation back to the Planning Commission for further consideration. The following vote was taken:

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

Nay: Commissioner Acocks.

The motion was carried.

PROPOSED CHARTER AMENDMENT - Eliminate Publication of Commission Minutes

A recommendation from the City Attorney, regarding the proposed Charter amendment to eliminate publication of Commission proceedings, was read. Commissioner Johnson suggested some wording changes in the statement of purpose. It was then moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to approve the caption, statement of purpose, and ballot questions as follows:

PROPOSED AMENDMENT TO THE CITY CHARTER

CAPTION

CHARTER AMENDMENT ELIMINATING THE REQUIREMENT FOR PUBLISHING THE CITY COMMISSION PROCEEDINGS

STATEMENT OF PURPOSE

THIS PROPOSAL WOULD AMEND CHAPTER 6, SECTION 6.7 BY REPEALING PARAGRAPH (d). THIS WOULD ELIMINATE THE REQUIREMENT THAT THE CITY COMMISSION PROCEEDINGS, (OR A SUMMARY OF THE PROCEEDINGS), BE PUBLISHED.

BALLOT QUESTION

SHALL THE CHARTER AMENDMENT REPEALING THE REQUIREMENT FOR PUBLICATION OF THE CITY COMMISSION PROCEEDINGS BE ADOPTED?

YES _____ NO _____

LAKEVIEW ARENA - Making Donor's Room Smoke Free

A report and recommendation from the City Manager, regarding making the Donor's Room smoke free, was read. It was moved by Commissioner Leadbetter and supported by Commissioner Johnson to not concur in the recommendation of the City Manager and to continue the policy of Lakeview Arena being a smoke free building. Following lengthy discussion, the following vote was taken:

Ayes: Mayor Berube. Commissioners Johnson, Leadbetter.

Nays: Commissioners Acocks, Constance, Coyne, Sciotto.

The motion was defeated.

The Commission then discussed at length the cost of the study and how it would be repayed. It was moved by Commissioner Constance and supported by Commissioner Coyne to direct the City Administration to come back with a report and recommendation at the next Commission meeting responding to the questions raised during this discussion. The following vote was taken:

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

Nay: Commissioner Sciotto.

The motion was carried.

AWARD OF BID - Bituminous Paving

A report and recommendation from the City Manager, regarding bids for bituminous paving, was read. Commissioners agreed that the low bidder had bid according to the specifications and should be awarded the bid. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to concur with the recommendation and award the bid for this work to Custom Asphalt in the amount of \$30,243.80.

CONSENT AGENDA

It was then moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to adopt the Consent Agenda as follows:

B. Award the bid for sale of the IBM System 34 and related equipment to Quality Associates in the amount of \$6,300.00.

APPOINTMENTS

Mayor Berube then appointed Robert Heyd to the Public Works Advisory Board. He said that there are still openings on that board as well as the Lakeview Arena Advisory Board and the Parks and Recreation Advisory Board.

HOT POND - Water Safety

Mayor Berube then announced that this was the time set for discussion of water safety in the Hot Pond area. Commissioner Johnson said that she had received a letter saying that the drop off should be better marked in this location. Assistant City Manager Evans said that signs had been posted at the Hot Pond today saying that there are no lifeguards for that beach and that swimming is done at the individuals own risk.

LUDINGTON PARK COACH & CARRIAGE - Carriage Tours

A report and recommendation from the City Manager, regarding a proposal from Ludington Park Coach and Carriage to provide tours during the Steelheader's Derby on Labor Day weekend and the Logging Congress and Seafood Festival a weekend later. Following discussion, regarding the speed of the carriages and whether or not they would block traffic, it was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to authorize the City Administration to develop an agreement with Ludington Park Coach and Carriage to offer rides in the City as proposed.

CLEAN MICHIGAN FUND GRANT

Mayor Berube announced that this was the time set for discussion of the Clean Michigan Fund Grant. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to direct the City Administration to prepare a report and recommendation regarding disposal of the Clean Michigan Fund Grant the City expects to receive. Commissioner Constance said that this money should be returned to the people.

GEESE AT PRESQUE ISLE PARK

Mayor Berube then announced that this was the time set for consideration of the geese at the Presque Isle Park. It was moved by Mayor Berube, supported by Commissioner Sciotto, and carried unanimously to ask the Administration to follow up on ways to remove the geese from Shiras Pool.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Perry Laing said that feeding both seagulls and geese keeps them present in public parks and asked if the proposed carriage rides could use the railroad right of way as opposed to the street. Mr. Laing then discussed his year old proposal regarding designation of turn lanes and through lanes on Presque Isle Avenue between Kay and Waldo Streets. Mayor Berube said that the Traffic Advisory Committee had studied this matter last year and that they were opposed to the proposal.

ACOCKS

Commissioner Acocks asked if there is a City Code that forces motels and hotels to have fire sprinkler systems. City Attorney Martin said that some may be grandfathered, but that all are required to have smoke alarms. Commissioner Acocks also asked when the guardrail in the center of the bypass will be painted. Public Works Superintendent Lawry said that it is not designed to be painted. Commissioner Acocks said that many people have contacted her saying they don't want Presque Isle too commercialized. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to place proposed amendments to the dog and cat ordinances on the agenda for the next regular meeting.

CONSTANCE

Commissioner Constance said that the \$10,000 budget item to check and repair the City's large water meters has resulted in a projected \$17,000 per month increase in revenues. He also asked if the 1% tax collection fee is being added to special assessments. Assistant City Manager Evans said that it was. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to ask the City Administration to prepare a report and recommendation on this matter for the next meeting. Commissioner Constance also asked the Administration to review the assessment scheme on the proposed special assessment district on Summit and Wilkinson.

SCIOTTO

Commissioner Sciotto said that he was pleased to see the activity to clean up the concession stand at Hurley Field and that he hopes the new Housing Inspector will soon begin to address the needs of the City regarding problems with dwelling units.

LEADBETTER

Commissioner Leadbetter said that he was thrilled by the numbers of people at the Shiras Pool opening today but that the fence around the pool needs painting.

JOHNSON

Commissioner Johnson said the Traffic Committee has a report out on streets where bicycles should not be permitted, that there were many good activities in town in the last week, that a screening clinic for burned and crippled children would be sponsored by the Shriners this week, and expressed concerns about the crossing guards at Whitman School. Commissioner Johnson also noted the death of NMU Board of Control Member Mrs. Flodine. Mrs. Flodine is from Iron Mountain.

MAYOR BERUBE

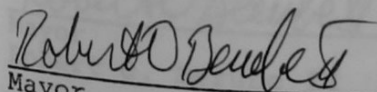
Mayor Berube asked the City Attorney the status of the proposed bicycle ordinance. City Attorney Martin said that it was ready for public hearing. It was moved by Mayor Berube, supported by Commissioner Johnson, and carried unanimously to set the next regular meeting as the time and date for a public hearing on a proposed bicycle ordinance. It was then moved by Mayor Berube, supported by Commissioner Coyne, and carried unanimously to schedule the next regular meeting as the time and date for a public hearing on an ordinance regulating parking near driveways. Mayor Berube then thanked the Zonta Club for their donation of playground equipment for the Lower Harbor Park. He also thanked the Shiras Institute, the Kaufman Foundation, the State of Michigan, the taxpayers of the City, and various citizens' groups for their support which has allowed the Shiras Pool Project to become a reality. He said that there are still many things that need to be done to make the pool more useable and encouraged people to become involved. Mayor Berube read a portion of a letter from President Appleberry at Northern Michigan University thanking the City for their support of the Great Lakes State Games. He also noted a letter from the Marquette Area Chamber of Commerce thanking the City for the help on the American Waterways Wind Orchestra. Mayor Berube said that special thanks should go to John Turausky for his work on this project.

SHIRAS POOL GRAND OPENING

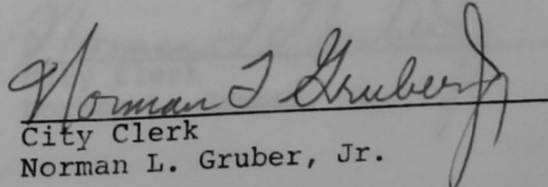
Assistant City Manager Evans said that the grand opening of the Shiras Pool will be held at 1:30 p.m. on August 23. Mayor Berube thanked Mr. Evans for filling in for City Manager Svanda this evening.

ADJOURNMENT

The meeting was adjourned at 9:07 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

August 10, 1987

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Commissioner Johnson said the Traffic Commission has a report out
 where bicyclists should not be permitted, that there
 were many good activities in town in the last week, that a
 meeting of the Board of Control and the Traffic Commission would be
 sponsored by the Shiner this week, and expressed concerns about
 the crossing guards at Whitman School. Commissioner Johnson also
 noted the death of NMU Board of Control Member Mrs. Christine. Mrs.
 Johnson is from Iron Mountain and was a member of the Board of Control.
 Mayor Berube asked the City Attorney to look into the proposed
 ordinance. It was moved by Mayor Berube, supported by
 Commissioner Johnson, and carried unanimously to set the next
 regular meeting at that time and date for a public hearing on a
 proposed bicycle ordinance. It was then moved by Mayor Berube, and
 supported by Commissioner Coyne, and carried unanimously to
 schedule the next regular meeting at the time and date for a
 public hearing on an ordinance regarding parking near highways.
 Mayor Berube then thanked the Board of Control for their donation of
 playground equipment for the Lower Harbor Park. He also thanked
 the Shiner Institute, the Kalamazoo Foundation, the State of
 Michigan, the taxpayers of the City, and various citizens' groups
 for their support which has allowed the Shiner Pool Project to
 become a reality. He said that there are still many things that
 need to be done to make the pool more usable and encouraged
 people to become involved. Mayor Berube read a portion of a
 letter from President Applebury at Northern Michigan University
 thanking the City for their support of the Great Lakes State
 Games. He also noted a letter from the Marquette Area Chamber of
 Commerce thanking the City for the help on the Marquette Waterways
 Wind Orchestra. Mayor Berube said that special thanks should go
 to John Gurnawsky for his work on the project. Mayor Berube
 then announced that the grand opening of the
 Shiner Pool will be held on August 23, 1987, at 2:00 p.m. Mayor Berube
 thanked Mrs. Evans for giving the City the use of the pool for the
 evening. The meeting was adjourned at 8:05 p.m. and adjourned.

ADJOURNMENT

Attest: Mayor Robert O. Berube

City Clerk: [Signature]

August 10, 1987

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday, August 20, 1987

A special meeting of the Marquette City Commission was duly called and held at 5:00 p.m. on Thursday, August 20, 1987 in Commission Chambers of City Hall.

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

ABSENT: Commissioners Acocks, Constance.

EXCUSE ABSENCES

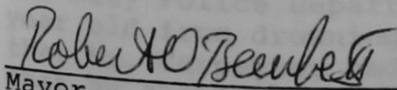
It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to excuse the absences of Commissioners Acocks and Constance.

SHIRAS POOL PROJECT

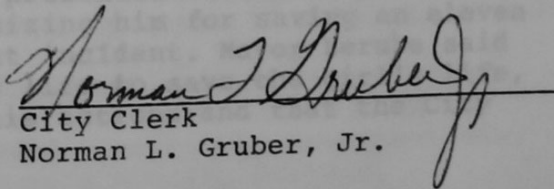
Mayor Berube announced that the purpose of this meeting was to consider the evaluation of the Shiras Pool cracking and possible payment for a portion of the project. He reviewed the events at a meeting held yesterday with representatives from the City, the City's consultant, the designer of the pool, the contractors, and the funding sources. He said that several persons indicated that some cracking was to be expected in this type of construction and that the cracking would not seriously impair the strength or usefulness of the pool. He said that the subcontractor had offered to repair the cracks at no cost and had also stated that they would stand behind the pool for all of its useful life. A report from STS Consultants Ltd, the City's technical consultant was read. Following brief discussion regarding what should be done about the cracks, it was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried to authorize payment to the subcontractor, Paddock Pools, in the amount of \$100,600 plus \$591.20 interest and to have the pool reevaluated in one year.

ADJOURNMENT

There were no citizens wishing to address the Commission, and the meeting was adjourned at 5:16 p.m.



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

August 20, 1987

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday, August 20, 1987

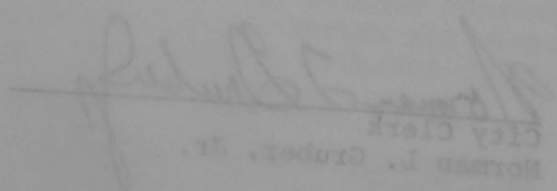
A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Thursday, August 20, 1987 in Commission Chambers of City Hall.

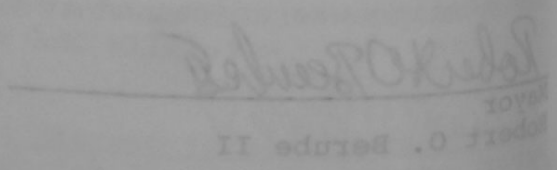
PRESENT: Mayor Berube, Commissioners Coyne, Johnson, Leadbetter, Schlotto.
ABSENT: Commissioners Acock, Constance.

EXCUSE ANSWERS
It was moved by Commissioner Coyne, supported by Commissioner Johnson, and carried to excuse the absences of Commissioners Acock and Constance.

SHIRAS POOL PROJECT
Mayor Berube announced that the purpose of this meeting was to consider the evaluation of the Shiras Pool cracking and possible payment for a portion of the project. He reviewed the events at a meeting held yesterday with representatives from the City, the City's consultant, the designer of the pool, the contractor, and the funding sources. He said that several persons indicated that some cracking was to be expected in this type of construction and that the cracking would not seriously impair the strength or usefulness of the pool. He said that the subcontractor had offered to repair the cracks at no cost and had also stated that they would stand behind the pool for all of its useful life. A report from STS Consultants Ltd, the City's technical consultant was read. Following brief discussion regarding what should be done about the cracks, it was moved by Commissioner Coyne, supported by Commissioner Leadbetter, and carried to authorize payment to the subcontractor, Padlock Pools, in the amount of \$100,000 plus \$251.20 interest and to have the pool reevaluated in one year.

ADJOURNMENT
There were no citizens wishing to address the Commission, and the meeting was adjourned at 5:16 p.m.


Norman L. Gruber, Jr.
City Clerk


Robert O. Berube II
Mayor

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, August 31, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, August 31, 1987 in Commission Chambers of City Hall.

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

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve the minutes of the August 10 regular and August 20 special meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$563,003.75 were presented. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously to pay the bills as presented with the exception of the one to Loretta's Craft Corner in the amount of \$6.00. It was then moved by Commissioner Johnson and supported by Commissioner Leadbetter to pay the above excluded bill and to allow Commissioner Acocks to abstain from voting. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Acocks.

The motion was carried.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added item 16A, appointments, and Commissioner Constance asked that item 17C be removed from the Consent Agenda and placed as item 16B.

CITIZENS AWARD TO DOUGLAS CARPENTER

Mayor Berube then presented a citizens award to Douglas Carpenter. He read from a letter presented to Mr. Carpenter by the City Police Department recognizing him for saving an eleven year old from drowning in a recent incident. Mayor Berube said that Mr. Carpenter had risked his life to save the girl's life, that he should be very proud of his actions and that the City thanked him for his efforts.

PUBLIC HEARING - Rezoning of Lower Harbor Park

Mayor Berube then announced that this was the time set for a public hearing on the proposed rezoning of the Lower Harbor Park. John Stevens, representing the Downtown Marquette Association, supported projects that would help develop the Lower Harbor. Gary Bantle, representing the Downtown Development Authority,

August 31, 1987

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supported the rezoning. The hearing was closed. Following discussion regarding whether the entire park should be rezoned, it was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously to accept the recommendation from the Planning Commission and to rezone the Lower Harbor Park from DD-Deferred Development to CR-Conservation Recreation.

PUBLIC HEARING - Vacation of Streets in Presque Isle Addition

Mayor Berube then announced that this was the time set for a public hearing on proposed vacation of streets in Presque Isle Addition. There being no citizens wishing to address the Commission, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously that C,D,E, and G Streets be vacated as recommended. Mayor Berube listed the amounts that the City had spent on the breakwater in front of each of these streets and asked if these costs could be recovered. During discussion, Commissioners agreed that it was probably impossible to recover these costs.

PUBLIC HEARING - Ordinance To Restrict Parking Near Driveways

Mayor Berube then announced that this was the time and date set for a public hearing on two ordinance amendments which would prohibit parking within two feet of a driveway. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Coyne and supported by Commissioner Sciotto to adopt the two ordinance amendments as proposed. It was then moved by Commissioner Acocks and supported by Commissioner Sciotto to change the amount of the fine from \$2.00 to \$5.00. The following vote was taken:

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

Nays: Commissioners Coyne, Leadbetter.

The amendment was carried. After further discussion, the following vote was taken on the amended motion:

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

Nays: Commissioners Coyne, Johnson, Leadbetter.

The motion was carried and the following two ordinances were adopted:

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AN ORDINANCE TO AMEND TITLE II, CHAPTER 16, SECTION 16.06(2) TO READ:

- (2) Within 2 feet in front of a public or private driveway.
\$5.00

#406

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 34, SECTION 8.10(1)(6) TO READ:

- (b) Within two feet in front of a public or private driveway.

PUBLIC HEARING - Ordinance to Prohibit Bicycle Riding in Certain Districts

Mayor Berube then announced that this was the time and date set for a public hearing on an ordinance to prohibit bicycle riding in certain districts. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to continue the public hearing to the next meeting and to include a prohibition on skateboards from the same areas proposed for prohibition on bicycles.

Mayor Berube announced that the presentation by the Citizens Committee to Save Jobs in Mining had been delayed until a later date.

CITIZEN COMMENT

During the time set for citizens to address the Commission, Tom Royal said that his house is being supplied with water by a hose connected to a neighbor's house and asked what action is being taken to correct this problem. Iris Katers presented petitions requesting changes in the swimming area at the Hot Pond. She spoke at length upon the problems addressed in the petition. George Hansen asked to speak on item 12. Mike Roche offered to answer questions on item 16. Allen Wirkula, representing his father, asked questions about the Wilkinson/Summit special assessment district. John Easley said that he and his neighbors should not be part of that assessment district. Robert Boyer and Iris Goyen asked to speak on item 9.

ANIMAL CONTROL ORDINANCE

Mayor Berube then announced that this was the time set to discuss a possible amendment to the Animal Control Ordinance. The recommendation from the City Attorney was read. It was moved by Commissioner Acocks to prohibit all pets from the Lower Harbor Park. The motion died for lack of support. It was then moved by Mayor Berube, supported by Commissioner Johnson, and carried unanimously to schedule the next regular meeting as the time and date for a public hearing on a proposed amendment to Section 6, Chapter 33, the Animal Control Ordinance. It was then moved by Commissioner Constance and supported by Commissioner Leadbetter to direct the City Administration to report on an amendment to the rules and regulations concerning the use of public parks and public grounds which would prohibit all dogs and cats in the Lower Harbor Park. It was moved by Commissioner Sciotto and supported by Commissioner Leadbetter to amend this motion to prohibit them in all City parks. The vote on the amendment was:

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

Nays: Commissioners Constance, Coyne.

The amendment was carried. Following discussion, the amended motion was unanimously defeated. It was then moved by Commissioner Constance and supported by Commissioner Johnson to direct the City Manager to prepare an amendment to the rules and

regulations governing public parks and public grounds prohibiting dogs and cats in the Lower Harbor Park. The following vote was taken:

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

Nays: Commissioners Coyne, Leadbetter.

The motion was carried. It was then moved by Commissioner Sciotto, supported by Commissioner Acocks, and carried unanimously that the City look into the possibility of conducting an animal census in the City. It was moved by Mayor Berube and supported by Commissioner Acocks that at budget time next year the Commission discuss adding another Animal Control Officer to the City staff. The following vote was taken:

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

Nays: Commissioners Constance, Coyne.

The motion was carried.

ROBIN MURPHY - Use Of Helmets On Mopeds and Scooters

A communication from Robin Murphy, regarding the use of helmets for riders of mopeds and scooters, was read. It was moved by Commissioner Coyne and supported by Commissioner Johnson to direct the City Attorney to draft an ordinance for Commission consideration which would require the riders of mopeds and scooters to wear helmets.

SPECIAL ASSESSMENT - Wilkinson Ave. & Summit St. Water Main

A report and recommendation from the City Manager, regarding continued discussion of proposed special assessments for construction of water main in Wilkinson Avenue and Summit Street, was read. Robert Boyer asked questions and said that he would not be opposed to the project if all property owners are assessed properly. Iris Goyen read a statement regarding her position on the proposed assessment. It was moved by Commissioner Johnson and supported by Commissioner Sciotto to adopt a resolution of determination for this project with Northern Michigan University to pay 52.4% of the project cost. The following vote was taken:

Ayes: Commissioners Acocks, Johnson, Leadbetter, Sciotto.

Nays: Mayor Berube. Commissioners Constance, Coyne.

The following resolution was adopted:

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

WATER MAIN INSTALLATION AND WATER LATERAL REPLACEMENT
IN THE 1500 AND 1600 BLOCKS OF WILKINSON AVENUE AND
THE WEST 100 FEET OF THE 500 BLOCK OF SUMMIT STREET.

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

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

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

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

WATER MAIN AND LATERAL REPLACEMENT 1500 AND 1600 BLOCKS
OF WILKINSON AVENUE AND WEST 100 FEET OF 500 BLOCK OF
SUMMIT STREET.

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

PROPERTY - \$34,000.00 CITY - \$17,000.00

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

TAX ADMINISTRATION FEE - Application to Special Assessment Bills

A report and recommendation from the City Manager, regarding the application of the tax administration fee to special assessment bills, was read. It was moved by Commissioner Constance and supported by Commissioner Acocks to continue to apply the tax collection fee against the special assessments. The following vote was taken:

Ayes: Commissioner Constance.

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

The motion was defeated.

It was then moved by Commissioner Johnson and supported by Commissioner Leadbetter to not apply the 1% collection fee on special assessments. The following vote was taken:

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

Nays: Commissioners Acocks, Constance.

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The motion was carried.

SOLID WASTE DISPOSAL - Intergovernmental Agreements

A report and recommendation from the City Manager, regarding intergovernmental agreements with Sands and Forsyth Townships and the City of Hancock for utilization of the City's solid waste disposal system, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to concur with the City Manager's recommendation, to approve standard agreements with the City of Hancock and Forsyth and Sands Townships, and to authorize the Mayor and City Clerk to execute these agreements.

CLEAN MICHIGAN FUND - Use of Funds

A report and recommendation from the City Manager, regarding utilization of funds granted to the City from the Clean Michigan Fund, was read. George Hansen addressed the Commission saying the money should be used to develop new landfills. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously that when the funds are received from the State, they be set aside in a solid waste management fund created in the current year budget and that these monies be utilized to help the City achieve a solution to the solid waste management needs through - landfill site expiration

- landfill site development operation and in closing
- establishing recycling, bailing, incineration, or other volume reduction systems, and
- establishing composting programs.

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

LANDFILL - Sands Township Plans and Permits Development

Following the recess, a report and recommendation from the City Manager, regarding Sands Township Sections 5 and 6 landfill site plans and permits development, was read. It was moved by Commissioner Acocks, supported by Commissioner Constance, and carried unanimously that the proposed work plan be approved and that the Mayor and City Clerk be authorized to execute necessary documents on behalf of the City.

SIDEWALK REPAIR AT 145 WEST WASHINGTON STREET

A report and recommendation from the City Manager, regarding sidewalk repair at 145 West Washington Street, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur with the City Manager's recommendation to accept the repair proposal and to authorize the Mayor to execute it on behalf of the City.

LAKEVIEW ARENA - Making East Conference Room Smoke Free

A report and recommendation from the City Manager, regarding making the East Conference Room at the Lakeview Arena smoke free, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried unanimously to concur with the City Manager's recommendation, to authorize the City

Administration to negotiate the best terms possible with Elliott Sheet Metal for repair and upgrading of the air exchange system for the East Conference Room, to proceed with getting the work done, and that the repairs be tested and if the repairs work, to allow smoking in the East Conference Room.

CHAMBER OF COMMERCE LEASE AGREEMENT

A report and recommendation from the City Manager, regarding a lease agreement with the Chamber of Commerce for their site in Lakeside Park, was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to concur with the City Manager's recommendation to approve this lease with the Chamber of Commerce and to authorize the Mayor and City Clerk to execute it on behalf of the City.

APPOINTMENTS

Mayor Berube then appointed Ed Angeli to the Public Works Advisory Board for a term ending August 10, 1990. He noted that there were openings on the Water/Sewer Advisory Board and the Planning Commission. He thanked Mike Pond for serving on the Planning Commission and said that his expertise had been very valuable to the City.

DEAD RIVER BRIDGE PROJECT - Amendment #3 to Construction Engineering Agreement

A report and recommendation from the City Manager, regarding amendment #3 to the construction engineering agreement for the Dead River Bridge Project, was read. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to adopt the amendment and to authorize the Mayor and City Clerk to execute it.

CONSENT AGENDA

It was then moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to approve the Consent Agenda as follows:

- A. Approve the right-of-way conveyance for Michigan Power Company as requested and authorize the Mayor and City Clerk to execute the conveyance document.
- B. Approve the fuel depot agreement and authorize the Mayor and City Clerk to execute it.
- D. Approve the purchase of replacement software programs from Business Records Corporation at a cost of \$26,500 and authorize the Mayor and City Clerk to execute the financing documents on behalf of the City.
- E. Award the bid for one 75 h.p. motor to Z & R Electrical Service, Inc. of Iron Mountain, in the low bid amount of \$4,649.00.
- F. Award the bid for one 1988 police motorcycle to Zambon North Country Sales in the amount of \$4,300.00 which includes trade-in of a 1979 unit.

G. Award the bid for air, oil, and fuel filters to Fabco Equipment, Inc. as the low bid on the total extended quantity extension price of \$3,456.80.
H. Award the plow grader blade bids to North Central Services and the remainder of the bid to Paper Calmenson in the unit prices quoted as the low bidders.
I. Award the bid for an Aluminum Trench Box to Kelbe Brothers Equipment Company as the low bid, including trade-in, in the amount of \$3,010.00.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Bruce Rautio, Director of Facilities at NMU, said that the University has its own water main serving the property on Wilkinson Avenue and has no use for a new water main there.

ACOCKS

Commissioner Acocks said that there is a large dead tree in the Shiras Pool area and that citizens are concerned about its safety. She also noted concern about all of the signs going up in the City, especially in South Marquette.

CONSTANCE

Commissioner Constance noted the good maps that were presented with the agenda materials tonight. He also thanked the Parks and Recreation Department for the new "Don't Feed the Geese" sign on Lakeshore Boulevard.

COYNE

Commissioner Coyne said that in response to Mr. Rautio, the vote was 4-3 and that it would be necessary for the University to get one of the Commissioners who voted in the majority to change their minds.

Hot Pond

Commissioner Coyne also asked the City Attorney if it is possible to post the Hot Pond "swimming prohibited". Mr. Martin said that this was possible from a safety standpoint. It was then moved by Commissioner Coyne and supported by Commissioner Acocks to instruct the City Administration to post at least three signs at the Hot Pond stating "Swimming is Prohibited, Danger, Drop Off, Strong Current, Drownings Have Occurred". The following vote was taken:

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

Nay: Mayor Berube. Commissioner Constance.
The motion was carried.

JOHNSON

Commissioner Johnson noted many complaints about garbage being put out too early and about speeding on Front and Third Streets. She said many cars are parked on the parkway in certain neighborhoods and asked if this is permissible. City Manager Svanda said that it is. She also said there were many stumps on Fourth Street between Park and Magnetic. City Manager Svanda said

the specifications are being written for a bid to have stumps removed and that some of them should be removed yet this fall. Commissioner Johnson also noted that the announcements on the radio about the Shiras Pool are very helpful. She said she had received a call about a car parked on Lakeshore Boulevard for a long time and that a lot of material is being put out for garbage pickup that should not be. She also noted a complaint about poor sidewalk condition on the south side of Fair Avenue east of the church.

LEADBETTER

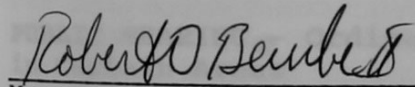
Commissioner Leadbetter said that "by the foot" is the fairest way to assess for water main on Wilkinson and that the fact that the University has their own water mains forces the City to build water mains all the way around the campus.

SCIOTTO

Commissioner Sciotto said that there is much blight in the City but that it is being corrected. He noted that the house at the end of Woodland Avenue on Fair Avenue had been hit three times recently by cars running the stop sign. He said this is caused by speeding. He also noticed that skunks are a big problem in the City and that since the Animal Control Officer does not work on weekends, people should not trap skunks on weekends.

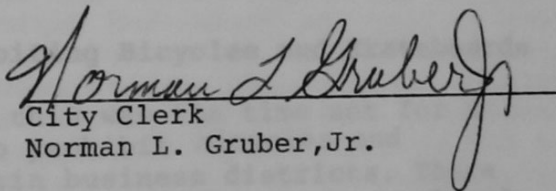
Mayor Berube asked City Manager Svanda to reply to Mr. Royal's concerns about his water service on Michigan Street.

The meeting was adjourned at 10:00 p.m.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

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