

The specific conditions are being written for a  
 removed and the same or other should be removed for this bill.  
 Commissioner Johnson also noted that the amendments to the  
 bill about the Skunk Pool were very helpful. He said the bill  
 would be sent to the Skunk Pool on Wednesday, October 22 for a  
 long time and that a study would be made for the  
 cleanup that should not be made until the bill is out for  
 approval. Johnson also noted a complaint about poor  
 condition on the south side of Fair Avenue east of the  
 church.

LEADBETTER

Commissioner Leadbetter said that "the problem" is the  
 way the water on water main on Winkworth and that the water  
 is running in the gutter. He said the water is running in the  
 gutter and the way around the gutter has been installed.

MICOTT

Commissioner Micott said that there is a problem in the  
 city that he had mentioned. 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 noted that skunks are a big problem in the  
 city and that since the Animal Control Officer does not work  
 weekends, people should not try to trap skunks on weekends.  
 He said that the City Manager should also be taking action  
 Mayor Bertine asked City Manager Swanda to reply to Mr. Roy's  
 concerns about his water service on Michigan Street.

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

City Clerk  
 Mayor  
 Mr. Bertine  
 The following vote was  
 taken:

- Commissioners Hooks, Coys, Johnson, Leadbetter,
- Commissioner Constance.

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

OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY COMMISSION  
Monday, September 14, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 14, 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 31, 1987 meeting as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$587,401.75 were presented. It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried unanimously to pay the bills as presented.

**AGENDA CHANGES**

During the time set for announcing additional agenda items, Mayor Berube added item 5a, discussion of a communication from the Water/Sewer Utility Advisory Committee, and Commissioner Coyne asked that item 12c be removed from the consent agenda and made item 11a.

**PUBLIC HEARING - Ordinance Prohibiting Bicycles and Skateboards in Certain Areas**

Mayor Berube then announced that this was the time set for a public hearing on an ordinance to prohibit bicycles and skateboards on sidewalks in certain business districts. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously to adopt ordinance #407 as follows:

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 34, THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND VILLAGES IN THE STATE OF MICHIGAN, AS AMENDED, BY DELETING SECTION 6.18 AND SUBSTITUTING A NEW SECTION 6.18 TO PROHIBIT THE RIDING OF BICYCLES AND SKATEBOARDS ON SIDEWALKS IN CERTAIN DESIGNATED BUSINESS DISTRICTS.

**PUBLIC HEARING - Ordinance to Control Cats Running at Large**

Mayor Berube then announced that this was the time set for a public hearing on an amendment to the Animal Control Ordinance. One letter of support was read. The hearing was closed. It was moved by Commissioner Leadbetter, supported by Commissioner

Coyne, and carried unanimously to adopt ordinance #408 as follows:

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 33, SECTION 6 OF THE MARQUETTE CITY CODE TO PROVIDE FOR THE IMPOUNDING AND DISPOSAL OF CATS.

#### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Terri Beard asked to speak on item #5a. Gary Rivord offered to answer questions on item 8. Faith Nancarrow spoke on the Hot Pond swimming area. She said it is a perfect place for young children to swim and should be made as safe as possible. Carol Poggi said the Hot Pond should be reopened to swimming. Margaret Jajich supported swimming at the Hot Pond. George Hansen asked to speak on item 11a and Iris Katers asked to speak on item 5.

#### **CITIZENS COMMITTEE TO SAVE JOBS IN MINING**

Mayor Berube announced that this was the time set for a presentation by the Citizens Committee to Save Jobs in Mining. John Wissler said that the Tilden and Empire Mines need help in order to stay viable. He said that the committee was independently formed last spring with 24 members and that the goal of the Committee is to save jobs. He said that the Tilden Mine could close within the next few months if action is not taken. He asked for the Commission's support of a resolution supporting the Committee's activities. Dick Dunaback, of Operation Action U.P., presented a slide show which explained the difficulties with iron mining in the United States and what would have to be done in order to keep the Tilden and Empire Mines open. Commissioner Coyne said that he and Mayor Berube had learned at the Michigan Municipal League meeting last week that Cleveland Cliffs Iron Company was making every effort to keep the mines viable and that the company deserved public support. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution:

WHEREAS, the preservation of jobs in mining is a matter of survival for our community and to the livelihood of more than seven-thousand persons employed directly or indirectly in the Marquette County area, and

WHEREAS, there are no other sources of comparable employment in the Upper Peninsula if these jobs in mining are threatened or lost, and

WHEREAS, more than half the total market for iron ore has been eliminated in the past few years largely due to government policy changes and illegal dumping of foreign imports, and

WHEREAS, the very continuation of iron mining operations in Marquette County is threatened by fierce competitive pressures and mandatory cost reductions, and

WHEREAS, the only possible way to respond to these forces and maintain mining employment is for all parties with a stake in the future of Michigan iron ore, namely government, citizens, suppliers, lenders, owners, operators and labor, to join together in a united, mutually-supportive, all-out campaign in order to remove local obstacles, to seek state financial aid and to demand enforcement of existing laws,

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette endorses and supports the Citizen's Committee to Save Jobs in Mining in its efforts to request financial help from the State of Michigan for conversion to magnetic ores, to urge local government to find solutions for needed infrastructure changes as rapidly as possible, to insist that federal trade laws be strictly enforced against all illegal foreign imports, to request major lenders for restructuring of debt on more favorable terms, and to encourage all other parties to work together in the closest, most urgent way to help keep our mines open, preserve our miners' jobs, and literally save our community.

#### **AD HOC COMMITTEE ON STREET RECONSTRUCTION STANDARDS - Report**

A communication from the Ad Hoc Committee to Review Street Reconstruction Standards was read. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to set up a work session on this report and to ask for information on specific proposals from the City administration. Commissioners listed items that they wanted further information on. Mayor Berube thanked the Committee for the excellent job that they had done. He said that the work session would be on October 19 at 7:00 p.m. in the City Commission Chambers.

#### **HOT POND COMMITTEE - Swimming at the Hot Pond**

A communication from the Hot Pond Committee regarding swimming at the Hot Pond was read. Iris Katers addressed the Commission representing the Hot Pond Committee. She asked for the adoption of a resolution of support for opening the Hot Pond to swimming and that money be budgeted for safety items to make swimming safer there. Commissioner Constance asked the City Attorney for a ruling on a motion he proposed to make. Mr. Martin said the motion was not substantially the same as the one that Commissioner Constance had voted against at the last meeting. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to ask the City Manager for a report on the fiscal effects on the Hot Pond Committee's proposal.

**WATER/SEWER UTILITY ADVISORY BOARD - E. Michigan Street (Harkins Rock) Water Repairs**

A communication from the Water/Sewer Utility Advisory Board, regarding East Michigan Street Water Repairs was read. Terri Beard said that she and her neighbors are in favor of the Committee's recommendations as long as their costs for the project do not exceed \$3,500 to \$4,000 per household. It was moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried unanimously to send this report to the administration for detailed cost estimates of the proposed project. Tom Royal said that his house is served by temporary water service and answered questions regarding the water service to the neighboring houses.

**PLANNING COMMISSION - Vacation of "F" Street Right-Of-Way**

A recommendation from the Planning Commission, regarding vacation of the "F" Street right-of-way in Presque Isle Addition, was read. It was moved by Commissioner Acocks and supported by Commissioner Leadbetter to accept the recommendation from the Planning Commission to negotiate a lease agreement with the two adjoining property owners that would allow them use of the right of way, but would preserve the City's rights to use if for access to the beach. The following vote was taken:

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

Nays: Commissioner Berube.

The motion was carried.

**SPECIAL ASSESSMENT - Wilkinson and Summit Streets Water Main**

A report and recommendation from the City Manager, regarding a special assessment for water main installation in the 1500 and 1600 blocks of Wilkinson Avenue and the 500 block of Summit Street, was read. A communication from Northern Michigan University objecting to the proposed special assessment was read. The totals on a proposed contract with A. Lindberg & Sons for the work on this project was also read. It was moved by Commissioner Johnson and supported by Commissioner Leadbetter to adopt the resolution determining the necessity for this project. The following vote was taken:

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

Nay: Commissioner 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 - \$37,667.00 CITY - \$3,333.00

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 10.5% per annum from the date of confirmation of such special assessment rolls.

It was then moved by Commissioner Johnson and supported by Commissioner Acocks to appropriate the amount of \$3,333.00 from the Water/Sewer Utility Contingency Fund to cover the City's share of this special assessment. The following vote was taken:

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

Nays: Commissioner Coyne.

The motion was carried. It was moved by Commissioner Johnson and supported by Commissioner Leadbetter to approve the amendment to the A. Lindberg & Sons contract and to authorize the Mayor and City Clerk to execute it.

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

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Nay: Commissioner Coyne.  
The motion was carried.  
It was moved by Commissioner Johnson and supported by  
Commissioner Leadbetter to set September 28 as the time and date  
for a public hearing on the confirmation of special assessment  
roll #502 for this project. The following vote was taken:  
Ayes: Mayor Berube, Commissioners Acocks, Constance,  
Johnson, Leadbetter, Sciotto.  
Nay: Commissioner Coyne.  
The motion was carried.

#### **SALE OF LOTS IN BLOCK 2 OF FLUETTE'S ADDITION**

A report and recommendation from the City Manager, regarding the  
sale of lots in block 2 of Fluette's Addition, was read. It was  
moved by Commissioner Coyne, supported by Commissioner Acocks,  
and carried unanimously to approve the sale of lots 11, 12, 13,  
14, and 15, Block 2, Fluette's Addition and to authorize the  
Mayor and City Clerk to sign any necessary documents related to  
this transaction.

#### **PARKING LOT LEASE WITH MICHIGAN BELL TELEPHONE COMPANY**

A report and recommendation from the City Manager, regarding a  
parking lot lease with the Michigan Bell Telephone Company, was  
read. It was moved by Mayor Berube, supported by Commissioner  
Acocks, and carried unanimously to direct the City Manager to  
renegotiate this lease with \$400 per year rent and with buyout  
options for the improvements to be put on the property by  
Michigan Bell similar to those in the lease for the parking lot  
on the corner of Third and Washington Streets, and to authorize  
the Mayor and City Clerk to execute the renegotiated lease.

#### **SOLID WASTE DISPOSAL SITE EXPLORATION COSTS**

A report and recommendation from the City Manager, regarding  
solid waste disposal site exploration costs, was read. It was  
moved by Commissioner Coyne, supported by Commissioner Acocks,  
and carried unanimously to designate the attached list of  
expenditures plus other appropriate expenses which will be  
incurred in the future as those expenses for which the City  
expects reimbursement from future landfill tipping fees.

#### **FALL LEAF COLLECTION SCHEDULE**

A report and recommendation from the City Manager, regarding the  
fall leaf collection schedule, was read. It was moved by  
Commissioner Acocks, supported by Commissioner Johnson, and  
carried unanimously to accept the recommended rules as stated.  
Several Commissioners said that the fall leaf collection process  
still needs improvement. It was moved by Commissioner Coyne,  
supported by Commissioner Acocks, and carried unanimously to  
direct the City Manager to review the problem of bio-degradable  
waste and develop a year round program to collect and compost it.

**ORDINANCE AMENDMENT - To Require Moped Operators to Wear Helmets**  
A communication from the City Attorney, regarding an amendment to  
the Uniform Traffic Code to require moped operators to wear

protective helmets, was read. George Hansen addressed the Commission saying that people of all ages should have to wear helmets. It was moved by Commissioner Coyne and supported by Commissioner Johnson to set the next regular meeting as the time and date for a public hearing on an ordinance to require that any person operating or riding a motorcycle or any person operating a moped on a public thoroughfare shall wear protective helmets. Commissioner Coyne read a letter from the U.P. Head Injury Task Force supporting this proposed amendment. The following vote was taken:

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

Nay: Commissioner Constance.

The motion was carried.

#### **CONSENT AGENDA**

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

- A. Approval of the standard solid waste disposal agreement with the City of Houghton and authorization of the Mayor and City Clerk to execute it.
- B. Authorization of the City Administration to negotiate new unit prices for miscellaneous sewer repairs with A. Lindberg & Sons, Inc.
- D. Approval of the request from Forsberg, Inc. for transfer stock in a 1986 Class C licensed business with Entertainment Permit located at 911 Lakeshore Boulevard to Michael J. & Sophia R. Gabriel, wherein the corporation is issuing to new stockholders 1,000 shares of stock.
- E. Approval of the liquor license transfer from Casino Bar of Marquette, Inc. to the Eastwood Bar of Marquette, Inc. and transfer location from 317 South Front Street, Marquette to be located at 1500 W. Washington Street, Marquette.

#### **APPOINTMENTS**

Mayor Berube then nominated Melissa Eiben to the Marq-Tran Board. He said that the City needs to present one other nominee to the County Board for this position. He also reappointed Yvonne Dorais and Ray Vonck to the Lakeview Arena Advisory Board and appointed John Batchelder to the Planning Commission to replace Mike Pond.

#### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, George Hansen said that putting bicycles on Third Street instead of the sidewalk on Third Street is dangerous. He said that skateboards are causing a hazard there also. Perry Laing asked that the Commission have the Parking Advisory Committee reevaluate the recommendation regarding designated lanes on Presque Isle Avenue north of Fair. He also said there



should be lifeguards at the Hot Pond but that swimming should be allowed even if the lifeguards are not there. Commissioner Sciotto asked that the administration direct Mr. Laing to the next meeting of the Parking Advisory Committee. He noted a telephone call on the limestone movements from U.P. Generating to the mines and said that something needs to be done. He commended the American Legion for an excellent job on the parking lot they have recently completed and Bresnan Communication for bringing hockey goalie Greg Steffan to the City to teach youngsters how to be goalies.

**LEADBETTER**

Commissioner Leadbetter said that skateboarding on Third Street is extremely hazardous.

**JOHNSON**

Commissioner Johnson thanked Mr. Laing for his concern about the traffic lanes on Presque Isle Avenue, noted the \$5,000 gift from the Board of Light and Power to the Lower Harbor Park, said that American Legion parking lot was an asset to the community and that they had done an excellent job on it, noted that the petition opposing the Wilkinson Avenue special assessment district had been submitted before some of the costs were shifted to the University, thanked the Public Works Department for cleaning up sand at the corner of Summit and Wilkinson Streets promptly, noted many calls supporting swimming at the Hot Pond, and asked when the Summit/Wilkinson project will be done.

**COYNE**

Commissioner Coyne said that the Michigan Municipal League meeting last week had been very educational, and that Marquette has good contacts with other cities.

**CONSTANCE**

Commissioner Constance asked how the skateboard ordinance can be enforced. City Manager Svanda said that persons observing violations should call the police and inform violators, although they should not attempt to enforce the ordinance themselves.

**ACOCKS**

Commissioner Acocks asked what has happened to the proposed project on the C & W property. City Manager Svanda said that there has been no activity recently. She also asked where the sand came from on the corner of Wilkinson and Summit. Commissioner Johnson said that it came from the Northern Michigan University dormitory area.

**ACOCKS**

Commissioner Acocks asked City Manager Svanda for a report on Mrs. Jajich's comments on lifeguards at the Shiras Pool. She asked how soon use of the waterslide could be free and if family memberships or other techniques to boost use of the waterslide could be used.

**MAYOR BERUBE**

Mayor Berube said that the logging congress had been a big success due to efforts of the City staff. He also said the Rotary Seafood Fest had been a success, but there should be no parking on the grass and no dogs running loose in the Lower Harbor Park. He said the visit of the Artrain had been very good for the community. He thanked Lindberg & Sons who changed the entire construction schedule on the Arch Street reconstruction project to repair a sewer that was not working. He thanked the Board of Light and Power for the \$5,000 donation to the Lower Harbor Park and said that the Michigan Municipal League meetings were very useful. He said the number one growth area in the U.S. for business is between Detroit and Ann Arbor, and that persons at the state who are responsible for this said that business growth requires a good educational system and a high quality place to live. He also said that state officials report that the U.P. is ahead of the state in solving solid waste disposal problems.

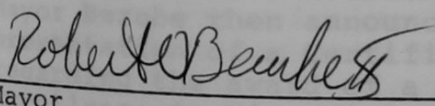
**CITY MANAGER SVANDA**

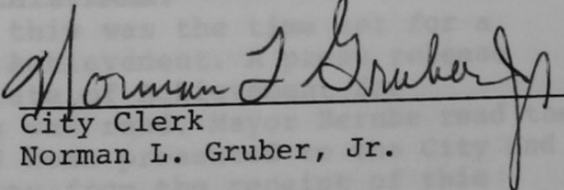
City Manager Svanda noted that many City staff members worked on the Logging Congress.

**PUBLIC HEARING SET FOR HARKINS HILL SPECIAL ASSESSMENT**

City Manager Svanda also asked if it would be advisable to set a public hearing for a special assessment district for the Harkins Hill water problem for the next regular meeting in order to cut two weeks off the schedule for completing this project. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to set the next regular meeting as the time and date for a public hearing on the Harkins Rock water main special assessment project.

The meeting was adjourned at 9:47 p.m.

  
\_\_\_\_\_  
Mayor  
Robert O. Berube II

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

Mayor Berube said that the budget committee had been a big success due to letters of the City Council. He also said that the budget had been successful and that there should be no parking in the park and no dogs running loose in the park. He said that the visit to the stadium had been very good. He said that the Michigan Municipal League meetings were very successful. He said the number one growth area in the U.S. is between Detroit and Ann Arbor, and that persons at the state who are responsible for this said that business growth requires a good educational system and a high quality place to live. He also said that state officials report that the U.S. is ahead of the state in solving mid-western problems.

City Manager Svanda noted that many City staff members worked on the budget. He said that he would like to see the City Manager Svanda noted that many City staff members worked on the budget. He said that he would like to see the City Manager Svanda noted that many City staff members worked on the budget. He said that he would like to see the City Manager Svanda noted that many City staff members worked on the budget.

The meeting was adjourned at 9:47 p.m.

Robert O. Berube II  
 City Clerk  
 Norman J. Gruber, Jr.

September 14, 1987

OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY COMMISSION  
Monday, September 28, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 28, 1987 in Commission Chambers of City Hall.

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

**EXCUSE ABSENCE**

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

**APPROVAL OF MINUTES**

It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to approve the minutes of the September 14, 1987 meeting as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$218,013.28 were presented. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to approve the bills as presented.

**AGENDA CHANGES**

During the time set for announcing additional agenda items, Mayor Berube asked that item 8a, discussion of the City Christmas tree, and item 9, appointments to various boards and commissions, be added.

**PRESENTATION OF CERTIFICATE OF ACHIEVEMENT**

Mayor Berube then announced that this was the time set for a presentation of a Certificate of Achievement. A press release regarding the award of a Certificate of Achievement for Excellence in Financial Reporting was read. Mayor Berube read the statement on the plaque that had been presented to the City and noted the many benefits to the City from the receipt of this award. He gave his commendations to Finance Director Donna Kohut as well as to previous City Accountant Robert Lawrence and Deputy Accountant Dorothy Tousignant.

**PUBLIC HEARING - Wilkinson/Summit Water Main Special Assessment**

Mayor Berube then announced that this was the time set for a public hearing on the Wilkinson/Summit special assessment district. Two letters regarding the proposed assessments were read. Robert Boyer said that he agrees with the two letters that the assessed costs should not exceed the amount of the estimated costs. The hearing was closed. Commissioner Johnson noted possible litigation regarding this proposed assessment district. It was moved by Commissioner Johnson, supported by Commissioner

Acocks, and carried without dissent to go into closed session to discuss this possible litigation.

**Recess to Closed Session**

The meeting was recessed to closed session at 7:08 p.m.

**Return to Open Session**

The Commission returned to open session at 7:34 p.m. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried to adopt the following resolution:

**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:

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 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 #502 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 9.5% per annum from the date of confirmation of such special assessment rolls.

Mayor Berube said that this project had not been bid and that the costs on the assessment roll were based upon the City Engineer's estimates of the quantities of work involved.

**PUBLIC HEARING - 300 Block East Michigan St. Special Assessment**

Mayor Berube then announced that this was the time and date set for a public hearing on a proposed special assessment for water submain in the 300 block of East Michigan Street. There being no one to address the Commission, the hearing was closed. The report and recommendation from the City Manager was read. It was moved by Commissioner Johnson, supported by Commissioner Coyne, and carried to adopt the following resolution:

**RESOLUTION  
DETERMINATION OF NECESSITY**

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:

RECONSTRUCTION OF WATER SUBMAIN AND SEWER LATERALS AT 310, 314, 316, AND 320 EAST MICHIGAN 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:

HARKINS ROCK - RECONSTRUCTION OF WATER SUBMAIN AND SEWER LATERALS

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 OWNERS - \$26,850                      CITY - \$35,200

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 9.5% per annum from the date of confirmation of such special assessment rolls.

It was then moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to authorize the administration to retain a contractor to accomplish the project in the manner recommended and to appropriate \$35,200 from the current year utility contingency account for this purpose and to schedule a public hearing on the confirmation of the special assessment roll for this project at the City Commission's regular meeting on October 13, 1987.

#### **PUBLIC HEARING - Ordinance to Require Helmets on Mopeds and Motorcycles**

Mayor Berube then announced that this was the time set for a public hearing on an ordinance to require helmets on mopeds and motorcycles. George Hansen supported the ordinance. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to adopt ordinance #409 as follows:

# 409

AN ORDINANCE TO AMEND TITLE IV, CHAPTER 34, THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS AND VILLAGES IN THE STATE OF MICHIGAN, AS AMENDED, BY AMENDING SECTION 6.23 TO REQUIRE MOPED OPERATORS TO WEAR A PROTECTIVE HELMET.

#### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Barbara Kelly, Kay Pavlik, Becky Berube, George Hansen, and David Allie all asked to speak on item 6.

#### **PRYSE DUERFELDT - Request to Use City Flag Emblem**

A communication from Pryse Duerfeldt requesting permission to use the City flag emblem to raise money for the Sister City Fund was read. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried to grant Mr. Duerfeldt permission to make pins and promote their sale as proposed in his communication.

#### **PARKS & RECREATION ADVISORY BOARD - Miniature Golf Course at Presque Isle**

A recommendation from the Parks and Recreation Advisory Board, regarding the construction of a miniature golf course near the former Island Store at Presque Isle Park, was read. George Hansen said that this facility should not be on park property and that

it would set a precedent for commercial use of City parks. Becky Berube opposed placing this business at Presque Isle Park but said that she would support it if it was not on park property. Kay Pavlik opposed the miniature golf course because Presque Isle is a unique area and because it is a natural environment. Barbara Kelly said that the park is a beautiful natural area set aside for the enjoyment of the citizens and that it should be left as it is. David Allie said that the location of the proposed miniature golf course is not in the natural part of the park but is adjacent to other commercial activities such as the Marina, the Island Store, the Shiras Pool, and the Zoo. He said that a survey shows that most park users would support the miniature golf course and that it would be very tastefully done. It was moved by Commissioner Johnson and supported by Commissioner Acocks to deny the request for a miniature golf course at Presque Isle Park. The following vote was taken:

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

Nays: Commissioners Leadbetter, Sciotto.

The motion was carried.

It was moved by Commissioner Sciotto to set a public hearing on the proposal. This motion died for lack of support. It was moved by Commissioner Johnson and supported by Commissioner Sciotto that Mr. Allie be contacted by the Parks and Recreation Director and City Manager to attempt to identify other City properties that may be available for this proposed facility.

#### **MICHIGAN EQUITY PROGRAM GRANT APPLICATION**

A report and recommendation from the City Manager, regarding an application for the Michigan Equity Program, was read. It was moved by Commissioner Coyne and supported by Commissioner Acocks to recommend that the following projects be analyzed for compliance with grant criteria: additional project at the Neck of Presque Isle, improvements to the Chamber of Commerce site, bike path improvements, Marina and Charter boat improvements in both harbors.

#### **AGREEMENT FOR TRAFFIC SIGNAL INSTALLATION AT WASHINGTON/MCCLELLAN**

A report and recommendation from the City Manager, regarding an agreement with the Michigan Department of Transportation for traffic signal installation at the Washington/McClellan intersection, was read. It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried to approve this agreement and to authorize the Mayor and City Clerk to execute it.

#### **CITY CHRISTMAS TREE**

Mayor Berube announced that this is the time set to discuss the City Christmas Tree. He said that the tree seems to be dying and asked Commissioners what should be done about this. It was moved by Mayor Berube, supported by Commissioner Leadbetter, and carried to ask the City Manager for a report and recommendation on options for a City Christmas Tree other than using the existing tree in Harlow Park.



### **APPOINTMENTS**

Mayor Berube then made the following appointment with the Commission's concurrence: Gary "Skip" Schneider to the Planning Commission and the nomination of David Svanda to the Marquette County Transit Authority.

### **CONSENT AGENDA**

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

- A. Award the bid for stump removal to Olsen Stump & Tree Service of L'Anse as the low bid in the amount of \$16.50/stump.
- B. Award the Bid for snow removal services for the municipal parking lots to Larry J. LeBoeuf as the low bid in the amount of \$7,920.00.

### **CITIZEN COMMENT**

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

### **JOHNSON**

Commissioner Johnson said that people who live alone are reluctant to let City employees such as water meter readers into their houses. She said that a beautiful historical marker has been erected in Lakeside Park, that she has received many calls saying "don't close the Hot Pond to swimming", that many people put their garbage out too early, and that Presque Isle has been very beautiful during these autumn days. She also noted that walkers on the road at Presque Isle wearing white are much easier to see for drivers.

### **SCIOTTO**

Commissioner Sciotto said that people who are in bars having a good time when the bars close should go home afterwards, not stay outside and bother the neighbors.

### **MAYOR BERUBE**

Mayor Berube said that the Michigan Municipal Electric Association meeting had been here last week, that the delegates to the meeting had been very impressed with the City and had complimented the excellent employees at the Board of Light and Power.

### **CITY MANAGER SVANDA**

City Manager Svanda reviewed the procedures used when City employees must gain entry to houses, said that the Police Athletic Fund has volunteered to buy and install warning buoys at the Hot Pond for next year, and acknowledged the contributions of Donna Kohut, Robert Lawrence, Dorothy Tousignant, Sharon Johnson, Adeline Beauchaine, and Joanne L'Huillier as well as the assistance of Anderson, Tackman and Company in working on the City's Certificate of Achievement for Excellence in Accounting.

The meeting was adjourned at 8:50 p.m.

Robert O. Berube  
Mayor  
Robert O. Berube II

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

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

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

#### APPROVAL OF MINUTES

It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to approve the minutes of the September 28, 1987 open and closed meetings as presented.

#### BILLS PAYABLE

Total bills payable in the amount of \$350,140.44 were presented. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to pay the bills as presented.

#### AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added item 3a, a presentation by Joan Mason on the Marquette Housing Commission, and item 7a, going into closed session to discuss pending litigation. Commissioner Coyne asked that item 6 be removed from the agenda. Mayor Berube did not concur with this request. City Manager Svanda noted a liquor license transfer, which was made item 3a.

#### PROCLAMATION - National Business Womens Week

Mayor Berube then made the following proclamation:

WHEREAS, The National Federation of Business and Professional Women's Organizations, Inc. has worked to elevate the standards for women in Business and the Professions, and

WHEREAS, The National Federation of Business and Professional Women's Organization, Inc. has promoted the interest of Business and Professional Women, and

WHEREAS, The National Federation of Business and Professional Women's Organization, Inc. has brought about a spirit of cooperation among the Business and Professional women of the United States, and

WHEREAS, The National Federation of Business and Professional Women's Organizations, Inc. has extended opportunities to Business and Professional women through education along lines of Industrial, Scientific and Vocational Activities, and

*Richard G. ...*      *Richard G. ...*  
 and this meeting...  
 ...  
 ...  
 ...

... supported by Commissioner ...  
 ... and carried to approve the Consent Agenda as follows:  
 A. Award the bid for stump removal to Olsen Stump & Tree ...  
 of amount ...  
 ...  
 ...  
 ...

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

**ADVICE**  
 Commissioner Johnson said that people who live alone are  
 reluctant to let City employees such as water meter readers into  
 their homes. She said that a beautiful historical marker has  
 been erected in Lakeside Park, that she has received many calls  
 saying "don't close the Hot Pond to swimming", that many people  
 get their garbage out too early, and that Presque Isle has been  
 very beautiful during these autumn days. She also noted that  
 workers on the road at Presque Isle wearing white are much easier  
 to see for drivers.

**ADVICE**  
 Commissioner Johnson said that people who are in bars having a  
 good time when the bars close should go home afterwards, not stay  
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 Commissioner Johnson said that the Michigan Municipal Electric  
 Association meeting had been here last week, that the delegates  
 to the meeting had been very impressed with the City and had  
 complimented the excellent employees at the Board of Light and  
 Power.

**CITY MANAGER REPORT**  
 City Manager ... reviewed the procedures used when City  
 employees want gain entry to houses, said that the Police ...  
 ...  
 ...  
 ...  
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The meeting was adjourned at 8:50 p.m.

OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY COMMISSION  
Tuesday, October 13, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, October 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 Johnson, supported by Commissioner Acocks, and carried unanimously to approve the minutes of the September 28, 1987 open and closed meetings as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$350,140.44 were presented. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to pay the bills as presented.

**AGENDA CHANGES**

During the time set for announcing additional agenda items, Mayor Berube added item 5a, a presentation by Joan Mason on the Marquette Housing Commission, and item 9a, going into closed session to discuss pending litigation. Commissioner Coyne asked that item 6 be removed from the agenda. Mayor Berube did not concur with this request. City Manager Svanda noted a liquor license transfer, which was made item 8a.

**PROCLAMATION - National Business Womens Week**

Mayor Berube then made the following proclamation:

WHEREAS, The National Federation of Business and Professional Women's Organizations, Inc. has worked to elevate the standards for women in Business and the Professions, and

WHEREAS, The National Federation of Business and Professional Women's Organization, Inc. has promoted the interest of Business and Professional Women, and

WHEREAS, The National Federation of Business and Professional Women's Organization, Inc. has brought about a spirit of cooperation among the Business and Professional women of the United States, and

WHEREAS, The National Federation of Business and Professional Women's Organizations, Inc. has extended opportunities to Business and Professional women through education along lines of Industrial, Scientific and Vocational Activities, and

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WHEREAS, The National Federation of Business and Professional Women's Organizations, Inc. is currently focusing on the issues of Pay Equity, Supporting Women in the Workplace, The Changing Family and Involving Women in the Political Process,

NOW, THEREFORE, I, ROBERT BERUBE, MAYOR OF THE CITY OF MARQUETTE, do hereby proclaim the Week of October 18th through the 24th as NATIONAL BUSINESS WOMEN'S WEEK and urge all citizens to supports its goals.

**PRESENTATION - Michigan Society of Planning Officials Awards**

Planning Commission Chairman Fred Joyal addressed the Commission. He said that the Michigan Society of Planning Officials is a statewide organization made up of lay and professional planners. Each year the organization sponsors a competition for plans which were done during the previous year. This competition is judged by an out of state team, this year by three professional planners from Pennsylvania. The Planning Commission entered the Lower Harbor Development Plan which was completed last year in this competition. He said that our plan had received an Honor Award for excellence and that it had been the first among four plans which recieved similar awards. He had attended the MSPO Annual Meeting in Grand Rapids on October 3 to receive this award on behalf of the City. He said that the judges said that the thing which distinguished our plan was the process of plan development, particularly the large amount of citizen involvement. He presented the placque signifying this Honor Award to Mayor Berube. Mayor Berube thanked Mr. Joyal and all of the people who worked on the Lower Harbor plan. He said the City Commission encourages public involvement in all phases of City government.

**PUBLIC HEARING - Harkins Rock Special Assessment (300 Block East Michigan Street)**

Mayor Berube then announced that this was the time set for a public hearing on a special assessment district for the installation of a water submain in the 300 block of East Michigan Street. Terry Beard asked questions regarding the bids for the work on this project and the amount assessed to each property owner. She thanked the City Commission for their assistance. The hearing was closed. City Manager Svanda said that the City Commission could lower the assessment to match the bids and that this has been the policy in the past. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously that the public hearing of confirmation on this assessment project be continued to a future Commission meeting following the project's completion, that the Mayor and City Clerk be authorized to execute a change order form with A. Lindberg and Sons to do the work on this project at a cost not to exceed \$57,600, and that the necessary utility easements be provided to the City by the affected property owners prior to start of the project.

### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Chuck Coffey asked to speak on item 4 and Mike Roche offered to answer questions on item 8.

### **WATER/SEWER UTILITY ADVISORY BOARD - Water Meter Replacement Policy**

A recommendation from the Water/Sewer Utility Advisory Board was read. Board Chairman Charles Coffey discussed the basis for this recommendation. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously to schedule a public hearing on the proposed water meter replacement policy including the revisions recommended by the Board at the second regular Commission meeting in November.

### **HARBOR COMMITTEE - Revised Marina Plan for Cinder Pond**

A recommendation from the Harbor Committee, regarding a revised Marina Plan for the Cinder Pond, was read. Parks and Recreation Director Turausky answered questions about the plan. It was moved by Commissioner Leadbetter, supported by Commissioner Coyne, and carried unanimously to concur in the Harbor Committee's recommendation to approve the Marina Plan and to authorize the Harbor Committee to begin discussion with the Department of Natural Resources regarding possible future grant assistance for development of this Marina. It was then moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously to investigate cost and feasibility of a fish cleaning station as part of these discussions. Harbor Committee Chairman Laing said that this item did not have to go back to the Harbor Committee for review.

### **MARQUETTE HOUSING COMMISSION - Grant Received for Improvements to Lake Superior Village and Pine Ridge Apartments**

Mayor Berube announced that this was the time set for a presentation about the Marquette Housing Commission. Joan Mason, Executive Director of the Commission, said that they have received a grant for \$975,000 for repair and improvements to the Lake Superior Village Housing Project. She said that this was one of the largest grants made in the state and thanked the Housing Commission members and staff for their hard work on this grant application. She said they have also received a smaller grant to be used at Pine Ridge Apartments for improvements to the Community Room and for windowscreens and a generator enclosure and at Lake Superior Village for improvements to the storage and community center building. Mayor Berube thanked the Housing Commission and their staff for their work on housing in the City.

### **PLANNING COMMISSION - Vacation of a Park in Shiras Hills**

A recommendation from the Planning Commission, regarding the vacation of a park in Shiras Hills, was read. A letter from the Shiras Hills Park Project, Inc. withdrawing their petition for vacation of this park was also read. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously to accept the withdrawal request from the Shiras Hills Park Project, Inc. Commissioner Constance said that the City

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Commission should schedule a public hearing on this proposed vacation and that he believes in disposing of excess City property. Planning Commission Chairman Joyal said that the Planning Commissioners voting in opposition to the vacation were concerned that the other park in Shiras Hills is on leased land and that the lease could be terminated. He said that the Planning Commissioners supporting the vacation were acting largely in support of the Parks and Recreation Advisory Board which had recommended vacation of the park. He said the land is not suitable for intensive development such as exists in the present park. It was moved by Commissioner Constance and supported by Commissioner Leadbetter to set the second regular Commission meeting in November as the time and date for a public hearing on the vacation of this park. The following vote was taken:

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

Nays: Commissioners Acocks, Coyne, Johnson.

The motion was carried.

#### **GARFIELD AVENUE DRAINAGE PROJECT**

A report and recommendation from the City Manager, regarding the Garfield Avenue Drainage Project, was read. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to concur with the City Manager's recommendation to award the bid to the low bidder, A. Lindberg and Sons, Inc., at the unit prices submitted, to complete negotiations with the other parties concerning how phase II will be accomplished, to authorize either awarding the work for phase II to A. Lindberg and Sons or bidding it out according to which would be the most cost effective method, and to make all of this action contingent upon the Board of Education's approval and execution of the three party agreement.

#### **MICHIGAN EQUITY PROGRAM GRANT APPLICATION**

A report and recommendation from the City Manager, regarding an application for a Michigan Equity Program Grant, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to concur in the City Manager's recommendation that the Neck of Presque Isle Project and the expansion of the Chamber of Commerce Project be further developed for final consideration at the October 26, 1987 Commission meeting.

#### **LIQUOR LICENSE TRANSFER - Wooden Nickel Tavern**

A report and recommendation from the City Manager, regarding a liquor license transfer for the Wooden Nickel Tavern at 1751 Presque Isle Avenue, was read. It was moved by Commissioner Constance, supported by Commissioner Leadbetter, and carried unanimously that the request from Bola, Inc. to transfer ownership of 1987 Class C licensed business from Makela Marquette, Inc. located at 1751 Presque Isle, Marquette, Mi 49855, Marquette County be approved.

### **AMENDMENT TO PUBLIC PARKS AND GROUNDS RULES & REGULATIONS**

A report and recommendation from the City Manager, regarding an amendment to the rules and regulations governing public parks and grounds, was read. It was moved by Commissioner Acocks and supported by Commissioner Leadbetter to concur in both the recommendation and the proposed rules. It was moved by Mayor Berube, supported by Commissioner Coyne, and carried unanimously to amend this motion to allow seeing-eye dogs outside of vehicles in Presque Isle Park. The amended motion was then carried unanimously.

### **CLOSED SESSION**

It was then moved by Commissioner Leadbetter, supported by Commissioner Coyne, and carried unanimously to go into closed session to discuss pending litigation. The Commission recessed to closed session at 8:08 p.m.

The Commission returned to open session at 8:52 p.m.

### **CONSENT AGENDA**

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

- A. Award of the bid for purchase of a portable air compressor to Champion, Inc. as the low bid in the amount of \$9,174.25.
- B. Approval of the agreement with A. Lindberg & Sons, Inc. for miscellaneous sewer repairs and authorize the Mayor and City Clerk to execute it.
- C. Award of the bid for tires to Shelby Diesel and related services as the low bid in the amount of \$8,353.79.
- D. Award the bid for furnishing and installing ceramic tile in the restrooms and shower stalls at Tourist Park to PSR Construction as the low bid in the amount of \$5,530.00.

### **CITIZEN COMMENT**

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

### **SCIOTTO**

Commissioner Sciotto said that he is concerned that the house on the corner of Presque Isle and College Avenue is a fraternity house and requested that it be inspected and the appropriate ordinances enforced. He also noted calls concerning the leaf pickup. City Manager Svanda said that the pickup is limited to leaves and small brush that limbs or branches will not be picked up. Public Works Superintendent Lawry said that due to the storm one week ago there had been a one-time limited pickup of limbs which were downed in the storm.

### **LEADBETTER**

Commissioner Leadbetter asked about the status of the repair of the air handling equipment at the Arena. City Manager Svanda said that the equipment had just been received and that the project

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would not be completed prior to this weekend's hockey games. Commissioner Leadbetter also asked for a report on whether some tree maintenance and trimming would benefit the trees at Presque Isle Park.

#### **JOHNSON**

Commissioner Johnson noted many calls and letters opposing the proposed miniature golf course at Presque Isle Park. She also noted that people are complaining that their calls regarding noise and vandalism are not properly responded to because the violators are listening to scanners and hear the police calls before the police arrive on the scene. She also asked what has happened to the individualized bricks that people had bought for Lower Harbor Park development. City Manager Svanda said that the money is being held by the Lower Harbor Park Improvement Committee and that the bricks have been received and are being engraved. He said they should be installed yet this fall. Commissioner Johnson said that it is good that the City's Christmas tree will be replaced with a healthier tree and asked if two more Christmas trees in other locations would be appropriate. She thanked Parks and Recreation Director Turausky for putting information on the cable channel about walkers at Presque Isle Park wearing light colored clothing and noted the meeting next Monday on street reconstruction standards.

#### **CONSTANCE**

Commissioner Constance said that he had received calls asking for better signage of the construction activity at the Washington/McClellan intersection.

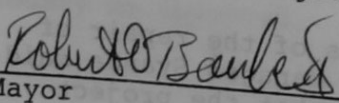
#### **COYNE**

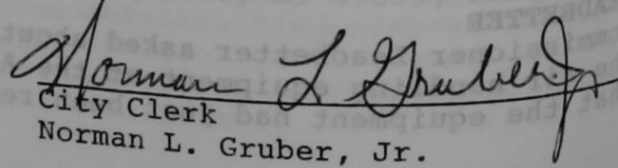
Commissioner Coyne thanked City Manager Svanda for forwarding an article indicating growing concern that incineration of solid waste will be a serious air pollution problem and that recycling is seen as a safer alternative. Commissioner Coyne also asked what had happened to the barrier-free directory at Presque Isle Park and said that it should be put up again. He said that this winter the City Commission should develop an aggressive approach to deal with the goose problem at the Shiras Pool.

#### **MAYOR BERUBE**

Mayor Berube read from a letter to City Manager Svanda from the Michigan Department of Public Health commending the City staff for excellence in design and construction of water supply projects. He said that the City is still working with the County to develop a landfill in Marquette County and that the Mayor of Minneapolis had commended City Manager Svanda for helping combat vandalism in Minneapolis while participating in a Marathon race last weekend.

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

  
Mayor  
Robert O. Berube II

  
City Clerk  
Norman L. Gruber, Jr.

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OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY COMMISSION  
Monday, October 26, 1987

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

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

ABSENT: Mayor Berube.

**APPROVAL OF MINUTES**

It was moved by Commissioner Acocks, supported by Commissioner Leadbetter, and carried to approve the minutes of the October 13, 1987 Commission meeting as presented. It was then moved by Commissioner Leadbetter, supported by Commissioner Constance, and carried to approve the minutes of the closed meeting on October 13 as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$370,614.31 were presented. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried to pay the bills as presented.

**AGENDA CHANGES**

During the time set for announcing additional agenda items, Mayor Pro Tem Coyne added item 9, appointments, and item 10, going into closed session at the end of the meeting to discuss a matter of litigation.

**CITIZENS AWARD - Tracy Halteman**

Mayor Coyne then presented a citizens award to Tracy Halteman for saving the life of a six-year old boy who was swimming in Lake Superior last August. Ms. Halteman thanked the four people who were with her that day for their support.

**PROCLAMATION - Zonta International Day**

Mayor Pro Tem Coyne then made the following proclamation:

ZONTA INTERNATIONAL DAY

WHEREAS, the Zonta Club of Marquette is one of over 950 clubs in 48 countries, and

WHEREAS, the club has established a scholarship program for college women and high school students in the community in addition to substantial financial contributions to various organizations, and

WHEREAS, the City Council is concerned for the educational needs of women,

NOW, THEREFORE, I, Michael Coyne, Mayor Pro Tem, of the City of Marquette, do hereby proclaim November 8 as Zonta International Day.

**CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Mike Roche asked to speak on item 6, Bill Niepoth asked to speak on item 4 and gave the Commission an update of Peninsula Sanitation's leaf collection activities this fall, and Greg Mingay asked to speak on item 3.

**DOWNTOWN MARQUETTE ASSOCIATION - Parking Problems in the Central Business District**

A communication from the Downtown Marquette Association, regarding parking problems in the Central Business District, was read. Greg Mingay answered questions regarding this communication. It was moved by Commissioner Leadbetter, supported by Commissioner Sciotto, and carried that the City Administration take steps to form a committee made up of a City Commissioner and representatives from the Downtown Development Authority, Downtown Marquette Association, and City Administration to address the parking problems in the downtown area. Commissioner Leadbetter will represent the City Commission on this Committee.

**PENINSULA SANITATION - Clean Michigan Fund Application.**

A communication from Peninsula Sanitation requesting support for a grant application to the Clean Michigan Fund was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried request that the City Manager direct a letter of support for the grant application for a market development grant and a long term resource recovery project to the appropriate state agency.

**MAYOR BERUBE - Marquette County's Proposed Landfill Site**

A report from Mayor Berube, recommending adoption of a resolution about Marquette County's proposed landfill, was read. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried to adopt the following resolution and to authorize the Mayor and City Clerk to execute it.

WHEREAS, the City of Marquette, Marquette County, and others, are all working diligently to develop a County-wide landfill, and,

WHEREAS, the development of a landfill requires a considerable capital investment which is an expense shared by all County residents, and,

WHEREAS, the City of Marquette/Sands Township have recently invested \$130,000 on the next phase of our investigation and the County is at the point in their development where they need to make a similar investment, and,

WHEREAS, the City of Marquette State Equalized Valuation represented 37.28% of the total Marquette County State Equalized Valuation, with both entities thereby collecting tax dollars from the same taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette requests their County representatives, Commissioner DeFant and Commissioner Lowe, to vote to delay the authorization of funds to proceed further on the Marquette Township Section 33 landfill site in Marquette Township until the results of the City/Sands site are known and are found to be unacceptable.

BE IT FURTHER RESOLVED, that they do everything in their power to convince their fellow Commissioners to support their position.

#### **MICHIGAN EQUITY PROGRAM GRANT APPLICATION**

A report and recommendation from the City Manager, regarding an application for a Michigan Equity Program Grant, was read. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to concur in the recommendation to select the Chamber of Commerce expansion project and to adopt the following resolution:

WHEREAS, The Michigan Department of Commerce has made available certain funds through the Michigan Equity Program for use by cities, villages, and townships for projects designed to promote economic development and the construction of tourism facilities, and

WHEREAS, The City of Marquette has at a regular meeting held this date considered the project known as the "Chamber of Commerce Expansion" having certain tourism generating features; and

WHEREAS, The rehabilitation of the Chamber of Commerce Expansion is an activity which will promote tourism in the area and serve the tourist, and

WHEREAS, All persons are afforded an opportunity to use these facilities regardless of residency, and

WHEREAS, The construction or reconstruction of these facilities is consistent with the requirements of the Michigan Equity Program, Public Act 127 of 1987;

NOW, THEREFORE, BE IT RESOLVED,  
That the City of Marquette make application to the Michigan Department of Commerce for a grant under the Michigan Equity Program in the amount of \$60,000.00 for the Expansion of the Chamber of Commerce, with said project including the rehabilitation of the existing building and the construction of a tourist information center,

AND FURTHER, The City of Marquette hereby certifies that local funds for this project will not be expended prior to the beginning of the project period;

And, that the City Manager act as designated signatory for all documents relating to this application.

Mike Roche answered questions about the proposed project.

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### **SUBORDINATION OF LOAN AGREEMENT WITH ENTRE AMIGOS**

A report and recommendation from the City Manager, regarding subordination of a loan agreement with Entre Amigos, was read. It was moved by Commissioner Acocks and supported by Commissioner Leadbetter to approve the subordination agreement, to authorize the Mayor and City Clerk to execute it, and to allow Commissioner Constance to abstain from voting. Commissioner Constance explained that he is refinancing other loans relating to his business and that this would not affect the small cities loan that he has through the City. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Constance.

The motion was carried.

### **CONSENT AGENDA**

It was then moved by Commissioner Leadbetter, supported by Commissioner Johnson, and carried to approve the Consent Agenda as follows:

- A. Approval of an easement to Northern Michigan University for Jacobetti Center Drive at County Road 550 and authorization of the Mayor and City Clerk to execute it.
- B. Approval of leases for two Baraga Avenue Parking Lots and authorization of the Mayor and City Clerk to execute them.
- C. Approval of bids for 32% mixture of liquid calcium chloride Moreco Energy, for 35% mixture to Liquid Calcium Chloride Sales and for 38% mixture to Van Water and Rogers as the low bidders.

### **APPOINTMENTS - Colleen Walker to Village Development Coordinating Committee**

Mayor Pro Tem Coyne with the Commission's concurrence appointed Colleen Walker to the Village Development Coordinating Committee.

### **CITIZEN COMMENT**

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

### **SCIOTTO**

Commissioner Sciotto said that he had received many complaints about the proposed fraternity row on VanEvera Street and that this fraternity row should be located on University property.

### **JOHNSON**

Commissioner Johnson noted many calls on the same subject and said that many people are not following the rules for the leaf pickup. She also noted calls about rowdiness on weekends and asked what would be done about a drainage problem on Wilkinson Street. Public Works Director Etelamaki answered questions about the drainage problem. Commissioner Johnson also wished the three incumbent Commissioners good luck in next week's Commission election.

**ACOCKS**  
Commissioner Acocks urged people to get out and vote, said that she is very excited about the possibility of solid waste recycling in Marquette, and noted that Northern Michigan University was #1 in football.

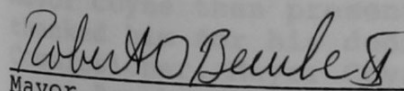
**MAYOR PRO TEM COYNE**  
Mayor Pro Tem Coyne wished Mayor Berube a speedy recovery, noted many concerns about the proposed fraternity row, and said that there were two elections coming up, one on November 3 for the City, and the other on November 9 for school millage.

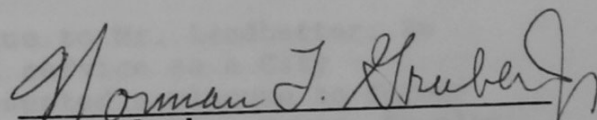
**ASSISTANT CITY MANAGER EVANS**  
Assistant City Manager Evans said that the Peninsula Sanitation request was consistent with the five-year strategic plan and that the wording in the recommendation on the loan subordination agreement had been in error.

**CLOSED SESSION**  
It was moved by Commissioner Constance, supported by Commissioner Leadbetter, and carried to go into closed session to discuss a matter of litigation. The Commission recessed to closed session at 7:58 p.m.

**SETTLEMENT AGREEMENT WITH MARQUETTE COUNTY HISTORICAL SOCIETY**  
The Commission returned to open session at 8:13 p.m. It was moved by Commissioner Acocks and supported by Commissioner Johnson to authorize the City Attorney to finalize the settlement agreement with the Marquette County Historical Society. The following vote was taken:  
Ayes: Mayor Pro Tem Coyne. Commissioners Acocks, Johnson, Leadbetter, Sciotto.  
Nay: Commissioner Constance.  
The motion was carried.

**ADJOURNMENT**  
The meeting was adjourned at 8:15 p.m.

  
\_\_\_\_\_  
Mayor  
Robert O. Berube II

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

Commissioner Acker has proposed to extend and vice versa, said that she is very excited about the possibility of said work receiving in... and asked that Northern Michigan University be...  
...to the University of Michigan...  
...to the University of Michigan...  
...to the University of Michigan...

Assistant City Manager Evans said that the Peninsula Sanitation... was consistent with the five-year strategic plan and that the... in the recommendation on the loan subordination agreement had... been in error.

It was moved by Commissioner Constance, supported by Commissioner... and carried to go into closed session to discuss a matter... The Commission recessed to closed session at 7:25 p.m.

RESOLUTION WITH MARQUETTE COUNTY HISTORICAL SOCIETY... The Commission returned to open session at 8:15 p.m. It was moved by... and supported by Commissioner Johnson to authorize... the City Attorney to finalize the agreement with the...  
...Commissioner Acker, Johnson,  
...Commissioner Constance.

Norman A. Gruber, Jr.  
City Clerk

Robert O. Berube II  
Mayor

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

The annual organizational meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 9, 1987 in Commission Chambers of City Hall.

**ROLL CALL**

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

**ABSENT:** None.

**SEATING OF COMMISSIONERS-ELECT**

Mayor Coyne asked outgoing Commissioner Leadbetter if he would like to make any comments before he stepped down. Commissioner Leadbetter congratulated the elected Commissioners, especially incoming Commissioner Coffey. He said that he had enjoyed his term, that it had been an exciting election, and that he is looking forward to the good things about not being a Commissioner as he looked forward to the good things about being a Commissioner. City Clerk Gruber then administered the oath of office to Commissioners-elect Loretta Acocks, Charles Coffey, and Michael Coyne.

**ELECTION OF MAYOR**

The Clerk then requested permission to conduct the election for Mayor. Commissioner Coyne was unanimously elected Mayor on the first ballot. The Clerk administered the oath of office to Mayor-elect Coyne. The Clerk then requested permission to conduct an election for Mayor Pro Tem. Commissioner Berube was elected Mayor Pro Tem on a six to one vote on the first ballot. The Clerk administered the oath of office to Mayor Pro Tem elect Berube.

**RECOGNITION OF OUTGOING OFFICIALS**

Mayor Coyne then presented a plaque to Mr. Leadbetter. He thanked him for his dedication and service as a City Commissioner. Mayor Coyne also presented a plaque to former Mayor Berube recognizing his year of service as Mayor. He also presented former Mayor Berube with an honorary gavel and the personal gift of a wildlife art print. Mayor Berube thanked the Commission for choosing him to be Mayor for a year and for supporting him during this period. He also said that he could not have done it without much help from his family and the staff in his office.

**ROLL CALL OF NEW COMMISSION**

The roll call of the new Commission was then taken.

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

**ABSENT:** None.

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### **APPROVAL OF MINUTES**

Mayor Coyne reminded citizens watching on television about the school millage election taking place until 8:00 p.m. He welcomed Commissioner Coffey to the Commission. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to approve the regular and closed minutes of the October 26, 1987 meeting as presented.

### **BILLS PAYABLE**

Total bills payable in the amount of \$802,679.40 were presented. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to pay the bills as presented.

### **PROCLAMATIONS**

#### **Support Young Authors Week**

Mayor Coyne then made the following proclamation:

#### SUPPORT YOUNG AUTHORS WEEK

WHEREAS, cultivating the ability to express one's self in writing is one of the most important aspects of an individual's educational process; and

WHEREAS, the MARQUETTE ALGER YOUNG AUTHORS PROGRAM has been developed in the elementary schools in Alger and Marquette Counties by educators who recognize the need to foster writing skills among young people; and

WHEREAS, the program in its thirteenth year climaxes its 3000 or more elementary school students whose writing abilities are greatly enhanced through authorship activities;

NOW, THEREFORE, DO WE PROCLAIM, that the week of November 14th be designated as SUPPORT YOUNG AUTHORS WEEK in the City of Marquette, Michigan as a fitting recognition of this splendid program.

#### **Alzheimer's Awareness Month**

Mayor Coyne then concurred with Governor Blanchard and proclaimed the month of November as Alzheimer's Disease Awareness Month in Marquette.

#### **American Education Week**

Mayor Coyne also made the following proclamation:

#### AMERICAN EDUCATION WEEK

WHEREAS, the public schools are an important and integral part of our society; and

WHEREAS, the concept of a free and equal education is an American tradition and this country's strength; and

WHEREAS, the students of today are the leaders of tomorrow;  
and

WHEREAS, all citizens have a responsibility to support the  
public schools;

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of  
Marquette, do hereby proclaim November 15-21, 1987 as  
AMERICAN EDUCATION WEEK and urge all citizens to make a  
commitment to public education and to the future of the City  
of Marquette children by visiting their local public schools  
and by donating their time and talents to help make the  
public schools even better.

#### **CITIZEN COMMENT**

During the time set for citizens wishing to address the  
Commission, Alan Wirkula said that the Wilkinson/Summit special  
assessment project had not been built according to plans and  
questioned the need for the project.

#### **WESTWOOD DEVELOPERS - Shiras Pointe Project**

Mayor Coyne announced that this was the time set for a  
presentation by Westwood Development. City Manager Svanda made  
comments in support of the proposed Shiras Pointe Project. Bruce  
Pesola, owner of Westwood Development, described the proposed  
project at length. He showed slides of the site and of a similar  
development downstate as well as a site plan and artist  
renderings of the proposed development. He also answered  
questions posed by Commissioners. It was moved by Commissioner  
Berube, supported by Commissioner Johnson, and carried  
unanimously to schedule a public hearing on rezoning this  
property from RS-Single Family Residential to PUD-Planned Unit  
Development for the November 30, 1987 meeting.

#### **MARQUETTE GENERAL HOSPITAL - 24-Hour Liquor License**

A communication from Marquette General Hospital, regarding  
approval of a 24-hour liquor license, was read. It was moved by  
Commissioner Sciotto, supported by Commissioner Johnson, and  
carried unanimously to approve the request from Marquette General  
Hospital for a 24-hour liquor license at the National Guard  
Armory on Saturday, December 12, 1987.

#### **ASSIGNMENT OF NATURAL GAS FRANCHISE**

A report and recommendation from the City Attorney, regarding  
assignment of the natural gas franchise for the City, was read.  
It was moved by Commissioner Constance, supported by Commissioner  
Acocks, and carried unanimously to approve the assignment from  
Michigan Power Company to Michigan Gas Company and to authorize  
the City Clerk to execute a certificate so indicating.

#### **DOCK AGREEMENT WITH ARMY CORPS OF ENGINEERS**

A report and recommendation from the City Attorney, regarding a  
dock agreement with the Army Corps of Engineers, was read. It was  
moved by Commissioner Johnson, supported by Commissioner Berube,

and carried unanimously to approve this agreement. Commissioner Coffey noted one required wording change resulting from exclusion of the Board of Light and Power Dock from this agreement. It was then moved by Commissioner Sciotto, supported by Commissioner Berube, and carried unanimously to refer to the Harbor Master and the Parks and Recreation Advisory Board the matter of coming up with a name for the Coal Dock.

#### **INTERNAL REVENUE SERVICE PARTICIPATION AGREEMENT AND RESOLUTION**

A report and recommendation from the City Manager, regarding a settlement agreement with the Internal Revenue Service, was read. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to adopt the proposed participation agreement and the following sample resolution and authorize the Mayor and City Clerk to execute the documents on behalf of the City:

WHEREAS, the City of Marquette, State of Michigan has issued one or more series of notes pursuant to Section 3b of Chapter IV of 1943 Public Act 202, as amended, (the "Notes") identified as follows:

#### **CITY OF MARQUETTE CONSOLIDATED TAX ANTICIPATION NOTES**

and

WHEREAS, the City of Marquette has in connection with the marketing of the Notes represented that the interest paid on the Notes would be exempt or excluded from federal income tax; and

WHEREAS, the Service in its announcement 87-64 stated:

"In the case of current tax anticipation notes issued by the townships and cities in Michigan before June 26, 1987, the Internal Revenue Service is willing to enter into closing agreements pursuant to Section 7121 of the Code not to tax the interest on the notes subject to the condition that the issuer pay to the Internal Revenue Service an amount that will compensate the United States for a substantial portion of the loss of federal income tax revenues attributable to the issuance of such notes;" and

WHEREAS, the City of Marquette has reviewed all relevant facts and circumstances bearing upon the Notes and the legal and factual premises relied upon by the Service; has consulted with all employees, agents, consultants and legal and professionals as it has determined necessary or appropriate to the adoption of this Resolution; and

WHEREAS, in furtherance of the representations of the City of Marquette and as an agreed upon settlement of the assertion of claims with respect to the Notes, the City of Marquette wishes and has determined that it is in the best interest of the City of Marquette and is reasonable and

necessary to be a part of the Closing Agreement in order to avoid lengthy, costly litigation or, alternatively, pursuit of a separate resolution with the Service; and WHEREAS, the City of Marquette has reviewed a Participation Agreement to be entered into between the State Treasurer and the Municipality.

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Marquette recognizes that in order to satisfy the claims and concerns of the Service it must provide payment to the Service and further recognizes that by taking advantage of the terms discussed by the State Treasurer and the Service it may avoid costly alternatives.
2. The City of Marquette hereby consents and requests that the State Treasurer enter into a Closing Agreement on its behalf providing for settlement of the Service's claims for a sum which requires the City of Marquette's share to be no more than \$25,205.00.
3. The Mayor of the City of Marquette is hereby authorized to approve the terms of and to execute and deliver any and all documents necessary in connection with the carrying out of the settlement referred to in this resolution, including the Participation Agreement substantially in the form presented to this meeting.
4. All resolutions and parts of resolutions in conflict with this resolution are hereby rescinded.

**LEONARD ANGELI - Resignation from Local Officer's Compensation Commission**

A communication from Leonard Angeli, submitting his resignation from the Local Officer's Compensation Commission, was read. Mayor Coyne accepted his resignation saying that Mr. Angeli could not serve on this Commission due to his position on the Board of Light and Power.

**CITIZEN COMMENT**

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

**ACOCKS**

Commissioner Acocks said that it is time to give the City's Advisory Boards more direction on what is expected from them. She also congratulated Commissioners Coffey and Coyne on their election and welcomed Commissioner Coffey to the Commission.

**CONSTANCE**

Commissioner Constance congratulated Commissioner Coffey, Mayor Coyne, and Mayor Pro Tem Berube. He said that there had been good coverage by the City Administration and the media of the City election last week. He also noted the listing of local officials in the front of the newly issued telephone directory.

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**BERUBE**

Commissioner Berube said that as Mayor he had spent more time in City Hall and that the City has a good and hard working staff including the Public Works and Parks and Recreation employees.

**JOHNSON**

Commissioner Johnson noted that Senate Bill 451 would add non-resident voting to a City income tax referendum, said that she had received several calls complaining that the name of Pulpit Rock at Presque Isle Park had been changed to Preacher's Rock, asked if handicapped cuts are required during sidewalk reconstruction, said that many people had not put their leaves out in time for the pick up, that the American Legion parking lot was very attractive and an asset to the area and that the bricks purchased by contributors were being placed in the Lower Harbor Park. She asked about the replacement of light poles on Third Street and if there would be a response to Mr. Wirkula's questions. She also congratulated the recently elected Commissioners. City Manager Svanda replied to several of Commissioner Johnson's questions.

**COFFEY**

Commissioner Coffey said that he had received a call on the proposed fraternity row on the Osterberg Property, asked about an oil spill cleanup, said that coverage of the election had been very good but that there should be faster updates for the Channel 11 announcements, suggested sending Advisory Board members copies of the weekly reports, said that the City had hosted 120 people at an American Waterworks Association meeting which had been held here for the third year in a row, and thanked the citizens for their support during his campaign. He said that the Water and Sewer Advisory Board had reviewed the Wilkinson/Summit Street issue.

**SCIOTTO**

Commissioner Sciotto said that at a recent fire on the NMU campus, the hydrant used by the Fire Department had been turned off at the watermain and that this was not the Fire Department's responsibility.

**MAYOR COYNE**

Mayor Coyne said that he was pleased to be both re-elected and elected Mayor. He wished a happy birthday to Florence Yates who will be 100 years old on November 25 and who has lived in Marquette for 65 years. He asked about the test of smoke removal equipment in the Donor's Room and said that the Commission's priorities for the coming year should be solid waste disposal and recycling, improving the City's infrastructure, working on the Third Street project and the Lower Harbor Development, and staying within the budget.

**CITY MANAGER SVANDA**

City Manager Svanda congratulated all of the officials who had been elected.

The meeting was adjourned at 8:35 p.m.

Robert O. Berube II  
Mayor  
Robert O. Berube II

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

Meeting held at 7:00 p.m. on Monday, November 9, 1987, in the Commission Chambers of City Hall.

PRESENT: Mayor Coyne, Commissioners Anocks, Berube, Coffey, Constance, Johnson, ...  
ABSENT: None.

RECOGNITION OF COMMISSIONER JOHNSON

Mayor Coyne presented Commissioner Johnson with a plaque and a certificate recognizing her 10 years of service as a City Commissioner. He thanked her on behalf of the other Commissioners and the citizens of Marquette for her years of service to the City. Commissioner Johnson said that she has enjoyed working on the Commission and that she loves helping people.

APPROVAL OF MINUTES

It was moved by Commissioner Anocks, supported by Commissioner Johnson, and carried unanimously to approve the minutes of the November 2, 1987 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$430,725.00 were presented. It was moved by Commissioner Berube, supported by Commissioner Anocks, and carried unanimously that these bills be paid as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Coyne removed Item 8 from the agenda and put it on the next meeting agenda and added Item 13a, a communication from Sand Township. Commissioner Constance asked that Item 13b, discussion of a work session on the 1988-89 budget be added.

DECLARATION - American Lung Association

Mayor Coyne then made the following proclamation:

Christmas Seal Month

WHEREAS, 1987 marks the 50th Anniversary of the Christmas Seal, the symbolic emblem of the American Lung Association, which has aided generations of our people in the nation's first voluntary citizen-supported effort to fight disease and

WHEREAS, the American Lung Association is the Spearhead of the Peninsula of Michigan was originally known as the Anti-Tuberculosis Society and campaigned effectively against tuberculosis with the citizens of the City of Marquette

The meeting was adjourned at 8:35 p.m.

*[Handwritten signatures and notes]*

Mayor O. Berube II  
Norman J. Gopher, Jr.  
City Clerk  
The meeting was adjourned at 8:35 p.m.

Commissioner Coffey said that he had received a call on the proposed Fraternity row on the Osterberg Property, asked about all still cleanup, said that coverage of the election had been very good and that there should be faster updates for the Channel 11 announcements, suggested Advisory Board members copies of the weekly reports, said that the City had hosted 120 people at an American Waterworks Association meeting which had been held here for the third year in a row, and thanked the citizens for their support during his campaign. He said that the Water and Sewer Advisory Board had reviewed the Wilkinson/Summit Street issue.

Commissioner Sciotto said that at a recent fire on the NMU campus, the hydrant used by the Fire Department had been turned off at the waterworks and that this was not the Fire Department's responsibility.

Mayor Gopher said that he was pleased to be both re-elected and elected Mayor. He wished a happy birthday to Florence Yates who will be 100 years old on November 25 and who has lived in Marquette for 63 years. He asked about the test of smoke removal equipment to the Mayor's Room and said that the Commission's assignment for the coming year should be solid waste disposal and recycling, improving the City's infrastructure, working on the Third Street project and the Lower Harbor Development, and

...of the officials who had

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

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

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

ABSENT: None.

**RECOGNITION OF COMMISSIONER JOHNSON**

Mayor Coyne presented Commissioner Johnson with a placque and a corsage recognizing her 10 years of service as a City Commissioner. He thanked her on behalf of the other Commissioners and the citizens of Marquette for her years of service to the City. Commissioner Johnson said that she has enjoyed serving on the Commission and that she loves helping people.

**APPROVAL OF MINUTES**

It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve the minutes of the November 9, 1987 meeting as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$490,789.65 were presented. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously that these bill be paid as presented.

**AGENDA CHANGES**

During the time set for announcing additional agenda items, Mayor Coyne removed Item 8 from the agenda and put it on the next meeting agenda and added Item 13a, a communication from Sands Township. Commissioner Constance asked that Item 13b, discussion of a work session on the 1988-89 budget be added.

**PROCLAMATION - American Lung Association**

Mayor Coyne then made the following proclamation:

Christmas Seal Month

WHEREAS, 1987 marks the 80th Anniversary of the Christmas Seal, the symbolic emblem of the American Lung Association, which has aided generations of our people in the Nation's first voluntary citizen supported effort to fight disease; and

WHEREAS, the American Lung Association in the Upper Peninsula of Michigan was originally known as the Anti-Tuberculosis Society and campaigned effectively against tuberculosis with the citizens of the City of Marquette

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sharing in the victory through their contributions to Christmas Seals; and

WHEREAS, through the contributions to the Christmas Seal Campaign, the American Lung Association in the Upper Peninsula now battles such crippling diseases as emphysema, lung cancer, chronic bronchitis and asthma; and

WHEREAS, the Association has the goal of control and prevention of all lung diseases and their related cause through programs of smoking cessation, research, and medical training, public education on air pollution, research and medical training of occupational lung diseases and the hazards thereof, and health education in our schools; and

NOW, THEREFORE, BE IT RESOLVED, that I, Michael Coyne, Mayor of the City of Marquette, declare that the month of December, 1987 be **Christmas Seal Month** in recognition of the volunteers of the American Lung Association in the Upper Peninsula for their work on behalf of the health and well-being of the people.

#### **PUBLIC HEARING - Shiras Pointe Planned Unit Development**

Mayor Coyne announced that this was the time set for a public hearing on the Shiras Pointe Planned Unit Development. Six persons supported the rezoning and one opposed it. The hearing was closed. A report and recommendation from the City Manager was read. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to grant the rezoning request.

#### **PUBLIC HEARING - Vacation of Parkland in Shiras Hills**

Mayor Coyne announced that this was the time and date set for a public hearing on the vacation of parkland property in Shiras Hills Subdivision. One person opposed the vacation and one person gave a history of events leading to this hearing and said that the petitioner, the Shiras Hills Park Project, Inc., has withdrawn the request to vacate. The hearing was closed. A recommendation from the Planning Commission and a sample of 29 letters from residents of Shiras Hills were read. It was moved by Commissioner Acocks and supported by Commissioner Coffey to not vacate the property at this time. The Commission discussed the proposed vacation at length. The following vote was taken:

Ayes: Mayor Coyne, Commissioners Acocks, Coffey.

Nays: Commissioners Berube, Constance, Johnson, Sciotto.

The motion was defeated. It was then moved by Commissioner Constance and supported by Commissioner Sciotto to concur with the Parks and Recreation Advisory Board and the Planning Commission and to vacate dedicated parkland in Shiras Hills Subdivision #1. The following vote was taken:

Ayes: Commissioners Berube, Constance, Johnson, Sciotto.

Nays: Mayor Coyne, Commissioners Acocks, Coffey.

The motion was carried.

It was then moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to direct the City Manager to open discussion with Northern Michigan University regarding a possible property exchange to allow the City to acquire the land where the park on Allouez Street is located.

#### **PUBLIC HEARING - Lawn Water Meter Changeout Policy**

Mayor Coyne then announced that this was the time and date set for a public hearing on a lawn water meter changeout policy. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Coffey and supported by Commissioner Acocks to concur with the recommendation of the Water/Sewer Utility Advisory Board with the stipulation that exchanges be for working lawn meters of record and that the people turning in the meters receive either the resale or salvage value of the meters. Public Works Superintendent Lawry answered questions regarding the number and cost of the meters that have been purchased by the public prior to this time. The Commission discussed this matter at length, following which, the motion was withdrawn. It was then moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to refer this item back to the Water/Sewer Utility Advisory Committee to come up with set dollar amounts as refunds for returned lawn meters.

#### **CITIZEN COMMENT**

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

#### **LAKE SUPERIOR ART ASSOCIATION - 1988 Art on the Rocks**

A communication from the Lake Superior Art Association requesting permission to use Presque Isle Park for the Annual Art on the Rocks Exhibit, was read. It was moved by Commissioner Johnson and supported by Commissioner Berube to grant permission for the Lake Superior Art Association to hold Art on the Rocks at Presque Isle Park on Saturday and Sunday, July 30 and 31, 1988 and to ask the City Manager to discuss with the Lake Superior Art Association charges for the use of Presque Isle Park and ways to alleviate traffic congestion during the event.

#### **TRAFFIC/PARKING ADVISORY COMMITTEE - Ordinance to Prohibit Parking Between Curb and Sidewalk on Public Right-of-Way**

A recommendation from the Traffic/Parking Advisory Committee was read. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to direct the City Attorney to develop an ordinance which would prohibit parking between the curb and the sidewalk on public right-of-way.

#### **AERIAL EASEMENT TRANSFER FROM CCI TO WISCONSIN ELECTION COMPANY**

A report and recommendation from the City Attorney, regarding the assignment of an aerial easement from Cleveland-Cliffs Iron Company to Wisconsin Electric Company, was read. It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried unanimously to approve the assignment subject to receipt of written documentation in proper form.

**MARQUETTE MOUNTAIN - Closure of 553 for Cardboard Classic**

A report and recommendation from the City Manager, regarding closing a section of County Road 553 for the 1988 Marquette Mountain Cardboard Classic, was read. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to adopt the following resolution:

WHEREAS, during the past four years the Cardboard Classic has been held at Marquette Mountain on County Road 553 and it has grown each year to 8,000 spectators; and

WHEREAS, on February 6, 1988, Marquette Mountain and WGLQ FM 97 will host the 5th Annual Cardboard Classic at Marquette Mountain, County Road 553; and

WHEREAS, it is being requested that County Road 553 be closed at Pioneer Road and County Road 480 to through traffic from 10 a.m. to 6:00 p.m. on Saturday, February 6, 1988 in order to alleviate parking and traffic problems in and around Marquette Mountain; and

WHEREAS, the Marquette City Police had 39 complaints last year and endorse the closure in order to lessen these complaints; and

WHEREAS, the Marquette County Road Commission would be responsible for posting signs and setting up barricades;

NOW, THEREFORE, BE IT RESOLVED, BY THE MARQUETTE CITY COMMISSION, that the Marquette County Board be urged to close County Road 553 at Pioneer Road and County Road 480 on February 6, 1988 from 10 a.m. to 6:00 p.m. for the Fifth Annual Cardboard Classics.

**LAND EXCHANGE IN FLUETTE'S ADDITION**

A report and recommendation from the City Manager, regarding a land exchange request in Fluette's Addition, was read. It was moved by Commissioner Constance, supported by Commissioner Berube, and carried unanimously to approve the proposed exchange and to authorize the Mayor and City Clerk to execute the deed. It was then moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to authorize the Mayor and City Clerk to execute any additional agreements that will be negotiated with similar equitable terms for lot exchanges in Fluette's Addition.

**TRUCK TRAFFIC ON WRIGHT STREET**

A report and recommendation from the City Manager, regarding truck traffic on Wright Street, was read. It was moved by Commissioner Berube, supported by Commissioner Coffey, and carried unanimously to concur with the City Manager's recommendation. During discussion, Commissioners agreed that there should be more enforcement of speed limits for trucks on

Wright Street and that perhaps the speed limit for trucks should be lowered in that area.

#### **WATER QUALITY PROBLEMS AT SHIRAS POOL**

A report from the City Manager, regarding water quality problems at the Shiras Pool, was read. Mayor Coyne noted extensive reports accompanying the City Manager's report and said that no action needed to be taken at this time.

#### **WATER MAIN INSTALLATION AT 518 SUMMIT STREET**

A report on the water main installation at 518 Summit Street was read. Commissioner Coffey said that the leak in the old water pipes had been found during the construction project.

#### **SANDS TOWNSHIP - \$30,000 Advance Against Bonding for Landfill**

A communication from Sands Township, requesting an advance of \$30,000 against future bonding for the Marquette-Sands landfill, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to loan \$30,000 to Sands Township to allow them to continue working on a landfill with this money to be reimbursed with interest at the rate of 6.75% on the day of the sale of bonds for construction of the landfill.

#### **DISCUSSION OF WORK SESSION ON 1988-89 BUDGET**

Mayor Coyne announced that this was the time set for discussion of a work session on the 1988-89 budget. It was moved by Commissioner Constance and supported by Commissioner Coffey that the City Commission hold a work session prior to any staff budget meetings. In response to a question, City Manager Svanda said that although the staff work may commence on the budget prior to the Commission's work session in January, no budget requests will be developed prior to that meeting. The motion was withdrawn.

#### **CONSENT AGENDA**

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

- A. Adoption of a resolution approving an amendment to the Marquette Housing Commission's Annual Contribution Contract.
- B. Set a public hearing on the proposed Swick Plumbing & Heating Planned Unit Development rezoning for December 14, 1987.

#### **APPOINTMENTS**

Mayor Coyne then made the following appointments:

- COMMISSION ON AGING: Reappointment of Rev. Michael Foley for a term expiring September 30, 1990.
- BOARD OF REVIEW: Dan Klumb for a term expiring February 1, 1991.
- HANDICAPPED CITIZENS ADVISORY BOARD: Rosemary Tourville for a term expiring January 10, 1991.

**HARBOR COMMITTEE:** Reappointment of Robert Manning and Dennis Burkman for terms expiring December 11, 1990.  
**MARQUETTE COUNTY COMMISSION ON AGING:** Nomination of Helen Johnson.

He also noted several openings coming up on the Parks and Recreation Advisory Board.

**CITIZEN COMMENT**

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

**BERUBE**

Commissioner Berube said that the City had nominated two people to the Marq-Tran Board contrary to comments from the County Commission.

**COFFEY**

Commissioner Coffey said that there is much opportunity for solid waste recycling in Marquette County and urged people to become involved in it. He also said that people should not park on Lakeshore Boulevard during hockey games at the Arena as this creates a safety problem.

**JOHNSON**

Commissioner Johnson thanked the Commission for recognizing her ten years on the Commission. She said she had received calls complimenting Peninsula Sanitation and the Public Works crews for the excellent leaf pickup this fall. She said that there is too much waste food placed in the City's garbage, that she has received complaints about speeding on McClellan, and that the City Commission has no control over the recent cable television rate increase.

**SCIOTTO**

Commissioner Sciotto extended condolences to the City of Chicago on their loss of Mayor Washington whom he said was a great mayor. He congratulated the NMU Football Team for their win in the playoffs and wished them well in the next two games. He also urged the Police Department to more carefully monitor speeding tandem trucks on Wright Street.

**COYNE**

Mayor Coyne said that the cable television rate increase was reasonable for the service that we are getting, that the Christmas tree lighting ceremony had been very good, and although the tree is small, it will grow in future years, said that the Commission had held a work session last week on the five-year strategic plan and would be holding a work session on the many boards and committees in the future.

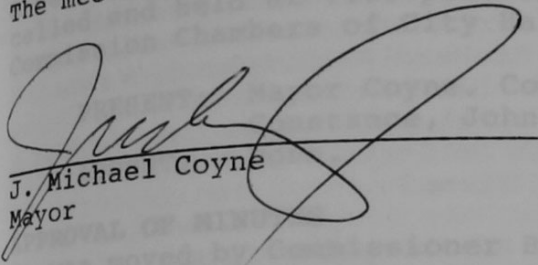
**CITY MANAGER SVANDA**

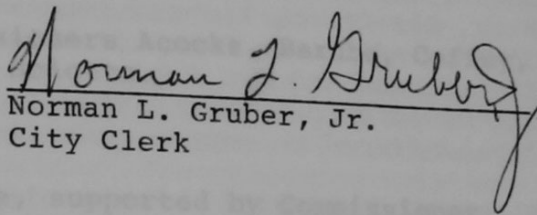
City Manager Svanda extended his congratulations to Commissioner Johnson for her ten years on the Commission and said that this

year's leaf pickup had gone much better than last year's and credited Peninsula Sanitation for their hard work on this project.

**ADJOURNMENT**

The meeting was adjourned at 9:38 p.m.

  
J. Michael Coyne  
Mayor

  
Norman L. Gruber, Jr.  
City Clerk

It was moved by Commissioner Berube, supported by Commissioners Johnson and Acocks, and carried unanimously to approve the minutes of the November 30, 1987 Commission meeting as presented.

**BILLS PAYABLE**  
Total bills payable in the amount of \$326,513.31 were presented. It was moved by Commissioner Acocks, supported by Commissioners Berube and Johnson, and carried unanimously to pay the bills as presented.

**AGENDA CHANGES**  
During the time set for announcing additional agenda items, Commissioner Constantine asked that Item 14a be removed from the Current Agenda and be made Item 13a. City Manager Swada asked for the addition of Item 13b, consideration of a solid waste agreement with Turin Township.

**PRESENTATION - City Logo Pins**  
Mayor Coyne then announced that this was the time set for a presentation by Sister City Relations Director Dr. Lynn Overfeldt. Dr. Overfeldt presented the lapel pins bearing the City logo which will be used as a fund raiser for the Sister City Relations Fund. He said the first pin to Mayor Coyne. Mayor Coyne thanked Dr. Overfeldt for his efforts and encouraged people to buy the pins as a way of supporting the Sister City Program.

**PUBLIC HEARING - Swick Planned Unit Development**  
Mayor Coyne then announced that this was the time and date set for a public hearing on a proposed rezoning for Swick Planning and zoning. The recommendation from the Planning Commission was read. Planning Commission Chairman Fred Joyal offered to answer questions as did petitioner Thomas Swick. The hearing was closed. During discussion, Mr. Joyal and Mr. Swick both answered questions by the Commission. It was moved by Commissioner Johnson, supported by Commissioner Constantine, and carried unanimously to concur with the Planning Commission recommendation and to rezone the northeast corner of McClellan and Ridge to Planned Unit Development.

...for a last pickup had...  
...for their work on this...  
...NOMINATION...

...meeting was adjourned at 9:30 p.m.

*[Signature]*  
Herman J. Gruber, Jr.  
City Clerk

*[Signature]*  
Michael Coyne

...said that there is an opportunity for...  
...in Marquette County and urged people to become...  
...also said that people should not park on...  
...at the Arena as this is a safety hazard.

...the Commission for recognizing her...  
...said she had received calls...  
...and the Public Works crew...  
...she said that there is too...  
...in the City's garbage, that she has...  
...McClellan, and that the...  
...over the recent television...

...to the City of Chicago...  
...a great year...  
...win in the...  
...the next two games. He also...  
...were carefully...  
...to...

...tax increase was...  
...that the...  
...and although...  
...said that the...  
...the five-year...  
...work again on the...

...Commission said that this...  
...to...

OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY COMMISSION  
Monday, December 14, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, December 14, 1987 in Commission Chambers of City Hall.

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

ABSENT: None.

**APPROVAL OF MINUTES**

It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried unanimously to approve the minutes of the November 30, 1987 Commission meeting as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$326,513.31 were presented. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously to pay the bills as presented.

**AGENDA CHANGES**

During the time set for announcing additional agenda items, Commissioner Constance asked that Item 14a be removed from the Consent Agenda and be made Item 13a. City Manager Svanda asked for the addition of Item 13b, consideration of a solid waste agreement with Turin Township.

**PRESENTATION - City Logo Pins**

Mayor Coyne then announced that this was the time set for a presentation by Sister City Relations Director Dr. Pryse Duerfeldt. Dr. Duerfeldt presented the lapel pins bearing the City logo which will be used as a fund raiser for the Sister City Relations Fund. He sold the first pin to Mayor Coyne. Mayor Coyne thanked Dr. Duerfeldt for his efforts and encouraged people to buy the pins as a way of supporting the Sister City Program.

**PUBLIC HEARING - Swick Planned Unit Development**

Mayor Coyne then announced that this was the time and date set for a public hearing on a proposed rezoning for Swick Plumbing and Heating. The recommendation from the Planning Commission was read. Planning Commission Chairman Fred Joyal offered to answer questions as did petitioner Thomas Swick. The hearing was closed. During discussion, Mr. Joyal and Mr. Swick both answered questions by the Commission. It was moved by Commissioner Johnson, supported by Commissioner Constance, and carried unanimously to concur with the Planning Commission recommendation and to rezone the northeast corner of McClellan and Ridge to Planned Unit Development.

December 14, 1987

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### **CITIZEN COMMENT**

Mayor Coyne announced that this was the time set for citizens wishing to address the Commission. Leonard Angeli, representing Citizens for Compatible Land Use, opposed the location of a youth detention facility on the County-owned Brookridge site. He presented a petition with 282 signatures supporting this position. Robert Moore, Frank Welsh, Mary Ann Paull, Suzanne Moore, Don Jackson, Jack Leadbetter, John Taylor, Ron Maki, Tom Rice, Pat Olson, Richard Dembowski, Richard Hendrickson, Wayne Olson, and Sharon Rice all supported this position. Richard Hendrickson and Tom Bogdan asked to speak on item 9. Jeff Carter and David Bonsall both asked to speak on Items 3 and 4. Fred Joyal offered to answer questions on Item 3.

### **PLANNING COMMISSION - Fraternity Row Advisory Committee**

A recommendation from the Planning Commission, regarding the establishment of an Ad-Hoc Fraternity Row Advisory Committee, was read. Jeff Carter, representing the Greek Council at Northern Michigan University, said that they will work with the City as long as this is a good faith effort. David Bonsall supported the establishment of this Committee. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously that Mayor Coyne appoint an Ad Hoc Advisory Committee made up of one City Commissioner, one Planning Commissioner, the City Planner, the City Zoning Administrator, a representative at large, and three representatives from the University appointed by Dr. Appleberry and approved by the City Commission.

### **JEFF CARTER - Greek Row**

A communication from Jeff Carter was read. Mr. Carter addressed the Commission listing the needs of fraternities. He said that it was important that they be located close to the University and centrally located to the campus and downtown. He said that fraternity and sorority members are at the University to get an education, that they do a lot of public service work, and they want to be involved in social activities. He said that they must answer both to the University and their national organizations and that their events are for members only. He said that by establishing a Greek Row, the Greek Council can monitor the behavior of the different fraternities and sororities. David Bonsall supported the Greek Row concept. Mayor Coyne said that he feels the City is acting in good faith on the study of a Greek Row.

### **UNITED CONSULTING CORPORATION - Heritage Hotel UDAG Application**

A communication from United Consulting Corporation was read. It was moved by Commissioner Berube, supported by Commissioner Coffey, and carried unanimously to hold public hearings on December 28, 1987 and January 11, 1988 for the purpose of listening to public comments on a \$975,000 UDAG application for the redevelopment of the Heritage Hotel.

### **ELLIOT LAKE, ONTARIO - Friendship Games Competition**

A communication from Elliot Lake, Ontario, proposing the establishment of a friendship games competition between Elliot

Lake and Marquette, was read. City Manager Svanda explained his concern that the community is too committed to other projects to support this one. Mayor Coyne invited interested citizens to contact the City Manager's office.

#### **CITY ATTORNEY - Parkway Parking Ban Ordinance**

A recommendation from the City Attorney, regarding a parkway parking ban ordinance, was read. It was moved by Commissioner Sciotto and supported by Commissioner Johnson to set the next regular meeting as the time and date for a public hearing on this proposed ordinance using the first alternative. The Commission discussed parking along the streets in Shiras Hills. It was moved by Commissioner Constance and supported by Commissioner Coffey to table this matter until the next meeting. The following vote was taken:

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

Nays: Commissioners Johnson, Sciotto.

Mayor Coyne suggested that the attorney work on revisions prior to the next meeting.

#### **FIVE-YEAR STRATEGIC PLAN**

A report and recommendation from the City Manager, regarding the five-year strategic plan, was read. It was moved by Commissioner Coffey, supported by Commissioner Constance, and carried unanimously to reaffirm the City Commission's commitment to the five-year strategic plan.

#### **ROSEWOOD INN - Demolition**

A report and recommendation from the City Manager, regarding demolition of the Rosewood Inn, was read. A report from the Housing Inspector and a history of City involvement with the Rosewood Inn property were also read. Jack Leadbetter addressed the Commission saying that the City is going in the wrong direction. He said the building is worth \$130,000.00, not \$52,000.00 and that the City should not be encouraging the sale of the building if it intends to demolish it. Richard Hendrickson supported Mr. Leadbetter's comments. Joe Rose said that there have been several sale offers for the building and spoke at length about work that he had done to it, possible tenants for the building, and possible purchasers for the building. Richard Hendrickson said that he is Mr. Rose's real estate agent and that he has an open listing on the building. He said there are interested investors from Detroit and that negotiations are continuing. Tom Bogdan said that the City has been inconsistent in dealing with this building as compared with others. He said that he occupies the building for storage and that it should be saved. Jack Leadbetter said that he had gone through the building last week and that the structure is sound. It was moved by Commissioner Johnson and supported by Commissioner Sciotto to delay the demolition of the Rosewood Inn for four months. The following vote was taken:

Ayes: Mayor Coyne. Commissioners Johnson, Sciotto.

Nays: Commissioners Acocks, Berube, Coffey, Constance.

The motion was defeated. It was then moved by Commissioner Berube and supported by Commissioner Constance to award the bid for the demolition of the Rosewood Inn to Oberstar Excavating in the amount of \$28,750.00 and to set January 14, 1988 as the date demolition will commence. The following vote was taken:

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

The motion was carried.

Commissioners agreed that this time period would allow for sale of the building to someone who would bring it up to code.

#### **STREET RECONSTRUCTION STANDARDS - Ad Hoc Committee Report**

A report and recommendation from the City Manager, regarding the report from the Ad Hoc Committee on street reconstruction standards, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously that the provisions contained in the report, excluding item 4 on page 6, be implemented by the administration where feasible. It was then moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously that the Mayor appoint a seven-member Committee to review and make a recommendation on infrastructure financing. It was then moved by Commissioner Coffey, supported by Commissioner Acocks, and carried unanimously to concur in the recommendation and to establish a capital project fund during the budget preparation process for the 1988-89 Fiscal Year with revenues to be appropriated to that fund based on planned street reconstruction project estimates.

#### **UPPER PENINSULA SUBSTANCE ENFORCEMENT TEAM - Subcontract**

A report and recommendation from the City Manager, regarding the Upper Peninsula Substance Enforcement Team, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to approve the subcontract with the Michigan State Police and to authorize the Mayor, the Police Chief, and the City Treasurer to execute it on behalf of the City.

#### **BUDGET DEVELOPMENT SCHEDULE - FY 1988-89**

A report and recommendation from the City Manager, regarding the 1988-89 budget development schedule, was read. It was moved by Commissioner Acocks and supported by Commissioner Berube to adopt the budget development schedule as presented. Commissioner Constance said that he felt the schedule should be changed if the Commissioners could not receive the budget documents sooner than one day before the work sessions begin. Following discussion, it was moved by Commissioner Constance, supported by Commissioner Acocks, and carried unanimously to table this matter until the next regular meeting.

#### **AUDIT - FY 1986-87**

Commissioners then agreed to schedule a work session for 6:00 p.m. on Thursday, January 14, 1988 to discuss the Fiscal Year 1986-87 audit and to work on goal-setting and budgeting.

### **MARQUETTE GENERAL HOSPITAL - Planned Unit Development Amendment**

A report and recommendation from the City Manager, regarding an amendment to Marquette General Hospital's Planned Unit Development Zoning District, was read. It was moved by Commissioner Constance, supported by Commissioner Johnson, and carried unanimously to schedule a public hearing on this rezoning for the regular Commission meeting on December 28, 1987. Commissioner Constance asked the hospital to prepare a report on the impact of this development on the number of non-institutionalized mentally ill people in the City.

### **SOLID WASTE DISPOSAL AGREEMENT - Turin Township**

Mayor Coyne announced that this was the time set to consider a solid waste disposal agreement with Turin Township. It was moved by Commissioner Johnson, supported by Commissioner Berube, and carried unanimously to approve this agreement and to authorize the Mayor and City Clerk to execute it.

### **CONSENT AGENDA**

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

- B. Acceptance of the status report on resolving the Shiras Pool Water Quality concern.
- C. Approval of the agreement with the Michigan Department of Natural Resources for improvements to Hurley Field.
- D. Award of the bid for purchase of three 1988 police patrol vehicles to Superior Ford as the low bidder in the total delivered price of \$32,990.00.
- E. Award of the bid for a 1984 Buick Century Sedan to Public Service Garage in the amount of \$4,155.00.
- F. Award of the bid for one 62-inch cut, riding lawn mower to Reinders Brothers, Inc.
- G. Approval of the request from Marquette Lodge No. 405, Benevolent and Protective Order of Elks, to transfer location of a Dance Permit, to be held in conjunction with a 1987 Club licensed business, from 1500 W. Washington, Marquette, MI to 127 N. Front Street, Marquette, MI.

### **APPOINTMENTS**

Mayor Coyne then made the following appointments:

- BOARD OF CANVASSERS:** Reappointment of Rita Angeli for a term expiring January 1, 1993.
- HANDICAPPED CITIZENS ADVISORY BOARD:** Reappointment of Yvonne Derrick and Carl Eiben for terms expiring January 10, 1991.
- WATER/SEWER UTILITY ADVISORY BOARD:** Reappointment of Harold Hayse for a term expiring December 29, 1990 and Frank LaBelle for a term expiring December 29, 1989.

### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Jack Leadbetter said that the City is not using the correct

December 14, 1987

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value of the Rosewood Inn in deciding to demolish it; that the building has been listed over the last year with Statewide Realty; and that the City cannot demolish a building just because it is not up to code. He said that Commissioners must speak into the microphones or they are not heard, and suggested shirt microphones. He said that the City Commission will always be an appeals type body because it is the elected officials of the City. Lila Rose said that the police were at her house looking for Joe Rose, who does not live there. She complained about bad treatment on the part of the Housing Inspector and said that Mr. Rose's health is bad. She said too much value has been placed upon Thomas Murray's judgement in this issue. Tom Rice asked if the Commission is going to act on the proposed detention facility at the Brookridge site. Joe Rose said that not all the facts are available to the Commission on his building and that the City has taken away his livelihood.

#### **SCIOTTO**

Commissioner Sciotto said that the Christmas Tree in Harlow Park will grow and thanked the American Legion for donating the lights that are on the tree.

#### **JOHNSON**

Commissioner Johnson said that coming into the City from the south on Front Street is very beautiful due to the Christmas lights. She noted good comments regarding the many courtesies to shoppers on the part of downtown businesses, comments that Marquette's image is tarnished by the recent school millage defeat, and said that she had received calls regarding the letter from Bresnan Communications. She said that people walking at the Arena were complaining that there are people smoking in the lobby and wished everyone a Merry Christmas.

#### **CONSTANCE**

Commissioner Constance asked for a report on smoking at the Arena. City Manager Svanda said that a test was done following changes to the air handling equipment in the Donor's Room but that the changes were not satisfactory. He said the Administration is getting prices for air curtains for the door. He said that Committee members agreed that 90-95% of the problem has been solved. Commissioner Constance also said that at a meeting with business owners to discuss problem customers, there were many positive comments on police handling of these problems. He asked if other roof drain problems have been corrected in the downtown area.

#### **COFFEY**

Commissioner Coffey said that he had toured the Arena with the City Manager and that work is being done on solving the smoking problem there. He said that he had been at the Planning Commission meeting on the fraternity rezoning and that all of the presentations were very good. He said it appeared that the decision to petition for a rezoning was a spur of the moment decision and that if the development had been done differently,

it might have been approved. He said the students were not put upon and that their parties should be kept reasonable. Commissioner Coffey also said that he had listened to all sides on the Rosewood issue and that the deciding factor was Mr. Rose's comment that he didn't have to meet code because the building wasn't occupied, however, at the meeting tonight, Mr. Rose said there are six tenants. He also wished everyone a Merry Christmas.

#### **BERUBE**

Commissioner Berube said that Judge Jason had found the Rosewood Inn in violation of the unreasonable repairs section of the property maintenance code on April 18, 1986. He said that Mr. Rose came in too many times with negative presentations. He thanked the Board of Light and Power for donating used marker buoys for the City's swimming beaches for next summer and said that there are many good students and only a few bad ones. He asked if the City Hall roof drains are connected to the sanitary sewer and said that one fraternity was not acting in good faith at a party last weekend.

#### **ACOCKS**

Commissioner Acocks said that the City is beautiful with all of the Christmas decorations and that there is good music at the Mall during Christmas. She wished everyone a Merry Christmas.

#### **MAYOR COYNE**

Mayor Coyne said that Mr. Rose had never contacted him and that Mr. Murray has no grudge against the Rose's.

#### **MAYOR COYNE - Youth Detention Facility**

It was moved by Mayor Coyne, supported by Commissioner Constance, and carried unanimously that the City Commission take a stand opposing placement of a detention facility for youth at Brookridge or in any other residential area but to direct the City Administration to aggressively seek and market other suitable sites within the City.

#### **MAYOR COYNE**

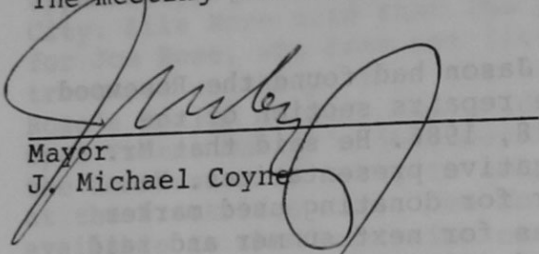
Mayor Coyne said that non-smoking signs are not being properly displayed at many area businesses and asked Assistant City Manager Evans to describe enforcement of the no smoking ordinance. Mayor Coyne also said he had received a letter on the establishment of an underground water park and that there is a need for a hyperbaric chamber in the Upper Peninsula. He said that he was glad that the contract at the mines had been resolved and that progress can now be made on the magnetite project. He said that there will be a work session in the near future on the Handicapped Citizens Advisory Board, Harbor Committee, Lakeview Arena Advisory Board, Traffic and Parking Advisory Committee, Parks and Recreation Advisory Board, Public Access Committee, Public Works Advisory Board, Tree Committee, and Water and Sewer Advisory Board.

**CITY ATTORNEY - Sands Township Loan Agreement**

City Attorney Martin noted an alteration to the loan agreement with Sands Township which was done to resolve a legal technicality.

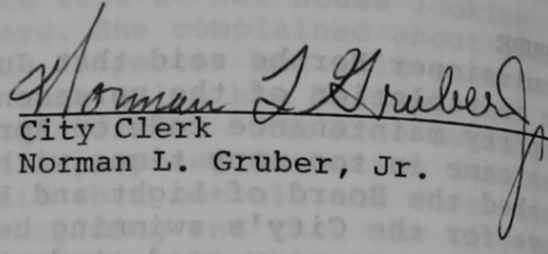
**ADJOURNMENT**

The meeting was adjourned at 10:41 P.M.



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Mayor  
J. Michael Coyne



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City Clerk  
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY COMMISSION  
Monday, December 28, 1987

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, December 28, 1987 in Commission Chambers of City Hall.

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

ABSENT: None.

**APPROVAL OF MINUTES**

It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to approve the minutes of the December 14, 1987 meeting as presented.

**BILLS PAYABLE**

Total bills payable in the amount of \$393,353.33 were presented. It was moved by Commissioner Berube, supported by Commissioner Johnson, and carried unanimously to pay these bills as presented.

**PRESENTATION - Hospital Contribution for Hurley Field Ice Rink**

Mayor Coyne announced that this was the time set for a presentation by Marquette General Hospital. Bob Raikka, representing the Hospital, announced that the Hospital Board has approved a \$2,500 contribution for continued operation of the Hurley Field ice rink throughout the winter season. Mayor Coyne thanked the Hospital for this generous contribution and their interest in serving the youth of the City.

**PRESENTATION - U.P. Steelheaders Fishing Tournament**

Mayor Coyne then announced that this was the time set for a presentation by the U.P. Steelheaders. John Rutherford, President of the Central U.P. Chapter of the Michigan Steelheaders, summarized the fishing tournament held last Labor Day weekend. He announced plans for expansion of this tournament and said that they are finally beginning to make a small profit on the tournament. He complimented Parks and Recreation Director John Turausky and the workers in his department for their strong support of the fishing tournament over the years. He said that the Steelheaders have invested over \$5,000 in area projects and described these projects and future planned projects. Mayor Coyne complimented Mr. Rutherford and the Steelheaders for the excellent job on the fishing tournament and for their hard work on area projects.

**PUBLIC HEARING - Marquette General Hospital Planned Unit Development**

Mayor Coyne then announced that this was the time set for a public hearing on an amendment to Marquette General Hospital's Planned Unit Development. A report and recommendation from the City Manager was read. Dave Forsberg, representing the College Heights Homeowner's Association, asked for at least a one-week postponement of action on this rezoning. He said that the



Association members were not notified of this hearing and that they have concerns including a lack of communication from the Hospital, traffic, and bottlenecks on College Avenue. He said the planned parking ramp will make traffic worse on College Avenue and that there should be no access to College Avenue from the ramp. He said they were also concerned about bright lights, buffer zones, and construction noise. He asked that a neighborhood representative be placed on the committee that oversees this project. Barbara Forsberg, a 24 year resident of the neighborhood, said that she also represents the College Heights Homeowners Association. She said the Hospital expansion is good, but that she is concerned that it needs more planning, especially a traffic study. She asked what will be the impact on the City and the neighborhood from the expansion and stated concerns about buffer zones, lights, and traffic. Bill Nemacheck, who is in charge of facility design and construction at Marquette General Hospital said that City Commission approval is part of the overall approval process and that proper zoning is a requirement prior to the granting of a Certificate of Need. He described the project's physical and use characteristics and cost. He said that the project would increase employment significantly at the Hospital and that the Hospital is in competition with other U.P. cities for mental health beds. He said that the Hospital has tried to work with immediate neighbors on buffers and that deed restrictions prevent access from the proposed parking structure to Kaye Avenue. Dave Forsberg said that the College Heights Homeowners Association supports the Hospital expansion but that delay is needed to allow time for traffic and parking studies. He also urged that Hospital owned houses be moved rather than demolished when the land they occupy is needed for expansion. The hearing was closed. It was moved by Commissioner Acocks and supported by Commissioner Sciotto that the amendment to the Marquette General Hospital Planned Unit Development be approved. Following a lengthy discussion during which Mr. Nemacheck answered more questions, the motion was carried unanimously.

#### **PUBLIC HEARING - UDAG for the Heritage Hotel Project**

Mayor Coyne then announced that this was the time and date set for a public hearing on an application for an Urban Development Action Grant for the Heritage Hotel Project. Bob Gamades, representing United Consulting Company, described the project at length and the qualifications of the company to complete the project. Hal Dorf, Sam Elder, and Dave Forsberg addressed the Commission supporting the project. The hearing was closed. Mayor Coyne said that there will be a second public hearing held on this matter at the next City Commission meeting.

#### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Paul Churchville said that his wife had written a letter to the Mining Journal which was not published complaining that the new local phone book had been advertised as being all local but examination of the book reveals that it was printed in Canada.

also spoke at length on reasons that the City should not tear down the Rosewood Inn.

#### **MICROPHONES IN COMMISSION CHAMBERS**

Mayor Coyne announced that this was the time set for discussion of the Commission Chambers' microphones. Ed McCullough of Bresnan Communications described the sound system in the Chambers and suggested that gooseneck extensions could be added to make it more effective. It was moved by Commissioner Berube, supported by Commissioner Constance, and carried unanimously to direct the City Manager to work with Bresnan Communications on an improvement to the sound system in the Commission Chambers.

#### **DENNIS WHITEHEAD - Scuba Diving Attractions**

A communication from Dennis Whitehead, regarding attractions for scuba divers, was read. Mr. Whitehead spoke in support of his proposal. It was moved by Commissioner Berube, supported by Commissioner Sciotto, and carried unanimously that the Marquette City Commission go on record as supporting the creation of an attraction for shipwreck diving in the Marquette area.

#### **WATER/SEWER UTILITY ADVISORY BOARD - Roof Drain Surcharges**

A recommendation from the Water and Sewer Utility Advisory Board, regarding roof drain surcharges, was read. It was moved by Commissioner Coffey, supported by Commissioner Berube, and carried unanimously that this recommendation be referred to the City Attorney to be incorporated into the water and sewer rate ordinance, that the rate of \$.01 per square foot be increased to \$.05 per square foot after one year except where there is no applicable discharge point, and that a public hearing be scheduled on this ordinance amendment when the City Attorney has prepared it.

#### **PARKWAY PARKING BAN ORDINANCE**

A recommendation from the City Attorney, regarding a proposed parkway parking ban ordinance, was read. A communication from Romaine Pascoe was also read. There was no action taken on this matter.

#### **RECESS**

Mayor Coyne called a five-minute recess at 9:17 p.m.

#### **SNOW PLOWING AND HAULING ACTIVITIES**

Mayor Coyne announced that this was the time set to discuss snowplowing and hauling activities. City Manager Svanda described the effect of budget limitations upon snow removal during the season's first storm and said that due to the many complaints, the City's snow removal effort will be stepped up a small amount. He said that the crews are capable of clearing the snow but that there is less money budgeted to pay for the removal.

#### **BUDGET DEVELOPMENT SCHEDULE**

Mayor Coyne announced that this was the time set to discuss the revised budget development schedule. It was moved by Commissioner

Constance to adopt the budget development schedule and to hold a Commission meeting on April 7 when the budget is distributed. This motion died for lack of support. It was then moved by Commissioner Constance, supported by Commissioner Berube, and carried unanimously to adopt the revised budget development schedule as presented.

**REPORT - United Way Campaign Drive**

A report from the City Manager, regarding the 1988 campaign drive for United Way, was read. Mayor Coyne expressed the Commission's thanks to City Treasurer Elizabeth Hobson and Deputy Treasurer Tony Grimsby for their work on this drive.

**AIR CURTAINS AT ARENA**

A report and recommendation from the City Manager, regarding the installation of air curtains in the East Conference Room at Lakeview Arena, was read. It was moved by Commissioner Coffey and supported by Commissioner Constance that an effort be made to correct the problem by changing the four-way diffuser to a three-way diffuser as recommended in the November 23, 1987 letter from Elliot Sheet Metal. The following vote was taken:

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

Nay: Commissioner Berube.

The motion was carried.

**WATER QUALITY EFFORTS AT SHIRAS POOL**

A status report on water quality efforts at the Shiras Pool was read and placed on file.

**MOUNTAIN STREET WATER TANK RADIO BASE STATION - Bids**

A report and recommendation from the City Manager regarding bids for a radio base station at the Mountain Street Water Tank, was read. It was moved by Commissioner Coffey, supported by Commissioner Johnson, and carried unanimously to award this bid to Motorola Electronics in the low bid amount of \$5,998.00.

**MECHANICAL STREET SWEEPER - Bids**

A report and recommendation from the City Manager, regarding bid for a 1988 model mechanical street sweeper, was read. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to concur in the recommendation and to award the bid for a 1988 model Elgin Pelican HH Custom Street Sweeper to Lakeshore, Inc. with trade-in, in the low bid amount of \$61,024 and to authorize the Mayor and City Clerk to execute the financial documents on behalf of the City.

**PARKWAY PARKING BAN ORDINANCE**

It was then moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously to remove item 8, the proposed parkway parking ban ordinance, from the table. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously to refer this item back to the City Attorney to further revise the wording with the Attorney to

seek input from each Commissioner prior to bringing it back to the Commission.

#### **APPOINTMENTS**

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

**PARKS & RECREATION ADVISORY BOARD:** Bob Sullivan for a term expiring January 29, 1991 and the reappointment of Lisa Coombs-Gerou, Dave Ottoson, and Larry Benton for terms expiring January 29, 1991.

**DOWNTOWN DEVELOPMENT AUTHORITY:** Reappointment of Ray Beauchamp, Tom Clark and Ellwood Mattson for terms ending January 29, 1992.

**INFRASTRUCTURE INVESTMENT ADVISORY COMMITTEE:** Commissioner Coffey as Chairman, Commissioner Constance, Jack Leadbetter, and William Birch.

He said that he is waiting for three appointments to the Greek Row Advisory Committee from the University and that he still intends to make appointments to the Infrastructure Investment Advisory Committee.

#### **CITIZEN COMMENT**

During the time set for citizens wishing to address the Commission, Paul Churchville said that the City should not tear down the Rosewood Inn.

#### **ACOCKS**

Commissioner Acocks wished everyone a Happy New Year.

#### **BERUBE**

Commissioner Berube noted the election of Marjorie Boon from Grand Haven to the National League of Cities and offered formal congratulations from Marquette. He wished everyone a safe, peaceful, and happy new year.

#### **COFFEY**

Commissioner Coffey said that the City Commission will appoint Ad Hoc Committees to protect the public's interest where it is necessary and wished everyone a happy and safe New Year's Eve.

#### **CONSTANCE**

Commissioner Constance asked if there had been a schedule for turning off the Christmas lights in the downtown area.

City Manager Svanda said that the circuits were overloaded and that sometimes the lights went out. He said the Board of Light and Power will replace the circuits in the coming year.

Commissioner Constance also asked when the McClellan Avenue extension would be open and what the significance of moving the house for the hospital was as opposed to destroying it.

City Manager Svanda said that temporary measures will allow McClellan Street to be open soon.

**JOHNSON**

Commissioner Johnson said that Paul Harvey says Canada Geese are welcome in Silver Lake in Rochester, Minnesota and that we should send them some of ours. She asked about the status of the Rosewood Inn, said that she had received a letter about debris on property on Lincoln Avenue between Jefferson and Garfield, that many people were angry about the snow removal over the Holiday and wished everyone a happy, healthy, and prosperous New Year.

**SCIOTTO**

Commissioner Sciotto noted that he had received complaints about snow removal also.

**MAYOR COYNE**

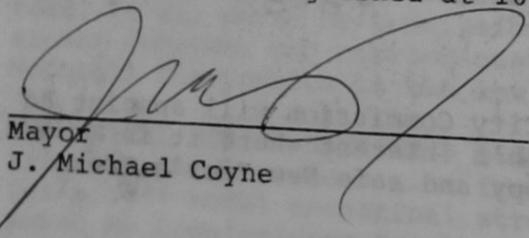
Mayor Coyne said that the City crews still do a good job of snow removal but the crews are smaller and they don't go out as much due to budget cuts. He said that demolition of the Rosewood Inn will start on January 14 and that there is a Commission meeting on January 11, so if something is going to be done, it should happen by then. He commended the Board of Light and Power for the fourth year of the Christmas lighting contest, noted a Christmas card from the Mayor of Yokaichi in English, and one from Sister City Relations Director Pryse Duerfeldt in Japanese and complimented the Peter White Public Library for their annual report. He also commended recently retired Librarian Ruth Kell for her many years of service and dedication to the community.

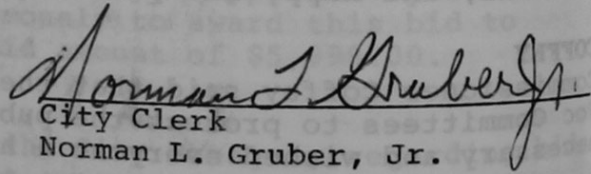
**SHIRAS POOL WATER QUALITY**

City Manager Svanda noted that the Shiras Pool Water Quality Report is a standing agenda item.

**ADJOURNMENT**

The meeting was adjourned at 10:18 p.m.

  
\_\_\_\_\_  
Mayor  
J. Michael Coyne

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