

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 12, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 12, 1988 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: Commissioners Constance.

EXCUSE ABSENCE

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

APPROVAL OF MINUTES

It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried to accept the minutes of the August 29, 1988 Commission meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$530,644.83 were presented. It was moved by Commissioner Berube, supported by Commissioner Coffey, and carried to pay the bills as presented.

APPROVAL OF MINUTES

It was then moved by Commissioner Acocks, supported by Commissioner Coffey, and carried to approve the minutes of the August 31, 1988 special City Commission meeting as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Coyne added item 12, scheduling a work session with the Harbor Committee. Commissioner Coffey asked that items 9, a, b, c, and f be removed from the Consent Agenda.

ADOPT-A-PARK PROGRAM - Recognition of Participants

Mayor Coyne then announced that this was the time set to recognize Adopt-a-Park participants. He said that the Lion's Club has adopted Lakeside Park on the south side of the Chamber of Commerce office. They have done cleanup activities, touch up painting of the park benches and provided two picnic tables for park users. American Legion Post 44 Auxiliary has adopted the playground area at Harlow Park. They have added playground equipment to the equipment they installed last year. Marquette Noon Kiwanis has adopted McCarty Cove playground for the first time. It now has playground equipment purchased by the club and they are planning a workbee for installation of the equipment. The Marquette Tennis Club works on maintenance of the City tennis courts at Presque Isle, Sandy Knoll School, and Williams Park. They have purchased net cranks, performed spring cleanup, washed the courts, and do grounds cleanup throughout the season. Next year's plans include general maintenance, purchase of tennis nets, and

painting of the Williams Park rebound board. Shiras Hills Park, Inc. has maintained the Shiras Hills Park. They have raised funds, purchased playground equipment, performed cleanup, and have been instrumental in reducing vandalism. Yesterday's Girls maintain the median at the U.S. 41 Bypass and Front Street by making plantings for each season and maintaining them throughout the year.

LOWER HARBOR PARK - Appropriation for Parking Lot Construction

A communication from Ellwood Mattson, regarding an appropriation for the Lower Harbor Park parking lot construction, was read. Mr. Mattson addressed the Commission. He said that Representative Dominic Jacobetti had been very helpful in obtaining the \$200,000 grant for paving this parking lot. He recognized participants in the park cleanup and development and said that this job is nearing completion. He urged the City to start cleanup of the area south of the ore dock. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried to appropriate \$200,000 plus accrued interest for paving the Lower Harbor Park parking lot and any related amenities. Commissioners recognized Mr. Mattson for his leadership and the progress that has been made on development of this park.

PUBLIC HEARING - Special Assessment for 800 Block of West Ridge

Mayor Coyne announced that this was the time set for a public hearing on a proposed special assessment district in the 800 block of West Ridge Street. Russell Crest addressed the Commission opposing the project. The hearing was closed. A report and recommendation from the City Manager and a letter from Peter C. Hendrickson were read. It was moved by Commissioner Berube and supported by Commissioner Acocks to deny the resolution of necessity for this project. The following vote was taken:

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

Nay: Commissioner Coffey.

The motion was carried.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Ruth Melchiori complained about high water rates and gave the Commission a deadline of October 17 to lower the water rates or letters will be sent to various political and media persons. Sandra Kuester Aylward discussed letters that had been sent to the Commissioners regarding the noise ordinance and zoning ordinance as it pertains to the business next to her residence.

MARQUETTE JUNIOR HOCKEY - Recognition as Non-Profit Organization

A communication from Marquette Junior Hockey, requesting recognition as a local non-profit organization, was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried to recognize Marquette Junior Hockey, Inc. as a local non-profit corporation.

CITY ATTORNEY - Amendment to Loud Noise Ordinance

A recommendation from the City Attorney, regarding an amendment to the loud noise ordinance, was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried to schedule a public hearing on the proposed ordinance for the next regular City Commission meeting.

SOLID WASTE - Landfill Financing

A report and recommendation from the City Manager, regarding landfill financing, was read. It was moved by Commissioner Sciotto, and carried that the investment plan in the City Manager's report be adopted.

JACKSON CUT ALLEY - Improvements

A report and recommendation from the City Manager, regarding improvements in the Jackson Cut Alley, was read. It was moved by Commissioner Coffey, supported by Commissioner Johnson, and carried to concur with the City Manager's recommendation, to approve the proposed agreement, and to authorize the Mayor and City Clerk to execute it.

NORTHERN TRAILS SERVICE - Agreement for Snowmobile Trail Grooming

A report and recommendation from the City Manager, regarding an agreement with Northern Trails Service for snowmobile trail grooming, was read. It was moved by Commissioner Coffey, supported by Commissioner Johnson, and carried to concur with the recommendation of the City Manager to approve the agreement and to authorize the Mayor to sign the permit on behalf of the City.

CONSENT AGENDA

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

- D. Award the bid for demolition of City-owned property at 547 W. Washington Street to Oberstar Excavating, the low bidder, at the price of \$6,100.
- E. Scheduling two public hearings for rezonings in the McClellan Avenue corridor for the next regular Commission meeting.

BIDS - Water Meters

A report and recommendation from the City Manager, regarding bids for water meters, was read. It was moved by Commissioner Coffey, supported by Commissioner Berube, and carried to award this bid to Rockwell International at the unit prices bid. Commissioner Coffey complimented the administration for an excellent report on a situation where there was only one bid.

BIDS - Water Service Line Repairs

A report and recommendation from the City Manager, regarding bids for water service line repairs, was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried to concur with the recommendation and to award the bid to Associated Constructors in the amount not to exceed \$67,000.

BIDS - Miscellaneous Sewer Repairs

A report and recommendation from the City Manager, regarding bids for miscellaneous sewer repairs, was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried to concur with the recommendation of the City Manager and to award this bid to C. Oberstar Excavating, the low unit price bidder.

PLANNING COMMISSION - Underground Wiring Ordinance
A recommendation from the Planning Commission, regarding the adoption of an underground wiring ordinance, was read. It was moved by Commissioner Coffey and supported by Commissioner Johnson to schedule a public hearing for the next regular meeting on this proposed ordinance. Following discussion, this motion was withdrawn. It was then moved by Commissioner Coffey, supported by Commissioner Johnson, and carried to schedule a work session with the Planning Commission, Board of Light and Power, Bell Telephone, and Bresnan Communications to discuss this proposed ordinance.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS
Mayor Coyne then announced that this was the time set to discuss properties causing neighborhood problems. City Manager Svanda said that 920 Jefferson Street has been a problem since last December with noise complaints and that Kevin King is the tenant and Tom Bullock the owner. At 2016 and 2018 Longyear there have been noise complaints and the owner is Ray MacDonald. At 1104 North Fourth Street there have been noise violations with Jeff Gielicky the tenant and Don Potvin the owner. At 221 West Seymour and on West Prospect Street there have been maintenance code violations with the property managed by Coldwell Banker. At 214 West Ridge Street there have been noise violations, Stan Gierlack is the owner, and he owns several properties which have had noise problems. At 1315 Waldo there have been several noise complaints. This property is owned by Land Equity Company.

DISCUSS STORM DAMAGE AT PRESQUE ISLE PARK

Mayor Coyne then announced that this was the time set to discuss cleanup of the Presque Isle Park storm damage. City Manager Svanda said that the interior of Presque Isle Park is still closed including the road around the park. He said the public has been disregarding the signs about the park being closed and that this is very dangerous because leaning trees are still coming down. He said the cleanup to date in the picnic area and near the bandshell has been done by City crews, Cusino Prison Camp crews, and personnel from K.I. Sawyer Air Force Base. He said that these crews are not enough to clean up the remainder of the park. He said the City has contacted local forest managers regarding logging practices and that the administration is working towards cleanup of the park in as aesthetical a manner as possible. He said the City Arborist and Tree Committee will be working on the project to be sure that this intent is met. He said the City has been negotiating with Longyear Corporation on this effort and that the crews are trying to get the roadway open for the color season after which the park would be closed for cleanup activities.

SCHEDULING A WORK SESSION - Harbor Committee

Mayor Coyne announced that this was the time set to discuss scheduling a work session with the Harbor Committee. A tentative time of 7:00 p.m. on Tuesday, October 4, was set.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Ruth Melchiori continued her earlier comments. Sandra Aylward said that the problem with the noise ordinance is that there is a restaurant drive-through 60 feet from her residence.

ACOCKS

Commissioner Acocks said that she was pleased with the beautiful weather for the Seafood Fest this weekend and that she is concerned about enforcement of the noise ordinance at Mrs. Aylward's residence.

BERUBE

Commissioner Berube said that contrary to Mrs. Melchiori's statements, water and sewer services are sold to the public at cost and that the City Charter requires there to be a payment in lieu of taxes. He said there is no charge for depreciation, because although it shows on the books it is unfunded. He said that in his opinion, rates must be fair to everyone and not benefit some at the expense of others.

COFFEY

Commissioner Coffey requested that someone look at the signage in the City. He feels more signs are needed to make people aware of traffic laws. He said that he had visited the landfill last Wednesday, and that it looks very good. He said that excellent precautions are being taken to prevent pollution of the Carp River. He asked when the Mount Marquette Road would be open and said that \$15.00 per month for water doesn't mean anything unless all of the facts are examined. He said that in regards to the noise at Hardee's Restaurant, the neighbors should call the Police. He also asked if they have talked to Hardee's about lowering the volume of the drive-through speakers. Sandra Aylward said that they have talked to Hardee's about his. Commissioner Coffey also asked what could be done about this situation. City Manager Svanda said that the Administration will attempt to mediate a solution. Commissioner Coffey requested a report from the City Manager at the next meeting on this matter.

JOHNSON

Commissioner Johnson wished everyone celebrating it this week, a happy Rosh Hashanah. She said that there are horse droppings on Lake Street which should be covered by City ordinance, that according to ordinance bicycles must have bells, and this rule needs public awareness. She also asked if it is illegal to drive through a parking lot. City Attorney Martin said only if the lot is posted or if the person is avoiding a traffic signal. Commissioner Johnson said that it had been a beautiful weekend with a good Seafood Festival in the Lower Harbor Park. She said Negaunee people like the way the Marquette City Commission handles citizens' complaints, that skateboards are very hazardous and that more needs to be done about them. She welcomed NMU students to the City and asked off campus students to obey City laws, noted complaints about dust on gravel streets, said that Elder Drive residents could hear the truck traffic noise from Wright Street in their subdivision, and said that she was concerned about the noise at Hardee's Restaurant.

SCIOTTO

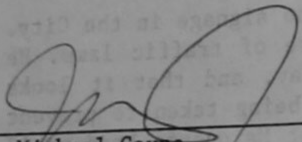
Commissioner Sciotto said that there are many problems being caused by bikes and skateboards throughout the City. He said that Friday evening he had welcomed the North American Beneficial Organization to Marquette for a conference. He said that this is a very good organization and they support many charities. He said that Mrs. Aylward should work with Hardees to find a mutually acceptable solution to the noise problems and that the noise ordinance will be enforced between 11:00 p.m. and 6:00 a.m.

COYNE

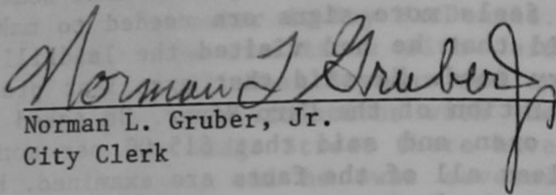
Mayor Coyne thanked the Parks and Recreation crews and Public Works crews for their extra effort on storm cleanup. He reported on a work session with nine advisory boards and committees last Tuesday and said that the Marquette County Solid Waste Authority is progressing well. He said that soon the City will turn over all landfill activities to the Authority. He said the City and NMU are still seeking a solution to the Greek Row problem and urged students living as residents in the City to obey the City's laws. City Manager Svanda said that the Mount Marquette Road should be open within the next few days.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.



J. Michael Coyne
Mayor



Norman L. Gruber, Jr.
City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 26, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 26, 1988 in Commission Chambers of City Hall.

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

ABSENT: Commissioner Johnson.

EXCUSE ABSENCE

It was moved by Commissioner Berube, supported by Commissioner Sciotto, and carried to excuse Commissioner Johnson as she is ill.

APPROVAL OF MINUTES

It was moved by Commissioner Coffey, supported by Commissioner Acocks, and carried to approve the minutes of the September 12, 1988 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$1,123,743.85 were presented. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried to pay the bills as presented.

RECOGNITION OF ADOPT-A-PARK PARTICIPANTS

Mayor Coyne announced that this was the time set to recognize participants in the City's Adopt-a-Park Program. He said that this is a program which Marquette developed and has been used by many other cities since then. He said that the volunteer spirit of Marquette citizens in helping maintain City parks is a good example of why this is a good community. He said for the Shiras Hills Entrance, Sue LeGalley has been preparing and planting the entryway and maintaining the area throughout the growing season. For the Shiras Hills Entrance West, Jim and Loretta Acocks have assumed the task of planting flowers and building a planter to hold the flowers. This is the first year that they have done this. The Marquette City Treasurer's Office Entrance and South Side of the City Hall Building has been taken care of by Barb Kelly and Becky Berube, who have planted flowers and maintained them. The Third Street Parking Lot has had the flower and shrub beds planted and maintained by the Marquette Firefighters. Robert, Joanne, and Mary Sved have taken care of the Marquette Fit Strip including litter cleanup of this heavily used facility. The Lakeshore Flower Urn has been taken care of by employees of the Michigan Gas Company represented by Bob Schacht. They have planted flowers and maintained the urn and the flowers. The Marquette Welcome Signs on South and West U.S. 41 have been maintained by Dick Vivian who has planted flowers and maintained both of these areas. The Lower Harbor Park Tree Planters taken care of by the Marquette Business and Professional Women who have planted flowers and maintained them throughout the summer.

PUBLIC HEARING - Noise Ordinance Amendment

Mayor Coyne announced that this was the time and date set for a public hearing on a proposed amendment to the Noise Ordinance. Steven Adamini, an attorney representing the Marquette Area Landlord's Association, said that they were not opposed to the Commission's attempt to control the noise problem, but that this ordinance is not constitutional. He presented several reasons the Association opposed the ordinance. Bob Hogg, manager of Trident Apartments and Vice President of the Marquette Landlord's Association opposed the ordinance on the basis that people should be responsible for their own noise and not the noise of others. Pat Gruber said that she is concerned about problems resulting from evicting noisy tenants. Ken Hogg said that he was opposed to the proposed ordinance. The hearing was closed. Following lengthy discussion, it was moved by Commissioner Berube, supported by Commissioner Sciotto, and carried to continue the public hearing until the October 31 Commission meeting so that the public comments made at the hearing tonight can be taken into account.

PUBLIC HEARING - Rezoning on McClellan from RM to BG

Mayor Coyne announced that this was the time and date set for a public hearing on a proposed rezoning in the McClellan Avenue area from Multiple Family Residential to General Business. There being no one to address the Commission, the hearing was closed. The recommendation from the Planning Commission was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried to concur with the Planning Commission and to rezone from Multiple Family Residential to General Business land described as the S. 266' of the N.511.5' of the S.W. 1/4 of Sec. 22, T48N, R25W, lying E. of the W. 1200' of the said S.W. 1/4 and W. of proposed McClellan Avenue.

PUBLIC HEARING - Rezoning on McClellan from BG to RM

Mayor Coyne announced that this was the time and date set for a public hearing on the rezoning of land on McClellan Avenue from BG to RM. There being no one to address the Commission, the hearing was closed. The Planning Commission recommendation was read. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried to accept the recommendation of the Planning Commission and to rezone from General Business to Multiple Family Residential land described as the S. 266' of the N.511.5' of the W. 1200' of the S.W. 1/4 of Sec. 22, T48N, R25W.

CITIZEN COMMENT

Mayor Coyne announced that this was the time set for citizens wishing to address the Commission. Stan Gierlack said that the City's water rates are too high and that there should be a Board of Directors to take the management of the utility out of the hands of the City Manager. He said he does not like to be responsible for his tenants' unpaid water bills.

PRESQUE ISLE - Cleanup Agreement

A report and recommendation from the City Manager, regarding an agreement for the cleanup of the storm damaged trees on Presque Isle, was read. Mayor Coyne noted the recommendation that had been received from the Tree Committee. It was moved by Commissioner Constance, supported by Commissioner Acocks, and carried to approve this agreement and to authorize the Mayor and City Clerk to execute it.

PUBLIC WORKS DEPARTMENT - Equipment Maintenance Management System

A report and recommendation from the City Manager, regarding an agreement for evaluation of a maintenance management system, was read. It was moved by Commissioner Berube and supported by Commissioner Acocks to concur with the City Manager's recommendation and authorize the Mayor and City Clerk to execute this agreement on behalf of the City. Commissioner Coffey said that he felt the contractor should not be in a position to offer the City the services that are being evaluated. The following vote was taken:

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

Nay: Commissioner Coffey.

The motion was carried.

MARQUETTE TRANSPORTATION CENTER - Leases

A report and recommendation from the City Manager, regarding two leases for the Marquette Transportation Center, was read. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried that the leases with the Marquette County Transit Authority and the Marquette-Alger Intermediate School District be approved and that the Mayor and City Clerk be authorized to execute them on behalf of the City.

BIDS - Electronic Theodolite

A report and recommendation from the City Manager, regarding bids for an electronic theodolite, was read. It was moved by Commissioner Berube, supported by Commissioner Sciotto, and carried to concur with the recommendation and to authorize this purchase from Lengemann Company in the amount of \$6,800.

MOUNTAIN STREET - Sale of Residential Sites

A report and recommendation from the City Manager, regarding sale of a residential lot on Mountain Street, was read. Commissioners discussed at length the value of this property with and without the utilities installed. Assessor Gary Trudgeon answered questions about the appraisal of the property. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried that the sale of this lot be approved and that the City proceed with installation of the utilities.

SCHEDULE SPECIAL MEETING

Mayor Coyne said that he and Mayor Pro Tem Berube would be out of town on October 11 but that there is a need to hold a special meeting for acceptance of bond issue rates and awarding water meter changeout bids. He said that Commissioner Acocks has agreed to chair this meeting and that it will be held at 6:30 on Tuesday, October 11.

PRESQUE ISLE HARDEE'S - Noise Problem

City Manager Svanda said that the parties to this dispute met this afternoon and that a work plan which seems acceptable to both parties has been developed. He said management will continue to monitor development of the work plan.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda identified 107 Champion Street with two property maintenance violations owned by John Okonkowski; 920 Jefferson Street with many noise problems owned by Tom Bullock; 1912 Longyear with two noise violations owned by Ken Hogg; 1009 N. Front Street owned by Charles Schramm

with property maintenance violations; and 247 Rock Street with noise and property maintenance violations managed by Coldwell Banker.

APPOINTMENTS

Mayor Coyne with the Commission's concurrence made the following appointment:

COMMISSION ON AGING: Reappointment of William Giuliani for a term expiring September 30, 1991.

CITIZEN COMMENT

Bob Hogg asked what the criteria for listing properties on item 12 was.

SCIOTTO

Commissioner Sciotto said that there is an east-west traffic flow problem at the corner of McClellan and Ridge Streets, especially during rush hour. He said that people in the 3000 block of Lakeshore Boulevard are hauling water due to a problem with the quality of the City water and asked that this be looked into.

COFFEY

Commissioner Coffey said that the "wish list" for the next budget should include the use of recyclable containers at the Arena and at the Presque Isle store. He asked when the cardboard baler for Peninsula Sanitation would be in operation.

BERUBE

Commissioner Berube said that the baler has been working for a couple of months on a trial basis and that people who are willing to separate their cardboard can take advantage of it now.

COFFEY

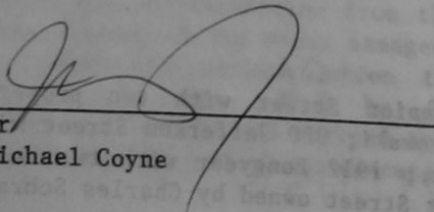
Commissioner Coffey also said that it is the policy of the City to reduce the number of water meters in apartment buildings to one so that the building owners will have to bill their tenants rather than have the City do this work for them. He also asked the Attorney to bring back the ordinance banning parking on parkways. He said that this should have an effect upon places with many loud parties.

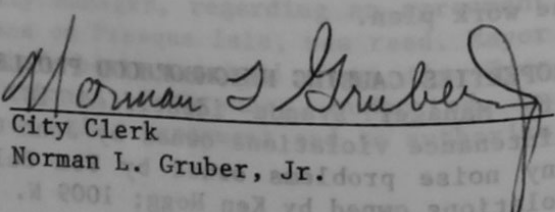
CITY MANAGER SVANDA

City Manager Svanda said that the criteria for listing properties causing neighborhood problems at a Commission meeting include having the property, or the tenant, or the property owner show up more than once on the list of violations.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.


Mayor
J. Michael Coyne


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, October 3, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, October 3, 1988 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 Acocks, supported by Commissioner Constance, and carried unanimously to approve the minutes of the September 26, 1988 meeting as presented.

AGENDA CHANGES

During the time set for announcing changes to the agenda, Mayor Coyne added item 1a, proclamation of Physical Therapy Week. It was moved by Commissioner Coffey and supported by Commissioner Acocks to remove item 2 from the agenda. During discussion, Commissioners said that this material needs to be more thoroughly researched and that it should be presented to the Water and Sewer Utility Advisory Board before coming to the Commission. The following vote was taken:

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

Nays: Commissioners Berube, Johnson, Sciotto.

The motion was carried.

City Manager Svanda asked that item 6, a liquor license transfer, item 7, setting a work session with the Board of Light and Power, and item 8, addition of an item to the October 11 special meeting be added.

PROCLAMATION - National Business Women's Week

Mayor Coyne presented the following proclamation:

WHEREAS, the Marquette Business and Professional Women are celebrating National Business Women's Week along with other organizations affiliated with BPW/USA for the 61st consecutive year, and

WHEREAS, these organizations are drawing attention to the contributions that women have made in responsible employment positions, using their organization and managerial skills, and

WHEREAS, Women comprise 44% of the State's Labor Force, and own one-third of all businesses, and

WHEREAS, Women-Owned businesses is the fastest growing segment of the economy, and

WHEREAS, Women dominate in sales and service occupations, and occupy 99% of secretarial and related positions with the percentage in service occupations growing most rapidly,

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NOW, THEREFORE, BE IT RESOLVED, That the Marquette City Commission proclaim the week of October 16-24, 1988 as National Business Women's Week and encourage all residents to become acquainted with the issues of pay equity, workplace equality, pension and insurance discrimination and retirement security, and child care. As these issues are addressed, the contributions of working women to the economy of Marquette, the State and the Nation will continue to grow as it has in the past.

PROCLAMATION - Physical Therapy Week

Mayor Coyne then made the following proclamation:

WHEREAS, the American Physical Therapy Association is observing a national physical therapy week entitled "Physical Therapy: Sharing the Challenge" and observation of this week is calling special attention to the contribution of physical therapy toward improving the quality of life for disabled, ill, and able-bodied Americans of all ages; and

WHEREAS, the goals of the Upper Peninsula District of the Michigan Physical Therapy Association Facility are to achieve better lives for our disabled citizens and to promote preventive measures to keep healthy citizens whole through improvement of education, practice and research; and

WHEREAS, the Upper Peninsula District of the Michigan Physical Therapy Association Facility plays an integral role in continued efforts to assist disabled citizens and holds steadfastly to its commitment to secure better health for all our citizens;

NOW, THEREFORE, I, J. Michael Coyne, M.D., Mayor of the City of Marquette, do hereby proclaim the dates October 23-29, 1988 as PHYSICAL THERAPY WEEK in Marquette, Michigan, and urge all public officials and private citizens to join with the physical therapy profession to secure better care for all our citizens.

CITIZEN COMMENT

Mayor Coyne announced that this was the time set for citizens wishing to address the Commission. Jack Leadbetter said that the City Commission should not have removed item 2 from the agenda. He said that the letter should have been presented and dealt with in some manner even if it was to refer it to an advisory board for consideration. Stan Gierlack said that he was also opposed to removing item 2 from the agenda. He said that he is opposed to landlords paying tenants' unpaid water bills and asked about a \$10,000,000 discrepancy in the Water Department. Ruth Melchiori said that the water utility collects too much money which it doesn't need. She said letters will go out as threatened.

THIRD STREET - Engineering Services Contract Amendment #2

A report and recommendation from the City Manager, regarding Third Street Engineering Services Contract Amendment #2, was read. It was moved by Commissioner Coffey, supported by Commissioner Johnson, and carried unanimously to concur with the recommendation, to approve the contract, and to authorize the Mayor and City Clerk to execute it on behalf of the City.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

Mayor Coyne announced that this was the time set to discuss properties causing neighborhood problems. City Manager Svanda listed 609 Norwood and 2090 Van Evera both of which have had several noise complaints and which are owned by SR & R Development with the principal owners Summers and Revord; 1950 Presque Isle Avenue has many noise complaints and is owned by Chris Economis who is an absentee owner from Escanaba; 2307 Fitch has noise complaints, Jeff Jagzor is the tenant and the owner is Hilda Degarmo; 515 Lincoln has property maintenance code violations and is owned by Napoleon Roy; 240 West Bluff owned by John Renfrew and 406 West Bluff owned by William Pellissier both have accumulations of junk; 510 West Bluff with noise violations and four other properties with many noise violations are owned by Stan Gierlack; 325 West Park Street with noise violations is occupied by Keith Shaw and owned by Dan Hornbogen; 320 Waldo Street has noise violations and is occupied by Gary Walker and owned by John Croup.

APPOINTMENTS

Mayor Coyne with the Commission's concurrence made the following appointments to the Ad Hoc Committee to study the amendment to the noise ordinance. Steve Pelto, Bob Hogg, Frank Sciotto, and City Attorney Martin. He said that nominations would be requested from Northern Michigan University Dean of Students for a student member for the committee.

SHAMROCK BAR - Liquor License Transfer

A report and recommendation from the City Manager, regarding a liquor license transfer, was read. It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried unanimously that the request from D.N.B., Inc. for transfer ownership of a 1988 Class C licensed business with Dance Permit from Douglas Christensen located at 113 S. Front Street with a new entertainment permit be approved.

SET WORK SESSION WITH BOARD OF LIGHT AND POWER

City Manager Svanda said that the Board of Light and Power has indicated dates that they could meet to discuss the proposed underground wiring ordinance. October 27 at 7:00 p.m. in the City Commission Chambers was set as the date and time for this meeting.

ADD ITEM TO OCTOBER 11 SPECIAL MEETING

City Manager Svanda said that re-award of the liner bid for the new landfill should be added to the items for the special meeting to be held on October 11. It was moved by Commissioner Berube, supported by Commissioner Coffey, and carried unanimously to add this item to the agenda for that meeting.

CITIZEN COMMENT

During the time set for citizens to address the Commission, Stan Gierlack said that he tries to control parties in his apartments but that he cannot get an answer as to why he has to pay his tenants' unpaid water bills. He said that there have been problems with the water utility for seven years. Ruth Melchiori described problems that a water customer of the City had had with the City's meter maid.

JOHNSON

Commissioner Johnson asked if we have the final costs on the East Arch Street Project. She said that people are not obeying the signs prohibiting foot traffic and bicycling at Presque Isle Park. The City Manager said the best option to control this would be to close the park down. Commissioner Johnson also said that flower pots at the Park Cemetery should be removed by the middle of next week, asked if anything has been done about the drainage problem on Jefferson Street, and asked what the status of the Ridge Street Water and Sewer Special Assessment was. City Manager Svanda said that because that project could not be constructed this construction season, it did not have a high priority right now. Commissioner Johnson asked about progress on cleaning up erosion on Wilkinson Street south of Summit, noted that the Commission had received a \$5.00 raise recently to \$45 per meeting, said that people complaining about the newspaper headlines about the recent murder should call the paper, not City Commissioners and said that she was very happy with the safe conclusion of the trip of the space shuttle Discovery.

CONSTANCE

Commissioner Constance asked what the Presque Isle Park policy was. Following discussion, it was moved by Commissioner Constance and supported by Commissioner Coffey that Presque Isle be open to walkers, joggers, bikers, etc. on the main road which is now open to vehicular traffic and that the signs be changed to indicate this, including traffic from both directions. The following vote was taken:

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

Nay: Commissioner Johnson.

The motion was carried.

Commissioner Constance also suggested that Stan Gierlack go to the Water and Sewer Advisory Board with his problems, said that the Manager and Attorney do not run the utility, and that Mrs. Melchiori and Mr. Stebbins are basing their arguments on untrue assumptions. He said they should get advice from a certified public accountant because the City has a very good financial statement and in fact has received an award for it for the last two years.

COYNE

Mayor Coyne said that Mrs. Melchiori's letter had been addressed to the City Clerk. He said in response to Mr. Gierlack's comments that the neighbors of his four properties probably do consider them problems because the Police Department had been called about noise, that Mr. Gierlack had quoted the Mining Journal article on Mrs. Melchiori's letter inaccurately, and that the Mayor is not a dictator for following the voted will of the Commission.

COFFEY

Commissioner Coffey said that Mr. Gierlack should go to the Water and Sewer Utility Advisory Board. He said that, following a recommendation from this Board, the City will be going to one water meter per apartment building so that the owners will be required to divide the cost of water for each building among the tenants in the building. That way they will not be responsible for delinquent water bills. He also said that Mr. Stebbins is not accurate in his determination of a \$10,000,000 loss in the water

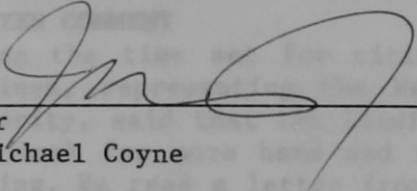
utility. He said that the payment in lieu of taxes is required by the City Charter and that in order for the utility not to pay it, the Charter would have to be amended. He said that he would be willing to look at water rate revenue figures from Escanaba and that Mrs. Melchiori should help the City get both sides of the story involving the problem a customer had with the water meter maid. He said people don't want to live next door to partying students and that Mrs. Melchiori and Mr. Gierlack should make recommendations to the Water and Sewer Utility Advisory Board.

ACOCKS

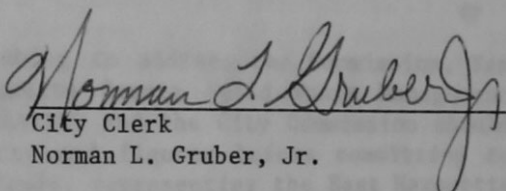
Commissioner Acocks asked if there would be ice for ice skating on Hurley Field this winter. City Manager Svanda said that due to the major investment in the cleanup of the field, there would not be an ice rink there. Commissioner Acocks also noted that members of the Commission and the staff attended the Michigan Municipal League meeting in Saginaw last week and that one of the items of work was promoting Marquette as the site of next year's Michigan Municipal League Conference. She said this conference would bring as many as 1,000 people to the City. Mayor Coyne noted that Robert Manning and former Mayor Robert Kulisheck had gone with the Delegation to the conference to help publicize Marquette.

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.



Mayor
J. Michael Coyne



City Clerk
Norman L. Gruber, Jr.

... He said that the payment in lieu of taxes is required by the State Charter and that in order to be able to pay it, the Charter would have to be amended. He said that he would like to see the Charter amended so that the payment in lieu of taxes would be based on the value of the property rather than on the area of the property. He said that he would like to see the Charter amended so that the payment in lieu of taxes would be based on the value of the property rather than on the area of the property. He said that he would like to see the Charter amended so that the payment in lieu of taxes would be based on the value of the property rather than on the area of the property.

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, October 11, 1988

A special meeting of the Marquette City Commission was duly called and held at 6:30 p.m. on Tuesday, October 11, 1988 in Commission Chambers of City Hall.

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

In the absence of the Mayor and Mayor Pro Tem, City Clerk Gruber called the meeting to order. It was moved by Commissioner Constance, supported by Commissioner Coffey, and carried to nominate Commissioner Acocks to chair this meeting.

EXCUSE ABSENCES

It was moved by Commissioner Sciotto, supported by Commissioner Constance, and carried to excuse Mayor Coyne and Commissioners Berube and Johnson.

The meeting of the Marquette County Solid Waste Landfill Authority was called to order.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Ken Tuominen, representing the West Marquette County Solid Waste Management Authority, said that the Landfill Authority and the City Commission should both look for more hard and fast facts and figures before committing to bonding. He read a letter from Ivan Fende, representing the East Marquette County Solid Waste Management Authority with the same comments.

The Marquette County Solid Waste Landfill Authority then discussed the bond interest rate available through the Michigan Municipal Bond Authority. City Finance Director Kohut said that the MMBA rate of 7.6% was a very good rate. She said that if the Authority decides not to sell the bonds at this time, there will still be expenses of \$50,000 to \$60,000. She also said that the bond money does not have to be spent for three years so that there is time to design changes in the landfill if that is required. Authority Members discussed this matter with Mr. Tuominen. Richard Braithwaite, representing Braithwaite Consultants, said that \$4,000,000 will be sufficient to cover all costs except perhaps the buildings. Public Works Director Mike Etelamaki discussed the project budget as of this date. He said that even with the changed conditions at the landfill there is a contingency fund of approximately \$190,000 available in the proposed budget. The landfill authority then authorized their chairman to sign a purchase agreement for the bonds on behalf of the Authority.

Acting Mayor Acocks asked for the report from Finance Director Kohut to be read. Following this, it was moved by Commissioner Coffey, supported by Commissioner Constance, and carried to accept the recommendation of the Marquette County Solid Waste Landfill Authority and approve the sale of the landfill bonds at the 7.6% interest rate. City Attorney Martin and Richard Braithwaite answered questions regarding the sale of these bonds.

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LANDFILL LINER - Bids

A report and recommendation from the City Manager, regarding re-awarding of landfill liner bids, was read. It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried to award the contract for the landfill liner to Attala Corporation in the amount of \$462,600 and to authorize the Mayor and City Clerk to execute the agreement on behalf of the City.

ADJOURNMENT OF MARQUETTE COUNTY SOLID WASTE LANDFILL AUTHORITY

The meeting of the Marquette County Solid Waste Landfill Authority was then adjourned.

WATER METER INSTALLATION - Bids

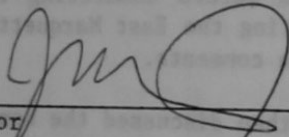
A report and recommendation from the City Manager, regarding bids for water meter installation, was read. It was moved by Commissioner Sciotto, supported by Commissioner Constance, and carried to concur with the recommendation of the City Manager, to reject the bid, and to authorize the City Administration to negotiate with Swick Plumbing and Heating to reduce the unit costs for the installation contract.

BILLS PAYABLE

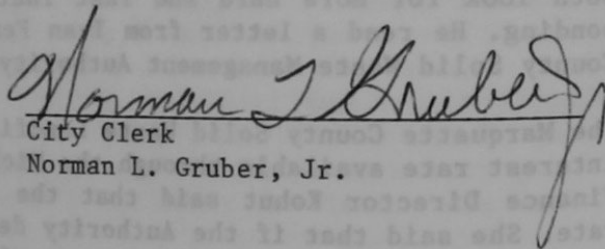
Total bills payable in the amount of \$372,333.24 were presented. It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried to approve the bills payable as presented.

CITIZEN COMMENT

There being no citizens wishing to address the Commission, the meeting was adjourned at 7:13 p.m.



Mayor
J. Michael Coyne



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, October 31, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, October 31, 1988 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 Sciotto, supported by Commissioner Acocks, and carried unanimously to approve the minutes of the October 3 regular and October 11 special meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$389,173.83 were presented. It was moved by Commissioner Acocks, supported by Commissioner Johnson, and carried unanimously to pay the bills as presented.

PRESENTATION REGARDING GEESE

Mayor Coyne announced that this was the time set for a presentation by Jennifer Grondin regarding geese. Jennifer Grondin addressed the Commission at length opposing the killing of Canada Geese at Presque Isle Park. Mayor Coyne said that the only way to discuss this matter is for there to be a motion to reconsider the action taken in March by the Commission. There was no motion.

PROCLAMATION

Mayor Coyne then made the following proclamation:

WHEREAS, the vitality and integrity of the community and the nation spring from the quality of life in the American family;

AND WHEREAS, it is within the family that our standards of character are determined;

AND WHEREAS, it is within the family that our commitment and responsibility to others is understood;

AND WHEREAS, it is within the family that we first learn to appreciate our personal and national heritage;

AND WHEREAS, it is the family that will provide the care, support and standards for future generations and thus determine the nature and quality of life in our society;

AND WHEREAS, the family thus deserves the concern, support and encouragement of all institutions in our society;

October 31, 1988

BE IT RESOLVED, that every citizen be urged to make a personal commitment to improve family life in our community and country;

BE IT FURTHER RESOLVED, that schools, churches and civic organizations be asked to renew their dedication to the principles of the family;

AND, BE IT FURTHER RESOLVED, that the week of November 20 to 26 be proclaimed as Scottish Rite Masonic Family Life Week in an effort to further these goals.

PUBLIC HEARING - Amendment to Loud Noise Ordinance

Mayor Coyne opened the public hearing on an amendment to the loud noise ordinance. He noted that the Committee which has been appointed to study this amendment has not met yet. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously that the continued public hearing on the amendment to the loud noise ordinance be rescheduled for a later date.

CITIZEN COMMENT

Bob Hogg was concerned that the leaves are not being picked up on time. He also said that item 15b should be read before item 15a. Martha Conley applauded and commended the Commission's handling of the goose issue. Joe Johnson, Jr. said the geese should not be shot by Police at Presque Isle because not everyone can hunt there. Bruce Gustafson said that he is confused about why geese are being shot at Presque Isle Park.

MICHIGAN MUNICIPAL LEAGUE - Support for Proposals C and D

A communication from the Michigan Municipal League, regarding support for proposals C and D on the November 8 election ballot, was read. It was moved by Commissioner Coffey, supported by Commissioner Berube, and carried unanimously to adopt the following resolution supporting these proposals:

WHEREAS, the State Legislature has placed two bonding proposals on the November General Election ballot for voter approval; and

WHEREAS, Proposal C authorizes the state to issue \$660 million in bonds to finance the cleanup of sites that are contaminated with toxic waste and to provide funds for solid waste management and wastewater treatment projects; and

WHEREAS, Proposal D authorizes the state to issue \$140 million in bonds for public recreation facilities, half of which will be allocated to local governments; and

WHEREAS, the \$800 million total bonding proposals are significant steps being taken by the Governor and the Legislature toward addressing toxic waste cleanup and solid waste, wastewater treatment, and recreation facility needs throughout the state; and

WHEREAS, the proposals provide new programs under which cities and villages can apply for loans or grants for the expedited cleanup of contaminated industrial sites that have immediate potential for economic development or for the conversion of vacant industrial sites to recreation uses; and

WHEREAS, the bonding proposals provide state financing for projects which are of clear benefit to cities and villages throughout the state and can be financed from existing revenues with no tax increase to the citizens of the State of Michigan; and

WHEREAS, the bonding proposals provide state financing for projects which are of clear benefit to cities and villages throughout the state;

NOW, THEREFORE, BE IT RESOLVED, That the Commission of the City of Marquette endorses Proposals C and D on the November 8, 1988, general election ballot; and

BE IT FURTHER RESOLVED, that the City Commission urges all citizens to vote for State Proposals C and D.

PARKS AND RECREATION ADVISORY BOARD SIGN IN HARLOW PARK

A recommendation from the Parks and Recreation Advisory Board, for the erection of a sign for American Legion Post 44 in Harlow Park, was read. It was moved by Commissioner Berube and supported by Commissioner Acocks to deny this request. Commissioners said that they were opposed to setting a precedent allowing signs in parks. The following vote was taken:

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

Nay: Commissioners Constance, Johnson, Sciotto.

The motion was carried.

DEWAYNE STEBBINS - Water and Sewer Rates

A communication from DeWayne Stebbins, regarding water and sewer rates, was read. It was moved by Commissioner Coffey and supported by Commissioner Constance to send this communication to the Water and Sewer Utility Advisory Committee, and to ask them for a list of all the costs that the \$497,220 quoted in the letter covers. The following vote was taken:

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

Nays: Mayor Coyne. Commissioner Acocks.

The motion was carried.

JACOBETTI VETERAN'S FACILITY - Assisted Housing Project

A recommendation from the City Attorney, regarding the transfer of property for the Assisted Housing Project at the Jacobetti Veteran's Facility, was read. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to accept the conveyance of this property from the Public Health Department for \$1.00 and to authorize the further conveyance of the property to the Upper Peninsula Veteran's Corporation for \$1.00 when that organization has been incorporated.

HARKINS HILL SPECIAL ASSESSMENT DISTRICT - Change Order #1

A report and recommendation from the City Manager, regarding change order #1 for the installation of water submain in the 300 block of East Michigan Street, was read. It was moved by Commissioner Johnson, supported by Commissioner Acocks, and carried unanimously to concur with the recommendation to approve change order #1, to authorize the Mayor to execute it on behalf of the City, and to authorize the expenditure of \$8,422.94 from the Water/Sewer Contingency Fund.

LOWER HARBOR PARK - Parking Lot Improvements

A report and recommendation from the City Manager, regarding bids for paving of the Lower Harbor Park parking lot, was read. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously to award this bid to Paul Smith Landscaping in the amount of \$199,091.61 and to authorize the Mayor and City Clerk to execute the document on behalf of the City.

WATER METER INSTALLATION - Contract

A report and recommendation from the City Manager, regarding a proposed contract for water meter installation, was read. It was moved by Commissioner Coffey, supported by Commissioner Johnson, and carried unanimously to concur with the recommendation, to award a one-year contract to Swick Plumbing and Heating for the installation of approximately 1,000 water meters, and to authorize the Mayor and City Clerk to execute the contract on behalf of the City.

RIVER PARK COMPLEX - Railroad Easement

A report and recommendation from the City Manager, regarding the purchase of a railroad easement in River Park Complex, was read. It was moved by Commissioner Berube, supported by Commissioner Sciotto, and carried unanimously to concur with this recommendation, to authorize the City Manager to act as a designated agent for the purchase of all remaining interest in River Park Complex now owned by Wisconsin Central Limited for \$2,000, and to authorize the City Manager to execute an easement to enable the Marquette Board of Light and Power to cross the railroad bed between lot 13 and 14 for the purpose of installing underground electrical transmission lines.

FEDERAL AID URBAN STREET SYSTEM - Resolution of Compliance

A report and recommendation from the City Manager regarding the Federal Aid Urban Street System, was read. It was moved by Commissioner Constance, supported by Commissioner Sciotto, and carried unanimously that the following resolution of compliance be adopted:

BE IT RESOLVED, that the Marquette City Commission is in agreement with the Michigan Department of Transportation's classification of the City's street system and does hereby certify compliance with Section 103 of Title 23, United States Code and Federal-Aid Highway Program Manual Transmittal 155 in establishing an updated National Functional Classification System for the City of Marquette.

MICHIGAN EQUITY GRANT - Application

A report and recommendation from the City Manager, regarding an application for a grant from the Michigan Equity Grant Program, was read. It was moved by Commissioner Coffey, supported by Commissioner Johnson, and carried unanimously to approve the following resolution authorizing the application for funding for the Marquette Maritime Museum and to authorize the Mayor and City Clerk to sign the said 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 Marquette Maritime Museum; and

WHEREAS, there exists need at the Maritime Museum for a climate control system; and

WHEREAS, all persons are afforded an opportunity to the museum facilities; and

WHEREAS, the provision of these facilities at the maritime museum is consistent with the requirements of the Michigan Equity Program, Public Act 305 of 1988;

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 \$17,500.00 for the purchase and installation of a climate control system at the Maritime Museum;

AND FURTHER, The City of Marquette hereby certifies no local funds are available for the project and no expenditure towards the project is to be made prior to the beginning of the project period; and

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

It was then moved by Mayor Coyne, supported by Commissioner Constance, and carried unanimously to direct the City Manager to consult with the City Commission members to develop an outline for a priority list for next year's equity grant program, and then to develop an application for the highest priority project. Commissioners noted the extremely short time allowed by the state in putting together this year's application.

UNDERGROUND WIRING ORDINANCE - Schedule Public Hearing

Mayor Coyne announced that this was the time set for scheduling a public hearing on the adoption of a proposed underground wiring ordinance. It was moved by Commissioner Johnson, supported by Commissioner Sciotto, and carried unanimously to schedule a public hearing on the adoption of the proposed underground wiring ordinance for the November 28 City Commission meeting. Mayor Coyne noted the work session held with the Board of Light and Power and Planning Commission on this proposed ordinance last week.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda noted the following properties: 1617 Presque Isle owned by Darryl Dobrzanski; 2010 Longyear Apt. 16 occupied by Jim Myllyla and owned by Steve Pelto; 1912 Longyear Apt. 24 occupied by Malcolm Bondon and owned by Ken Hogg; 502 N. Front occupied by Allison, Kross, and Kubiak and owned by Roubekas Company; and 609 Norwood owned by S.R. & R. Development Company.

BERUBE

Commissioner Berube asked City Manager Svanda if he was singling out landlords over owner-occupied properties in this list. Mr. Svanda said that

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the list was based upon violations and that he was often not aware of whether the property was rented or owner-occupied.

A communication from Ken Hogg, objecting to the presentation of properties causing neighborhood problems, was read.

CONSENT AGENDA

Mayor Coyne presented the consent agenda. It was moved by Commissioner Constance, supported by Commissioner Coffey, and carried unanimously to approve the consent agenda as follows:

- A. Award bids for liquid calcium chloride to the low bidders, Liquid Calcium Chloride Company and Van Waters and Rogers.
- B. Award bids for tires to the low bidder, Shelby Diesel and Injection, Inc.
- C. Award bid for supplemental snow removal services to the low bidder, David Zorza.
- D. Award bid for radio parts and equipment to the low bidder, Anderson Communications.
- E. Award bids for landfill fencing to the low bidder, Snowden, Inc.
- F. Award bid for the sale of a 1974 Ford plow sander truck to the high bidder, Blondeau and Sons Trucking, Inc.
- G. Approve the transfer of a liquor license for J.T.'s Shaft as requested.

APPOINTMENTS AND RESIGNATIONS

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

WASTEWATER TREATMENT FACILITY ADVISORY BOARD - Spencer Nebel as alternate.

AD HOC NOISE ORDINANCE AMENDMENT COMMITTEE - Tony DeBone.

MARQUETTE COUNTY TRANSIT AUTHORITY - Joe Snively and Patti Nemacheck were nominated for one of the two City positions.

HARBOR COMMITTEE - Terry Gosmire for a term expiring April 1, 1989.

PARKS & RECREATION ADVISORY BOARD - David Payant for a term expiring January 29, 1989. Rico Zenti, Jr. for a term expiring January 29, 1989.

ECONOMIC DEVELOPMENT CORPORATION - Reappointment of Gary Bantle for a term expiring January 1, 1994.

WATER/SEWER UTILITY ADVISORY BOARD - James Davis for a term ending December 1, 1989.

LOCAL DEVELOPMENT FINANCE AUTHORITY - Gary Bantle for a term expiring October 31, 1992, Howard Swaine for a term expiring October 31, 1990, Robert Berube for a term expiring October 31, 1991, Peter Schumer for a term expiring October 31, 1989, B. Peter Treml for a term expiring October 31, 1991, and Ron Lindeblad for a term expiring October 31, 1990.

Mayor Coyne also accepted the resignation of Bob Stow from the Public Works Advisory Board.

CITIZEN COMMENT

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

ACOCKS

Commissioner Acocks noted DNR support for the goose harrassment program at Presque Isle Park. She said that the Marquette Mall had had an excellent children's Halloween Party this evening.

BERUBE

Commissioner Berube said that the March 28, 1988 City Commission minutes recorded the Commission's concurrence with a recommendation from the City Manager for a comprehensive program to harrass geese including shooting geese at Presque Isle Park during legal hunting season. He noted documentation from the Fish and Wildlife Service in which they had approved killing the geese during hunting season. He also noted that the recommendation from the City Manager was that killing geese be a last resort. He referred to an earlier communication from the Fish and Wildlife Service which supported harvesting of geese during hunting season as a means of harrassment. He said it is the concensus of wildlife experts that all means of harrassment should be used in order to have an effective harrassment program. He said that the City is following the direction of the U.S. Government. Commissioner Berube then asked for information on the leaf pickup. City Manager Svanda said that the leaves did not fall as early as expected and that when they did fall, it rained or snowed, and they got wet. He said Peninsula Sanitation's equipment does not pick up wet leaves very well. He also said that Public Works Crews have been assisting with the pickup of wet leaves but they are trailing two or three days behind the Peninsula Sanitation crews. Mayor Coyne said that this method of leaf pickup is not working and perhaps the leaves should be bagged for pickup. Commissioner Berube said that leaves are not supposed to be in the streets, that bags don't work well, and that bagged leaves cost \$35.00 per ton to be put in the landfill.

Commissioners Acocks and Sciotto both said that the leaf pickup system needs improvements. Commissioner Sciotto said that the Public Works Department had done a better job on leaf pickup on past years.

COFFEY

Commissioner Coffey said that the total package suggested by the Department of Interior Fish and Wildlife Service is being followed by the City. He noted that the same letter which urged non-lethal means of harrassment said that harvest during hunting season was a legitimate means of harrassment. He also noted that the letter from the County Health Department had addressed the possibility of salmonella contamination by the geese and he said that if the City did nothing about the goose problem this could be a potential lawsuit.

CONSTANCE

Commissioner Constance concurred with the rest of the Commission on the goose issue. He asked about how properties are listed on the problem properties list and agreed with Mr. Hogg's letter that the placement on this list should be weighted according to the size of the apartment complex. He noted that the Arena had generated a profit this year if the employee benefits were not counted and said that this represented a good job by the Arena staff. He urged people to get out and vote in the election next week and said that the Downtown Marquette Association is sponsoring a "Meet the Commission Candidates" at 11:30 on Wednesday.

JOHNSON

Commissioner Johnson urged everyone to get out to vote. She supported Jennifer Grondin's position on geese and said that people should visit the Chamber of Commerce as they have a lovely new building. She asked why there had not been an ad in the Mining Journal on the removal of planters and flowers from Park Cemetery. She commented on her three terms as a City Commissioner. She said that there had been two good City Managers although they had been good in different ways, four part-time and one full-time City Attorney and nine Mayors during her tenure in office. She said that she had not liked being the Mayor Pro-Tem or running meetings as she felt out of touch with the people. She noted some of the problems being dealt with when she had first come on the Commission in 1977. They were the construction of the new water plant on Lakeshore Boulevard, the franchise with Cox Cable, the fact that garbage was being picked up by crews at the Public Works Department, that the old Public Works garage was dangerous, and that Propylon was built causing neighborhood problems. She also noted problems with the water system. She extended her appreciation to the citizens for being elected three times and for serving more than ten years on the Commission. She said that she had tried to make their concerns hers.

SCIOTTO

Commissioner Sciotto said that Commissioner Johnson has never been just a plain Commissioner. He said that he was pleased to see the final appointment to the Ad Hoc Noise Ordinance Advisory Committee and that he is looking forward to working with the landlords on this ordinance amendment.

COYNE

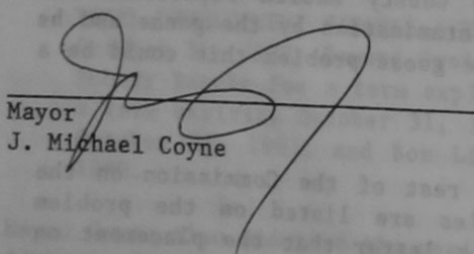
Mayor Coyne urged everyone to vote next week in the election. He said that people going to vote should study the ballot before they vote so that it will cut down the waiting time for everyone.

SVANDA

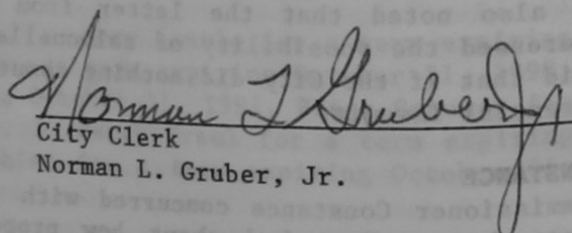
City Manager Svanda said that the City Christmas tree in Harlow Park is dying so that one of the trees on the east lawn of the City Hall will be used this year as a Christmas tree while a replacement tree is being sought for Harlow Park.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.



Mayor
J. Michael Coyne



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, November 14, 1988

The annual reorganizational meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 14, 1988 in Commission Chambers of City Hall.

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

REVIEW ACCOMPLISHMENTS

Mayor Coyne opened the meeting by summarizing the activities of the City during the last year. He said that significant accomplishments of the City included the establishment of the Marquette County Solid Waste Landfill Authority, \$40,000,000 worth of construction within the community, the development of McClellan Avenue south of U.S. 41, expansion of Marquette General Hospital, construction of Shiras Pointe condominiums, and the first industry to locate in the City's River Park Complex. He said that Marquette will become a leader in recycling in the state. Other accomplishments included the successful operation of Shiras Pool, a plan to save the City band, the adoption of ordinances covering bed and breakfast establishments, underground wiring and an amendment to the noise ordinance, and finding a location for Greek Row. He thanked City Manager Svanda and the City department heads for doing a good job and being dedicated public servants. He also thanked his family for their support and said that being Mayor would have been impossible without this support. He complimented his fellow Commissioners for their professionalism and dedication. He said that the City should have a good year and will continue to grow.

PRESENTATION OF PLACQUE TO OUTGOING COMMISSIONER CONSTANCE

Mayor Coyne then recognized retiring Commissioner Constance by presenting him with a plaque and saying that he had provided valuable insight in many areas while he was on the Commission. Commissioner Constance thanked the Commissioners and Mayors Coyne and Berube for their leadership while he had been a Commissioner. He said the City Manager and staff are making good decisions and that the residents of Marquette should have faith in City government.

PROCLAMATION - Helen Johnson Day

Mayor Coyne then presented the following proclamation:

WHEREAS, Helen Johnson was first elected by the people of Marquette to serve on the City Commission of the City of Marquette on November 8, 1977; and

WHEREAS, Helen was selected by the members of the City Commission to fill an unexpired term on the Commission on September 11, 1980; and

WHEREAS, on November 8, 1982 and again on November 5, 1985, Helen was re-elected to serve a third and fourth term on the City Commission; and

WHEREAS, Helen, during her tenure on the Commission, has worked tirelessly to serve and represent the citizens of Marquette, and has shown exemplary dedication and determination in her efforts to resolve problems for the residents of our community, and this dedication has helped make Marquette the Superior Location to live and work; and

WHEREAS, Helen has committed her entire professional life to public service starting as a teacher in the Marquette School District in 1938, as the Principal of the Fisher Elementary School in 1959, and finally as a member of the Marquette City Commission in 1977; and

WHEREAS, November 14, 1988 will mark the completion of 11 years of service on the Marquette City Commission, and in addition, 1988 will mark 50 years of dedicated and outstanding community service by Helen I. Johnson to the people of Marquette.

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, do hereby proclaim Tuesday, November 15, 1988 as Helen Johnson Day in the City of Marquette, so that all citizens may recognize Helen for her life of service to the people in our community, and do urge all of my fellow citizens to join me in thanking Helen on behalf of the many lives she has helped and touched during her outstanding career of public service.

Commissioner Johnson said that Marquette is a good, stable, and diversified community and that her vision for the future includes solving the problems which face the community. She thanked the Commissioners and City staff for all of their assistance during her 11 years as a Commissioner and congratulated the two new Commissioners. Mayor Coyne also presented Commissioner Johnson with a plaque and a corsage.

ADMINISTRATION OF OATHS OF OFFICE

City Clerk Gruber administered the oaths of office to Commissioners-elect William Birch and Rosemary Glenn. Mayor Coyne welcomed the new Commissioners to the Commission.

ELECTION OF MAYOR AND MAYOR PRO TEM

The City Clerk distributed ballots for the election of Mayor. Commissioner Berube was elected Mayor unanimously on the first ballot. The Clerk then administered the oath of office to Mayor-elect Berube. The City Clerk then distributed ballots for the election of Mayor Pro Tem. Commissioner Acocks was elected as Mayor Pro Tem with five votes on the second ballot. The Clerk administered the oath of office to Mayor Pro Tem-elect Acocks. The roll call of the new Commission was: Mayor Berube, Commissioners Acocks, Coyne, Coffey, Birch, Glenn, Sciotto.

PRESENTATION OF PLACQUE TO OUTGOING MAYOR COYNE

Mayor Berube presented a plaque to outgoing Mayor Coyne. He noted Mayor Coyne's hard work and great representation of the City. Outgoing Mayor Coyne was also presented with humorous gifts.

APPROVAL OF MINUTES

It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to defer the minutes of the October 31, 1988 meeting to the regular meeting on November 28.

BILLS PAYABLE

Total bills payable in the amount of \$806,066.47 were presented. It was moved by Commissioner Birch, supported by Commissioner Coyne, and carried unanimously to approve the the bills payable as presented.

AGENDA CHANGES

During the time set for announcing changes in the agenda, Commissioner Coffey asked that item 1a, presentation of a gift to the City, and item 6, modification of the agenda for a trial period be added.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Ken Hogg opposed the presentation of properties causing neighborhood problems on the agenda each week. He said that it is unfair for the City to continue to pick on property owners who are doing the best they can to correct the problems.

PRESENTATION OF A GIFT TO THE CITY

Commissioner Coffey then presented a miniature fire truck which had the name of J. Michael Coyne, Mayor, painted on the side of it.

RESOLUTION REGARDING DAVID OLSON

City Clerk Gruber read a resolution supporting the reappointment of David D. Olson to the Michigan Natural Resource Commission. It was moved by Commissioner Sciotto, supported by Commissioner Coffey, and carried unanimously to adopt the following resolution:

WHEREAS, David D. Olson was appointed by Governor Blanchard to serve on the Michigan Natural Resources Commission on April 18, 1985; and

WHEREAS, David D. Olson, during his tenure on the Commission, has effectively represented the needs, concerns and wishes of the people of the Upper Peninsula; and

WHEREAS, David D. Olson has served as a catalyst to resolve complex issues with both the Department of Natural Resources and local units of government on the placement and construction of the Marquette County-wide Landfill; and

WHEREAS, David D. Olson has been a knowledgeable and able Commissioner who understands the delicate balance between the multiple uses of Michigan's natural resources for forestry, industry, agriculture, hunting and tourism; and

WHEREAS the leadership abilities of David D. Olson have also been recognized by his colleagues on the Natural Resources Commission and Clean Michigan Fund Advisory Committee by their selection of him to serve as Chairperson of both these organizations.

NOW, THEREFORE, BE IT RESOLVED, that the Commission of the City of Marquette commends David D. Olson for his outstanding service on the Michigan Natural Resources Commission and strongly endorses his reappointment to that Commission.

MARQUETTE COOP NURSERY - Non Profit Organization

A communication from the Marquette Coop Nursery requesting recognition as a non-profit organization was read. It was moved by Commissioner Birch, supported by Commissioner Acocks, and carried unanimously to recognize the Marquette Coop Nursery as a non-profit organization in the Marquette Community.

LOCAL DEVELOPMENT FINANCE AUTHORITY - Establishment

A report and recommendation from the City Manager, regarding the establishment of Local Development Finance Authority, was read. It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried unanimously that the governing rules of the Local Development Finance Authority be adopted. It was then moved by Commissioner Acocks, supported by Commissioner Berube, and carried unanimously that separate public hearings be scheduled for the regular Commission meeting on December 12, 1988 for a) development plan #1, and b) tax increment financing plan #1.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

Mayor Berube called for a motion to delete this item from the agenda. No motion was forthcoming. City Manager Svanda said that the only property on the list this week was 1950 Presque Isle Avenue. He said that this property recently received its seventh noise complaint this year and that the owner is Chris Economis who is from Escanaba.

APPOINTMENTS

Mayor Berube, with the Commission's concurrence, then appointed Robert E. Moore to the Lakeview Arena Advisory Board for a term expiring August 1, 1991.

AGENDA FORMAT CHANGE

It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to modify the order of the agenda by limiting the first public comments session to people who wish to speak during consideration of specific agenda items and to allow general citizen comment to be made at the citizen comment section at the end of the meeting and that this change be reviewed at the first meeting in February. Commissioner Glenn suggested having sign up cards for citizens who wish to be recognized during the agenda.

CITIZEN COMMENT

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

ACOCKS

Commissioner Acocks thanked all the Commissioners for their support in her election as Mayor Pro Tem. She said that she was pleased that the national election is over but that there are still some campaign signs around the City which should be picked up. She offered her congratulations to incoming Commissioners Birch and Glenn.

COYNE

Commissioner Coyne offered his congratulations to Mayor Berube on his election as Mayor.

COFFEY

Commissioner Coffey expressed his appreciation to Commissioners Constance and Johnson for their work on the Commission. He said that Carl Mayer had painted Mayor Coyne's name on the side of the toy fire truck which was presented to the City. He encouraged parents to attend the upcoming conferences at school next week.

BIRCH

Commissioner Birch congratulated Commissioners Constance and Johnson for their excellent service to the City and said that he is looking forward to working with the City Commission.

GLENN

Commissioner Glenn said that she is happy to have been elected as a City Commissioner.

SCIOTTO

Commissioner Sciotto congratulated Commissioners Birch and Glenn upon their elections and offered his thanks to Commissioners Constance and Johnson. He said that he was sorry to hear of the loss of the white buck deer at Presque Isle Park and that he was sorry to see Mr. Hogg leave the meeting early. He said the Ad Hoc Noise Ordinance Committee is making good progress but that at least two more meetings are needed before a recommendation will be forthcoming. He also said that he was concerned about the traffic at the corner of Ridge and McClellan. City Manager Svanda said that preliminary studies have been undertaken but that state involvement would be needed if a traffic signal is indicated and that this may take as long as a year. Commissioner Sciotto also said that he is concerned about the poor quality of the leaf pickup and that he thinks there is still a fire truck at the station which is unnamed.

MAYOR BERUBE

Mayor Berube said that he and the City Manager will be meeting with Peninsula Sanitation to discuss the fall leaf pickup next week. He thanked Commissioners Constance and Johnson for their hard work and said that he will miss their insights on Commission problems. He welcomed Commissioners Birch and Glenn to the Commission and thanked unsuccessful Commission candidate Jack Leadbetter for running. He said that there had been three excellent choices for Commission and that only two of them could be elected. He said that he believes the Commission is dealing too severely with some landlords, however, the item "properties causing neighborhood problems" should not be removed from the agenda.

CITY MANAGER SVANDA

City Manager Svanda offered his congratulations to Commissioners Birch and Glenn and to Mayor Berube and Mayor Pro Tem Acocks upon their elections. He said that Commissioners Constance and Johnson have been great to work with and thanked Mayor Coyne for his service as Mayor. He said that much has been accomplished during Mayor Coyne's administration. He also noted that Public Works Director Michael Etelamaki is leaving the City and will become

the Director of the Marquette County Solid Waste Management Authority on
December 1.

ADJOURNMENT

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

Robert O. Berube
Mayor
Robert O. Berube, II

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

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, November 28, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 28, 1988 in Commission Chambers of City Hall.

PRESENT: Mayor Berube. Commissioners Acocks, Birch, Coffey, Coyne,
Glenn, Sciotto.
ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried unanimously to approve the minutes of the October 31, 1988 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$400,175.25 were presented. It was moved by Commissioner Acocks, supported by Commissioner Birch, and carried unanimously to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added item 4a, a presentation by the Noon Kiwanis Club. Commissioner Coffey asked that item 13b, a recommendation for modification of agenda item 14, be added. City Manager Svanda said that a communication from Marquette Mountain regarding a liquor license transfer should be added to item 13.

PROCLAMATION - Christmas Seal Month

Mayor Berube made the following proclamation:

WHEREAS, 1988 marks the 81st Anniversary of the Christmas Seal, the symbolic emblem of the American Lung Association, which is dedicated to the control, cure, and prevention of all lung diseases and their causes through critical research, and public education programs, and

WHEREAS, diseases of the lungs claims in the excess of 350,000 lives each year in these United States, the majority due to cigarette smoking, and

WHEREAS, nicotine has been declared an addictive drug by Surgeon General Koop comparable with the narcotics, and

WHEREAS, tobacco companies continue to target their advertising to our youth and minority populations, especially overseas to the third world nations, and

WHEREAS, the AMERICAN LUNG ASSOCIATION is dedicated to reduce the advertising of smoking and non-smoking tobacco materials throughout these United States and the World, and

NOW, THEREFORE, BE IT RESOLVED THAT I, ROBERT O. BERUBE, II, Mayor of the City of Marquette, Michigan, so hereby proclaim and designate the month of December, 1988 the CHRISTMAS SEAL MONTH and I urge all of our citizens to support the efforts of our Lung Association through generous contributions to the Christmas Seal campaign.

PROCLAMATION - National Homecare Week

Mayor Berube made the following proclamation:

BE IT HEREBY NOTED THAT MAYOR ROBERT O. BERUBE and the City of Marquette, being duly concerned about the well-being of all residents of this City who desire to remain at home while receiving special care, do hereby proclaim the week of November 27, 1988, as National Homecare Week. In so doing, recognition and honor are given to the hundreds of professional people who are involved with the health care of homebound patients.

PAYNE HALL STUDENTS - Award Presentation

Mayor Berube announced that this was the time set for the presentation of a certificate of award to students of Payne Hall. He made the presentation on behalf of the Parks and Recreation Department to the students for their sponsorship of the Annual Childrens Halloween Party. He said that this party had been started four years ago and that the students in Payne Hall had continued to sponsor the party each year. He said the party is an attempt to get children off the street during Halloween instead of trick-or-treating.

GOVERNMENT FINANCE OFFICERS ASSOCIATION - Certificate of Achievement

Mayor Berube announced that the City had again been awarded a certificate of achievement by the Government Finance Officers Association. He thanked Finance Director Donna Kohut and the Accounting staff for their hard work toward this award. Mrs. Kohut said that winning this award was made possible by the support of the City Commission and that Marquette is one of only 30 cities in the state which has received the award. Mayor Berube said that the award indicates that the City has no irregularities in its accounting system relating to the water and sewer accounts as charged by some people.

NOON KIWANIS-Presentation

Chris Thierry, representing the Marquette Noon Kiwanis, presented Mayor Berube with a check for \$1,000 as the second installment for playground equipment which has been installed at McCarty's Cove. Mayor Berube thanked the Noon Kiwanis for their support of this park and said that many children enjoy and use the playground equipment there.

PUBLIC HEARING - Underground Wiring Ordinance

Mayor Berube announced that this was the time set for a public hearing on a proposed underground wiring ordinance. The recommendation from the Planning Commission was read. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously to adopt ordinance #418 as follows:

IT IS THE INTENT OF THIS ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WHERE ALL UTILITIES MUST BE LOCATED UNDERGROUND. THE MARQUETTE CITY COMMISSION HEREBY FINDS THAT THE CREATION OF SUCH DISTRICTS WITHIN THE CITY IS A MATTER THAT AFFECTS THE PUBLIC HEALTH, SAFETY, WELFARE, AND THE VISUAL CHARACTER OF THE CITY. THIS FINDING IS MADE BECAUSE THE PRESENCE OF OVERHEAD UTILITIES DIRECTLY AFFECTS THE ACTIVITIES OF CITIZENS WHO ARE USING THE STREETS, ROADWAYS, AND OTHER PUBLIC PROPERTIES OF THE CITY. THE COMMISSION ALSO FINDS THAT IT IS NECESSARY FOR THE PROTECTION OF THE PUBLIC HEALTH, SAFETY, AND WELFARE TO PROVIDE A COMPREHENSIVE SYSTEM FOR REGULATING THE REMOVAL OF ABOVE GROUND UTILITIES AND THE CONSTRUCTION OF UNDERGROUND UTILITIES WITHIN THESE DISTRICTS.

CITIZEN COMMENT

Joan Mason, representing the Marquette Housing Commission, offered to answer questions on item 7.

STRAWBERRY LAKE - Marquette County Solid Waste Management Authority

A recommendation from the City Attorney for the sale of the Strawberry Lake Property which had been purchased as a potential site for a landfill, was read. It was moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried that the City terminate the agreement with MJM Environmental Systems, Inc. pursuant to Section 4a of the agreement and that notice of termination be given to MJM advising them that they have the option within 30 days to repurchase this property for \$40,000.

MARQUETTE HOUSING COMMISSION - Annual Contribution Contract

A report and recommendation from the City Manager, regarding an amendment to the Annual Contribution Contract between the Marquette Housing Commission and the Department of Housing and Urban Development, was read. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously that the resolution authorizing the execution of amendment #6 to the annual contribution contract #C-854 be adopted. The following resolution was adopted:

WHEREAS, the City Commission of the City of Marquette, Michigan acting by and through the Marquette Housing Commission, (herein called the "Local Authority") proposed (1) to enter into an amendment to the existing Annual Contributions Contract (herein called the "Amendment") with the United States of America (herein called the "Government"); and (2) to authorize the issuance of its notes as evidence of advances to be made to the Local Authority pursuant to the Contract, as amended; all with respect to any "Project" as defined in the Contract, as amended, and which at any time now or hereafter is incorporated under the terms of such Contract, as amended.

BE IT RESOLVED AS FOLLOWS:

Section 1. The Amendment to the Annual Contributions Contract is hereby approved and accepted and the President or Vice President is hereby authorized and directed to execute three counterparts of the Amendment on behalf of the Local Authority, and the Clerk of the Local Governing Body is hereby authorized to impress and attest the official seal of the Local Governing Body of each such counterpart and to forward such executed counterparts, or any of them, to the Government

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together with such other documents evidencing the approval and authorizing the execution thereof as may be required by the Government.

Section 2. The President or Vice-President or Director of the Housing Commission is hereby authorized to file with the Government from time to time, as monies are required, requisitions together with the necessary supporting documents requesting advances to be made on account of the loan provided in the Contract, as amended, and the proper officers of the Borrower shall prepare, execute and deliver to the Government Notes hereinafter authorized and shall accept payment therefor from the Government in cash and/or exchange for other Notes of the Borrower, and such persons are authorized to do and perform all other things and acts required to be done or performed in order to obtain such advances. Cash proceeds from the sale of all Notes shall be deposited and disbursed only in accordance with the provisions of the Contract, as amended.

Section 3. (A) In order to provide monies to finance the Development Cost of each project and to refund, renew, extend or substitute for any Project Loan Notes (in the Contract called "Advance Notes" or "Permanent Notes") by this Resolution authorized to be issued (or any such Notes by any other resolution authorized to be issued and which are outstanding, or on deposit for delivery pending payment therefor, as of the date this resolution becomes effective), or for any Project Notes (in the Contract called "Temporary Notes") issued by the Borrower in anticipation of the delivery of Project Loan or Permanent Notes, there are hereby authorized to be issued, from time to time, Project Loan and Permanent Notes of the Borrower in an aggregate principal amount outstanding at any one time (whether authorized by this Resolution or any other resolution authorizing the issuance of Project Loan or Permanent Notes) equal to the Maximum Development Cost.

(B) Each such Note shall bear interest and be payable in the form and manner prescribed by the Contract and this Resolution; shall be signed in the name of the Borrower by the authorized official of the Local Governing Body; shall have the official seal of the borrower impressed thereon and attested by the Clerk of the Local Governing Body. Each Project Loan Note shall be in substantially the form of Form No. HUD-9204-MICH and each Permanent Note shall be in substantially the form of Form No. HUD-52250, each of which form is incorporated herein by reference and made a part hereof. Project Loan Notes and Permanent Notes shall be issued to finance the Development Cost of Non-Permanently Financed Projects and Permanently Financed Projects, respectively.

(C) Each Note issued with respect to any project shall be secured by (1) a first pledge of the annual contributions payable to the Local Authority and authorized to be pledged to such payment pursuant to the Contract and (2) by a pledge of an lien on the Residual Receipts of such Project after providing for the payment of Bonds issued in respect to such Project.

(D) An additional security for the equal and ratable payment of the principal of and interest on each Note issued with respect to any Project, together with each other Note issued with respect to any Project, the Borrower, to the fullest extent permitted by the Laws of the State, hereby pledges, mortgages, conveys and grants unto the Government all property described in the Contract constituting such Project, including that certain real property relating to each such amendment thereto as executed and recorded by the Borrower pursuant to the Contract; Provided That, in respect to Permanently Financed Projects the lien of such pledge and mortgage and rights granted and conveyed pursuant to this paragraph shall (1) be junior to the Bonds and junior to the pledge of Residual Receipts securing the Bonds, and (2) not be foreclosable until all Bonds shall have been paid and discharged in the manner provided in the Bond Resolutions. If the preceding sentence shall be adjudged by a court of competent jurisdiction to be invalid or ineffective it is the intention of the Local Authority to be fully obligated under the other provisions of this Resolution and that such judgment shall not impair or invalidate the obligation of the Local Authority to pay the principal of and interest on each Note from other funds of the Local Authority as herein provided.

Section 4. Whenever the following terms, or any of them, are used in this Resolution, the same, unless the context shall indicate another or different meaning or intent, shall be construed, and are intended to have meanings as follows:

- (1) the term "Resolution" shall mean this Resolution.
- (2) All other terms used in this Resolution and which are defined in the Contract shall have the respective meanings ascribed thereto in the Contract.

Section 5. All resolutions or parts of resolutions heretofore adopted by the Local Authority which authorize the issuance and/or delivery of Advance, Project Loan or Permanent Notes pursuant to the Contract are hereby repealed: Provided, however, That such repeal shall in no way affect the validity of Advance, Project Loan or Permanent Notes issued pursuant to said resolutions which are outstanding or on deposit for delivery pending payment therefor on the date this Resolution becomes effective: Provided further, That the Project Loan Notes authorized by this Resolution shall be exchanged for any Advance Notes heretofore issued pursuant to any previous resolution.

SOLID WASTE DISPOSAL - Marquette Township

A report and recommendation from the City Manager, regarding a solid waste disposal agreement with Marquette Township, was read. It was moved by Commissioner Birch, supported by Commissioner Acocks, and carried unanimously that the standard solid waste disposal agreement with Marquette Township be approved with the Mayor and Clerk being authorized to execute the agreement on behalf of the City.

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ROOF DRAIN SEPARATION - Third Street

A report and recommendation from the City Manager, regarding a time extension for Third Street properties to separate roof drains from the sanitary sewer, was read. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously that property owners on Third Street be given an extension until November 1, 1989 to either separate their roof drains from the sanitary sewer system or begin paying a surcharge as defined in ordinance #410. Commissioner Coffey noted that the penalties would start on November 1, not after the 60 day period in the ordinance.

STREET ADMINISTRATOR AND STATE HIGHWAY MAINTENANCE SUPERINTENDENT

A report and recommendation from the City Manager, regarding the designation of a street administrator and a highway maintenance superintendent, was read. It was moved by Commissioner Sciotto, supported by Commissioner Coyne, and carried unanimously that Robert A. Haapala, P.E., be designated the City Street Administrator and that Steve Lawry be designated as the Maintenance Superintendent for the City of Marquette State Highway Maintenance Contract. The following resolution was adopted:

WHEREAS, Section 13(7) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the state transportation department pursuant to this act."

Therefore, be it resolved, that this Honorable Body designate Robert A. Haapala, P.E., City Engineer as the single Street Administrator for the City or Village of Marquette in all transactions with the State Transportation Department as provided in section 13 of the Act.

SNOWMOBILE TRAIL GROOMING PERMIT - Moose Country Snowmobile Club

A report and recommendation from the City Manager, regarding a snowmobile trail grooming permit for the Moose Country Snowmobile Club, was read. It was moved by Commissioner Berube, supported by Commissioner Coffey, and carried unanimously that this permit be approved and that the Mayor be authorized to sign the permit on behalf of the City.

POLICE PATROL VEHICLES - Bids

A report and recommendation from the City Manager, regarding bids for three 1989 police cars, was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to concur with the recommendation and purchase three police vehicles from Superior Ford for \$39,750.00.

MARQUETTE MOUNTAIN - Water Main Extension

Mayor Berube announced that this was the time set to discuss the possible extension of City water main to Marquette Mountain. City Manager Svanda described a request from Marquette Mountain for water service. He said that

the ski hill needs this water service immediately to provide the kind of facility this winter they feel is required. He described at some length the request, the problems of construction, and the policies established in the five year strategic plan for development of the ski hill area. Following discussion, it was moved by Commissioner Coyne, supported by Commissioner Birch, and carried unanimously to adopt the following three items as outlined by the City Manager: 1) authorize the administration to negotiate a contract with Curry Development which would include safeguards for the City and penalties for the developer if they do not deliver on certain promises that they make and including a reasonable cost allocation between the owners and the City, 2) to proceed with preliminary selection of a contractor that would be able to accomplish the task yet this calendar year, and 3) to schedule a special City Commission meeting for 4:00 p.m. on Friday, December 2, 1988. City Manager Svanda then spoke regarding the requested liquor license transfer from Marquette Mountain, Inc. It was moved by Commissioner Coffey, supported by Commissioner Coyne, and carried unanimously to concur with the City Manager's recommendation, and to approve the transfer of this liquor license contingent upon the City's administrative staff review.

CONSIDERATION OF AGENDA ITEM 14

It was moved by Commissioner Coffey and supported by Commissioner Glenn that each Commissioner contact the City Manager within the next week with recommendations for criteria which would be used to select the listing of properties causing neighborhood problems and that the City Manager make a recommendation at the next City Commission meeting on the establishment of these criteria, and that item 14, the listing of properties causing neighborhood problems, be deleted from this agenda and from the next City Commission meeting. During discussion, it was the consensus that current procedures should not be changed until there is a report from the Ad Hoc Committee working on the noise ordinance amendment. The following vote was taken:

Ayes: Commissioner Coffey.

Nays: Mayor Berube. Commissioners Acocks, Birch, Coyne, Glenn, Sciotto.

The motion was defeated.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda then presented the following properties which have been causing problems in their neighborhoods: 1616 Fitch Street with many maintenance violations owned by Dan Klumb who also owns 245 Rock Street and 510 North Front Street each of which have had property maintenance violations; 401 Genesee Street with maintenance code violations owned by Edward Ward; and 310 South Fifth Street with both noise and maintenance problems owned by Charles Morrison.

APPOINTMENTS

Mayor Berube then announced that he was pleased to appoint Helen Johnson to the City Commission on Aging. The Commission concurred.

CITIZEN COMMENT

During the time set for citizens to address the Commission, Ken Hogg said that he is concerned about the listing of owners of properties causing

neighborhood problems. He spoke at length giving reasons that he felt this list should not be publicly presented.

SCIOTTO

Commissioner Sciotto said that the City is trying to address locations with long term noise problems and that he feels the listing of properties causing neighborhood problems is meeting this goal. He said that there is a need to work on noise problems in the City.

GLENN

Commissioner Glenn asked if the charge for elevator repair was for annual maintenance or for vandalism. City Manager Svanda said it was for annual maintenance of the downtown parking ramp elevator. Commissioner Glenn also commended the Parks and Recreation Director for a well-written letter on the City's hiring policy and asked if a truckload of logs seen on Third Street on Wednesday had come from Presque Isle Park.

COFFEY

Commissioner Coffey said, in regard to Ruth Melchiori's charges that Marquette's water and sewer rates are high, that Assistant City Manager Spencer Nebel has done a comparison with Escanaba's water rates which shows them both to be reasonable. He discussed a table of water and sewer rates for Central Upper Peninsula cities which had been prepared by Mr. Nebel. He said that Marquette's water costs are in the lower half of this table, and that in addition to that, the water and sewer utility pays the equivalent of 2 mills per year in taxes, which results in Marquette having the second lowest tax rate of the cities listed. He noted that this year was the tenth anniversary of the Michigan Bottle Bill and that this bill should be expanded to include plastic containers. He wished Mike Etelamaki well on his new job.

BIRCH

Commissioner Birch said that he agrees with much that Mr. Hogg says but that he feels the present practice is working and that the Ad Hoc Committee working on the noise ordinance amendment is seeking a long term solution.

ACOCKS

Commissioner Acocks asked whether maintenance or noise violations properties were first on the list of properties causing neighborhood problems. City Manager Svanda said that both kinds of problems began to be listed at the same time. He also noted that all of the problem properties are first identified by public complaint. Commissioner Acocks said that this practice has heightened public awareness and served as a deterrent to continued noise and property maintenance code problems. She also said that the City is not forcing land owners to change their leases.

CITIZEN COMMENT

Ken Hogg addressed the Commission saying that lease changes were intended as an indication of an attempt to do something to solve the problems and that the changes were probably less useful than the leases had been originally.

ACOCKS

Commissioner Acocks noted that the Christmas tree lighting ceremony was a good one and said that the City Hall trees should be used as the City Christmas tree every year. She also asked about the criteria for listing properties causing neighborhood problems.

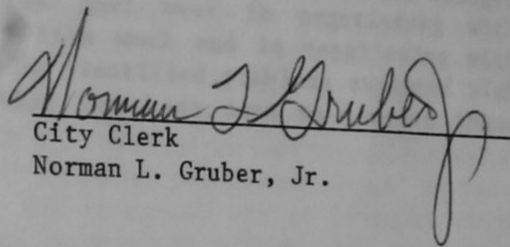
MAYOR BERUBE

Mayor Berube said that if citizens call in noise or maintenance code complaints and if a citation is issued at that point the property goes on the list to be considered as one causing neighborhood problems. He said that some portions of the City streets are very slippery and that everyone should drive carefully and that the water and sewer cost comparison figures are available in the City Manager's office.

ADJOURNMENT

The meeting was adjourned at 8:36 p.m.

Mayor
Robert O. Berube, II



City Clerk
Norman L. Gruber, Jr.

Commissioner Birch arrived.
City Manager Granda also reviewed the proposed agreement with City Development, the proposals received and the three contracts, and the process used by the staff in reviewing these proposals. He recommended awarding a contract to Charvat Construction and said that City Development was not satisfied with Charvat's proposal and that this disagreement has not been resolved. He also recommended creating a construction budget of \$325,000 with a \$20,000 contingency and a \$10,000 and construction of \$13,000 for a total of \$378,000, with this money to be transferred from the fund balance to the general fund and then appropriated to the water and sewer project fund. He said that the pollution control in construction of sewer main to serve Marguerite Hospital was \$200,000. He also said that additional water for future expansion in the area would be provided during the renovation of McClinton Street south to County Road 311. In response to questions, City Manager Granda said that the City Attorney had reviewed the contracts and identified the staff members who were involved in the selection committee for the contract.

Arthur Curry, representing Charvat Development, addressed the Commission. He thanked the City for their help and work on this project.

Commissioner Birch arrived.
Mr. Curry said that the project will not need to be done immediately because Charvat Development has developed a way of temporarily providing water to the city hall through a tunnel and that the permanent water main construction could be done with out sewer construction and water. He said that this would provide a water main that would allow for future expansion and allow for water to be used in providing an area of construction.

November 28, 1988

Commissioner Ancker noted that the Christmas tree lighting ceremony was a good one and said that the City Hall trees should be put in the City Christmas tree every year. She also asked about the criteria for listing properties causing neighborhood problems.

MAYOR BEVINS said that it is difficult to list all the properties causing complaints and if a citation is issued at that point the property goes on the list to be considered as one causing neighborhood problems. He said that that means properties of the City Council are not eligible and that properties should be eligible for citation and that the various neighborhood organizations are available for the City Council to call on for information.

no other matters were brought up and the meeting was adjourned at 8:15 p.m.

Robert G. Oberhelman, Chairman, City Council, said that the City Council has a number of bills pending and that the City Council will be meeting on Monday, December 12, 1988, at 10:00 a.m. in the City Council Chamber. He said that the City Council will be considering a number of bills and that the City Council will be meeting in the City Council Chamber on Monday, December 12, 1988, at 10:00 a.m.

Commissioner Ancker said that she would like to see the City Council working on the bills that are pending and that she would like to see the City Council working on the bills that are pending.

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Friday, December 2, 1988

A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Friday December 2, 1988 in Commission Chambers of City Hall.

PRESENT: Mayor Berube. Commissioners Acocks, Coffey, Coyne,
Sciotto. Commissioners Birch and Glenn arrived late.

ABSENT: None.

MARQUETTE MOUNTAIN - Watermain

Mayor Berube announced that the purpose of this special meeting is to authorize construction of a water main to Marquette Mountain. City Manager Svanda outlined the activities of the past week in negotiating with Marquette Mountain for a contract for this work and in negotiating with potential contractors to do the work. He identified problems expected with the short construction schedule and what has been done to resolve these problems.

Commissioner Glenn arrived.

City Manager Svanda also reviewed the proposed agreement with Curry Development, the proposals received from the three contractors, and the process used by the staff in reviewing these proposals. He recommended awarding a contract to Oberstar Construction and said that Curry Development was not satisfied with Oberstar's proposal and that this disagreement has not been resolved. He also recommended creating a construction budget of \$326,100 with a \$35,000 contingency and engineering and construction of \$15,000 for a total of \$375,100, with this money to be transferred from the fund balance to the general fund and then appropriated to the water and sewer project fund. He said that the preliminary estimate on construction of sewer main to serve Marquette Mountain was \$450,00 to \$600,000. He also said that additional water for future expansion in the area would be provided during the extension of McClellan Avenue south to County Road 553. In response to questions, City Manager Svanda said that the City Attorney had reviewed the contracts and identified the staff members who were involved in the selection committee for the contractor.

Arthur Curry, representing Curry Development, addressed the Commission. He thanked the City for their hard and fast work on this project.

Commissioner Birch arrived.

Mr. Curry said that the project will not need to be done immediately because Curry Development has identified a way of temporarily providing water to the ski hill through the winter and that the permanent water main construction could be done along with sewer construction next summer. He said that this would provide a considerable cost saving over winter construction and allow for more time to be spent in planning and design of the project.

David Baker, representing Curry Development, explained why there was an immediate need for more water at the ski hill and described in more detail the proposal for temporary water service. Mr. Curry said that they still intend to do the permanent water and sewer main project but that the temporary solution will get them into operation in time for their grand opening next weekend.

Commissioners discussed the proposed temporary water system and asked questions about its effect on the City's water system including what permits might be required and whether fire flows would be affected in the Shiras Hills area. Commissioners also agreed that it is would be better to do a long term project and to do it properly. In response to a question, Mr. Curry said that the temporary water service would not be used for more than 18 months.

It was moved by Commissioner Coyne, Supported by Commissioner Coffey, and carried unanimously to ask the City Manager to work with Curry Development to develop a temporary water line starting at the most distant point of the City's system on County Road 553, including the necessary permits and approvals for this temporary water line, to prepare a report and recommendation on the matter for the City Commission's consideration, and to accept Curry Development's offer to reimburse the City for expenses already incurred in the design of the permanent water main. Commissioners agreed that this motion was not an approval and that the subject needs study in a report and recommendation to the Commission before approval can be given.

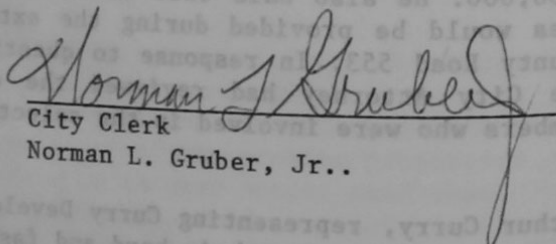
CITIZEN COMMENT

Arthur Curry thanked the City for its aggressive pursuit of this water project and urged that the temporary water project approval be pursued as aggressively. Mayor Berube thanked the contractors and engineers for their assistance in developing this project over a very short period of time.

ADJOURNMENT

The meeting was adjourned at 5:08 p.m.

Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr..

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, December 12, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, December 12, 1988 in Commission Chambers of City Hall.

PRESENT: Mayor Berube. Commissioners Acocks, Birch, Coffey, Coyne,
Glenn, Sciotto.
ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously to approve the minutes of the November 14 and 28 regular meetings and of the December 2 special meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$520,441.97 were presented. It was moved by Commissioner Coffey, supported by Commissioner Glenn, and carried unanimously to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added item 14, a recommendation from Marq-Tran regarding a change order for the roofing contract and item 15, appointments to various boards and committees.

SISTER CITY RELATIONS REPORT

Mayor Berube announced that this was the time and date set for a report from Sister City Relations Director Pryse Duerfeldt. Dr. Duerfeldt reported on the delegate exchange between Yokaichi and Marquette during 1988. He said that there had been 46 delegates exchanged with 40 coming to Marquette from Yokaichi and 6 leaving Marquette to go to Yokaichi. These delegates traveled in several separate groups. He also said there were three students from Yokaichi at Northern Michigan University including one who has a scholarship from the University. He said that the University has begun a first year Japanese language class which he hoped would be expanded to at least two years in the future. He noted the establishment of a Michigan Universities Japanese Study Center in Shiga Prefecture. He also reported on the activities of the Sister State Advisory Committee. He announced plans for the delegation from Marquette to visit Yokaichi in May this year and said that the delegation from Michigan would be traveling to Shiga, Prefecture in July. He said the Marquette delegation will be in Yokaichi for the kite flying festival and that the delegation will be led by Mayor Berube. Mayor Berube thanked Dr. Duerfeldt for his ten years of work as Director of Sister City Relations for Marquette.

PUBLIC HEARING - Local Development Finance Authority

Mayor Berube announced that this was the time set for a public hearing on Local Development Finance Authority Plan and Tax Increment Finance Plan #1. There was no one to speak on either plan. The hearing was closed. It was moved by Commissioner Coyne and supported by Commissioner Birch to adopt

the resolution enacting development plan #1 and tax increment finance plan #1. It was moved by Commissioner Coffey to table this item until the next meeting. The motion died for lack of support. Commissioners discussed the late submittal of material noting that the original packet had been incomplete. The original motion was withdrawn. It was then moved by Commissioner Coffey and supported by Commissioner Sciotto to continue the public hearing until the next regular meeting. After City Attorney Martin said that the public hearing had been closed already. This motion was withdrawn. It was then moved by Commissioner Coffey and supported by Commissioner Sciotto to place this item on the next regular meeting agenda. The following vote was taken:

Ayes: Mayor Berube. Commissioners Birch, Coffey, Coyne, Glenn, Sciotto.

Nay: Commissioner Acocks.

The motion was carried.

CITIZEN COMMENT

There were no citizens wishing to address the Commission on agenda items.

WATER AND SEWER UTILITY ADVISORY COMMITTEE - Policy Changes

A communication from the Water and Sewer Utility Advisory Committee, regarding changes to the billing policies, was read. It was moved by Commissioner Coffey and supported by Commissioner Berube to schedule a work session with the Water and Sewer Utility Advisory Committee to discuss their recommendation. The following vote was taken:

Ayes: Mayor Berube. Commissioners Acocks, Birch, Coffey, Coyne, Sciotto.

Nay: Commissioner Glenn.

The motion was carried.

Commissioners agreed to meet with the Committee at their normal meeting time of 7:00 p.m. on January 3, 1989.

PARKS AND RECREATION ADVISORY BOARD - Waterfront Observation Deck

A communication from the Parks and Recreation Advisory Board, regarding a proposal for construction of a waterfront observation deck in Marquette, was read. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to accept the recommendation of the Parks and Recreation Advisory Board and to send Ms. Cederna a letter expressing the thoughts of the Commission defining the reasons for rejection while encouraging her to possibly consider alternative sites with new direction in the project concept.

DOWNTOWN DEVELOPMENT AUTHORITY - Parking Ramp O.M.R. Special Assessment

A communication from the Downtown Development Authority, regarding the special assessment for operation, maintenance, and replacement of the downtown parking ramp, was read. It was moved by Commissioner Sciotto to refer this to the administration for study and report. The motion died for lack of support. It was then moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to follow the recommendation of the Downtown Development Authority and to adjust the O.M.R. Special Assessment beginning with tax day December 31, 1988, for 1989 and following years in accordance with the chart attached to the recommendation.

STRAWBERRY LAKE PROPERTY - Easement

A communication from the City Attorney, regarding the grant of an easement across the Strawberry Lake Property, was read. It was moved by Commissioner Glenn and supported by Commissioner Birch to grant the easement as recommended. Following discussion about the City's offer to sell this property to the previous owners, the motion was withdrawn. It was then moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously to table this matter until the expiration of the 30 day time period involved in the offer to sell was up.

PETER WHITE PUBLIC LIBRARY - Roof Drain Time Extension

A report and recommendation from the City Manager, regarding a time extension for separation of roof drains at the Peter White Public Library, was read. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously that the City Commission discontinue the storm water surcharge for the Library and review the status of their roof drain separation on July 1, 1989. Peter White Public Library Director Edward Mandell answered questions.

MICHIGAN EQUITY GRANT - Priority List

A report and recommendation from the City Manager, regarding planning for Michigan Equity Grants, was read. A list of proposed projects was also read. Mayor Berube called for any additions to this list. Commissioner Glenn added item N, a walking path along Peter White Drive and suggested a project to install groins to retain beach sand between Shiras Park and Presque Isle. Commissioner Birch suggested improvement in the Shiras Zoo. Commissioners agreed to add discussion of this list to a work session on January 25, 1988 at which time the five-year strategic plan and the budget will be discussed.

POINTS OF INTEREST BROCHURE - Bids

A report and recommendation from the City Manager, regarding quotes for reprinting of the City's points of interest brochure, was read. It was moved by Commissioner Berube, supported by Commissioner Acocks, and carried unanimously to approve the printing and purchase of 75,000 points of interest brochures from Lake Superior Press per their alternate bid in the amount of \$6,723.60.

VANGO'S LOUNGE - Liquor License

A report and recommendation from the City Manager, regarding the addition of a new entertainment permit to 12 month Resort Class C license for Vango's Lounge at 927 N. Third Street, was read. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously to approve this request.

MARQUETTE MOUNTAIN WATER LINE

Mayor Berube announced that this was the time set for a verbal report from the City Manager on the proposed temporary water line to Marquette Mountain. City Manager Svanda said that discussions between the developer, their contractor, and engineer, the City, and the State Department of Public Health, had been ongoing over the last week. He said that the developer Department will not issue a permit for the water system until the developer has concluded a contract with the City and that the permit will only be issued for a temporary water system with the requirement that discussions

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for construction of a permanent water system be ongoing. He said that it may be necessary to hold a special City Commission meeting prior to the next meeting as plans may be finalized for the permit as soon as late this week.

CITY COMMISSION - Second Meeting in December

Mayor Berube announced that this was the time set to discuss the date for the second meeting in December. He said it is currently scheduled for the 26th, which is a holiday because it is the day after Christmas. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to move the December 26 City Commission meeting to December 27.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda presented the following list of properties causing neighborhood problems:

2010 Longyear, Apt. 22: noise violation, there have been several other noise violations at the same address in different apartments, the owner is Steve Pelto

416 N. Fourth Street: noise violations now and in the past, the owner is William Murray.

510 N. Front Street: property maintenance problems, owner is Dan Klumb who also owns 1616 Fitch which has had maintenance problems in the past and 245 Rock Street with noise violations in the past.

1950 Presque Isle: noise problems now and in the past, caused by tenants Seaburg and Torreano, owner is Chris Economis who lives in Escanaba.

411 Spruce Street: maintenance and noise problems over the last two years, owner is Clark Lambros.

322 Summit Street: noise problems over the last two years, owner is William Dunham.

1421 Wright Street: noise problems, owner is Roger Varda.

MARQ-TRAN - Transportation Center Project Change Order

A communication from Marq-Tran, regarding change order #1 for the Marquette Transportation Center roof project, was read. It was moved by Commissioner Birch, supported by Commissioner Acocks, and carried unanimously to approve change order #1 in the amount of \$1,990.20.

APPOINTMENTS

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

PUBLIC WORKS ADVISORY BOARD: Michael Etelamaki for a term expiring June 1, 1991 and Lowell Larson for a term expiring June 1, 1990.

PARKS & RECREATION ADVISORY BOARD: Steve Nagelkirk for a term expiring January 29, 1991.

LAKEVIEW ARENA ADVISORY BOARD: James Kaiser for a term expiring August 1, 1991.

COMMISSION ON AGING: Jeanette Thomas for a term expiring October 1, 1991.

HANDICAPPED CITIZENS ADVISORY BOARD: Cass Dagenais for a term expiring January 1, 1992.

Mayor Berube also noted that there are still openings on the Planning Commission and the Public Works Advisory Board.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Ken Hogg complained about the listing of properties causing neighborhood problems. He identified noise violations at Lake Superior Village which he said is owned by the City and said that the City had not been listed as a problem property owner. He said that this discredits the entire list.

ACOCKS

Commissioner Acocks noted thanks from many City residents and landlords for the Commission's activity in listing properties causing neighborhood problems because it is solving many problems throughout the City. She asked why the City had not been listed. City Manager Svanda said that the Marquette Housing Commission is the owner of these apartments and has been listed in the past. Commissioner Acocks also noted the nice article in the paper about Mayor Berube and his family and said that there are lots of problems with dogs running loose in Shiras Hills. She thanked Commissioner Coffey for the rainbows he and Mrs. Coffey had made for the microphone stands and wished everyone a Merry Christmas.

BIRCH

Commissioner Birch thanked Commissioner Coffey for the rainbows and noted comments about the poor condition of the City streets during the snowfall last weekend. City Manager Svanda noted the loss of one of the City's sanders in the accident last week. He said that this has hurt the City's ice fighting ability. He also noted that the extreme cold makes sanding less effective as the sand does not stick to the ice.

COFFEY

Commissioner Coffey said that property owners should keep their sidewalks clear to help keep people off the street. He wished everyone happy holidays.

COYNE

Commissioner Coyne asked what the plans are regarding the loss of the sander. City Manager Svanda said crews are fabricating a new sander from parts on hand which will be used until money can be budgeted to replace the one that was lost. Commissioner Coyne also asked what kind of right-of-way sanders and plowing vehicles have. City Manager Svanda and City Attorney Martin said their right-of-way is no greater than any other vehicle's right-of-way and that they are not considered emergency vehicles. Commissioner Coyne also asked City Manager Svanda to clearly state how the list of properties causing neighborhood problems is selected. City Manager Svanda said there are two lists containing violations, noise violations from the Police Department and property maintenance violations from the Building Inspector. He said these lists are merged and then a search is made for owners, addresses, or tenants which appear on the list more than once. These are then reported.

GLENN

Commissioner Glenn said there had been a good meeting between the Downtown Development Authority and the parking consultant today. She also noted that

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the term "breakwater" should be used instead of breakwall as a breakwall is located along the land to protect it from wave action.

SCIOTTO

Commissioner Sciotto said that the flags should be placed back in the corner behind him. He said the Ad Hoc Noise Ordinance Committee is attempting to meet to finish working on the noise ordinance recommendation but that it has been difficult to get everyone together. He said noise complaints are not a trivial matter to many people and thanked the landlords who are trying to control the problem. He said they should not be on the list of properties causing neighborhood problems. He asked for a report on whether the goals of this list are being met.

BERUBE

Mayor Berube asked the City Attorney to look into a newspaper article on increased drunk driving fines. He said if the fines could be increased in Marquette, it would make City streets safer. He wished everyone a happy and safe holiday.

CITY MANAGER SVANDA

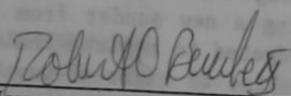
City Manager Svanda noted that the parking consultant is working with the Downtown Development Authority today and tomorrow and that there will be a final wrap-up at noon at the Holiday Inn tomorrow. He said, in regard to the sander accident, witnesses had come forward after reading the account of the accident in the newspaper to prove that the City employee driving the sander was not at fault in that accident. He also noted an approach from several people regarding possible sister cities in Finland.

Commissioner Acocks asked for a report from the City Manager on the establishment of a committee to work on other sister city relationships.

City Manager Svanda noted Police sponsorship of the Tie-One-On Campaign in which a red ribbon is tied to the handle or a rear view mirror of a car and indicates that the driver will avoid drunk driving during the holiday season. He said this will help make the streets safe.

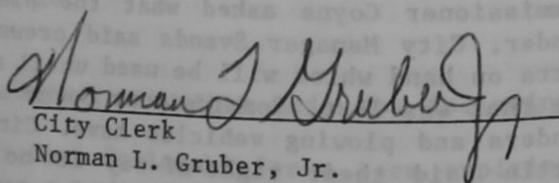
ADJOURNMENT

The meeting was adjourned at 8:48 p.m.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, December 27, 1988

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, December 27, 1988 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Berube. Commissioners Acocks, Coffey, Coyne, Glenn, Sciotto.
ABSENT: Commissioner Birch.

EXCUSE ABSENCE

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

APPROVAL OF MINUTES

It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried to approve the minutes of the December 12, 1988 Commission meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$280,961.08 were presented. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added item 7, appointments to boards and commissions.

MARQUETTE TOWNSHIP ADVISORY BOARD TO AMCAB - Outdoor Skating Rink

Annette Elmlblad, representing the Marquette Township Advisory Board to Amcab, spoke on the need for a skating rink on Presque Isle Avenue for the children who reside at Lake Superior Village. She said that members of her board had determined how much the city would need to operate this skating rink for the winter and had obtained \$1,400 toward this amount. She asked the Commission for their approval to operate the skating rink this winter and said that the remaining money would be raised and donated to the City. She also recognized the contributors to this project. It was moved by Commissioner Sciotto, supported by Commissioner Acocks, and carried to accept the check for \$1,400 on the basis that the remainder of the funding will be given in a reasonable amount of time.

CITIZEN COMMENT

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

MARQUETTE AREA CHAMBER OF COMMERCE - Non-profit Status

A communication from the Marquette Area Chamber of Commerce requesting City Commission recognition as a legitimate non-profit organization, was read. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried to adopt the following resolution:

December 27, 1988

BE IT RESOLVED, THAT THE CITY OF MARQUETTE RECOGNIZES AND ACKNOWLEDGES THAT THE MARQUETTE AREA CHAMBER OF COMMERCE IS A NONPROFIT ORGANIZATION SERVING THE INTERESTS OF THE BUSINESS AND GENERAL MARQUETTE AREA COMMUNITY.

RIVER PARK COMPLEX - Sale of Lots

A report and recommendation from the City Manager, regarding listing the lots in River Park Complex Industrial Park for sale with a local realtor, was read. It was moved by Commissioner Acocks, supported by Commissioner Berube, and carried to not concur with the City Manager's recommendation and to ask the City Manager to develop a plan for an RFP or open bidding process on acquiring the real estate sales services.

LOCAL DEVELOPMENT FINANCE AUTHORITY

A report and recommendation from the City Manager, regarding the approval of the Local Development Finance Authority Plan and Tax Increment Finance Plan was read. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to adopt Local Development Finance Authority Plan Number One and Tax Increment Finance Plan Number One as proposed.

AFSCME - Grievance

A report and recommendation from the City Manager, regarding a grievance from the Public Works Chapter of AFSCME, was read. City Manager Svanda said that the AFSCME Chapter had requested this grievance be on tonight's agenda but that a recent communication from Mr. Just, the grievant, had requested a delay since he would not be here this evening. He recommended that this be considered the first hearing of this grievance and the next meeting be considered the second hearing. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried to continue the Just Grievance until the next meeting, to consider this the first hearing meeting as the Commission had received the relevant material, and to indicate intent to act at the next meeting.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda identified 516 North Front Street which has had two maintenance problems in recent months owned by William Joki, and 302 South Fifth Street with three maintenance problems in the last several months owned by Ruth Kolhek.

APPOINTMENTS

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

PLANNING COMMISSION: Glenn VanNeste for a term expiring February 15, 1989.

DOWNTOWN DEVELOPMENT AUTHORITY: Eric Durham for a term expiring January 1, 1993.

COUNTY COMMISSION ON AGING: Rosemary Glenn nominated.

HARBOR COMMITTEE: Tony Wedal for a term expiring December 11, 1991.

CITIZEN COMMENT

During the time set for citizens wishing to address the Commission, Ken Hogg complained about the standards for selecting the list of properties causing neighborhood problems. He also said that the City is one of the

worst violators according to the standards. He said there is no proof that this system is relieving the noise levels in the City and said that the City has never been recognized as the owner of properties causing neighborhood problems.

ACOCKS

Commissioner Acocks wished everyone a Merry Christmas and a healthy, happy New Year.

COFFEY

Commissioner Coffey said that the "Big 10" will win the Rose Bowl this week and said that there would be good entertainment at the Marquette Senior High School alumni basketball game on Tuesday evening. He asked the City Manager to look up the properties owned by the Marquette Housing Commission and to report on the noise violations at them. City Manager Svanda explained how the Marquette Housing Commission was different from the City of Marquette. Mayor Berube asked for a report on this matter.

COYNE

Commissioner Coyne said that the corner of McClellan Avenue and Ridge Street needs to be studied and that there had been a serious accident there. He noted a call as to why sand barrels are not filled around the City and asked for an update on the water supply to Marquette Mountain. City Manager Svanda described the activities since the last Commission meeting regarding this water supply. Commissioner Coyne also noted that this has been a difficult winter and complimented the Public Works Department for doing a good job.

GLENN

Commissioner Glenn noted many beautiful Christmas lights in the City, especially downtown, and said that volunteer help in refurbishing the old fire truck is needed. She also asked the status of Strawberry Lake property. City Attorney Martin said that the 30-day repurchase period is still running.

SCIOTTO

Commissioner Sciotto noted that "old Jerry", the City's original motorized fire engine, will be refurbished by City firefighters. He spoke on the history of this truck in City service and the need for funds for its rehabilitation. He said that Public Works Superintendent Lawry had informed him that sand barrels are being put out in about 20 locations. Commissioner Sciotto also spoke on the need for smoke detectors in homes, especially during the holiday season and thanked many people for doing volunteer work for the needy in the City.

BERUBE

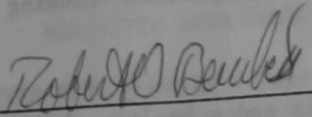
Mayor Berube noted the work session scheduled for January 25 and asked if the City's financial report could be added to the agenda for that meeting. Commissioners agreed that it could and said the meeting should start at 6:00 p.m. Mayor Berube also noted a letter from Robert Manning, a Harbor Committee member, urging all interested boaters to attend the 13-week safe boating class at Northern Michigan University this winter. Mayor Berube also said that Michigan would be following MSU in attempting to win a Rose Bowl.

December 27, 1988

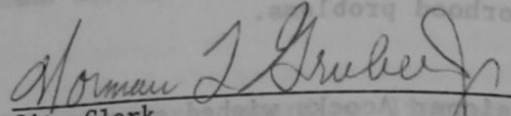
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ADJOURNMENT

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



Mayor
Robert O. Berube II



City Clerk
Norman L. Gruber, Jr.

