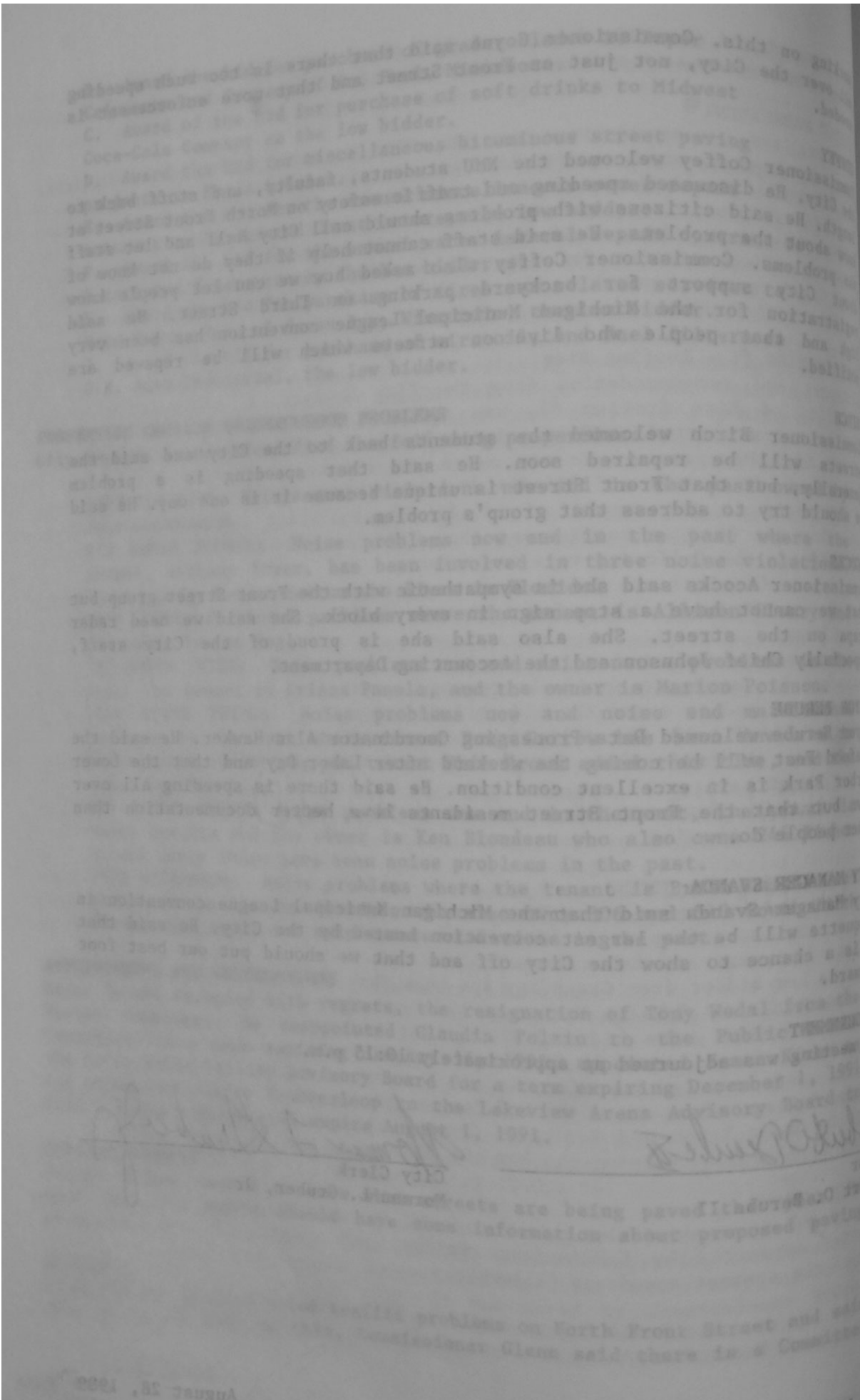




OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 11, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 11, 1989 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Coffey, supported by Commissioner Glenn, and carried unanimously to approve the minutes of the August 28, 1989 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$634,886.57 were presented. It was moved by Commissioner Glenn, supported by Commissioner Sciotto, and carried unanimously to pay the bills as presented.

SISTER CITY

Mayor Berube announced that this was the time set for the acceptance of a gift from our Sister City Yokaichi, Japan. He said that the Mayor of Yokaichi has sent us a beautiful framed cloth picture as his thanks for accepting a high school student from Yokaichi in Marquette this summer. Commissioners agreed that the picture was very beautiful.

CITIZEN COMMENT

Dave Hamari asked to speak on agenda item 4.

PUBLIC ACCESS COMMITTEE - Franchise Agreement Amendment

A recommendation from the Public Access Committee, regarding an amendment to the Cable TV Franchise Agreement, establishing the continued level of support for public access and local origination was read. It was moved by Commissioner Coffey, supported by Commissioner Coyne, and carried unanimously to concur with the Committee's recommendation and vote to approve the amendment with the additional wording "It is understood that if this franchise is sold, this amount shall be renegotiated".

MARQTRAN - Transportation Center Lease

A communication from Marqtran regarding a lease with the Marquette Alger Intermediate School District for space in the Transportation Center was read. It was moved by Commissioner Glenn, supported by Commissioner Acocks, and carried unanimously to accept the lease with the Marquette-Alger Intermediate School District for space in the upper level of the Marquette Transportation Center and rental parking space.

NORTH THIRD STREET - Parking Lot Paving

A report and recommendation from the City Manager, regarding an agreement for the paving of a parking lot in the 600 Block of North Third Street, was read. David Hamari asked how big the lot was. Scott Fure answered

questions about the proposed parking lot. He said that it will be about 15,000 square feet. It was moved by Commissioner Acocks, supported by Commissioner Coyne, and carried unanimously that the agreement be approved and that the Mayor and City Clerk be authorized to execute it.

BIDS - Tractor and Trailer

A report and recommendation from the City Manager regarding bids for a dump trailer and a tractor were read. It was moved by Commissioner Birch, supported by Commissioner Coyne, and carried unanimously that the bid for a dump trailer be awarded to Schulz Equipment and Parts Company of Iron Mountain, Michigan for \$28,995.00 being the only bid and meeting specifications and that the City Administration be authorized to request additional quotations on used tractors. Commissioner Sciotto said that we should buy new equipment if we can afford it.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY - Equipment Financing

A report and recommendation from the City Manager, regarding an agreement with the Marquette County Solid Waste Management Authority, for financing an equipment purchase, was read. Mike Etelamaki representing the Authority supported the recommendation. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously that the financing plan be approved including the alternative variable rate if necessary and that the Mayor and Clerk be authorized to execute any documents relating to the borrowing for the Authority. City Manager Svanda answered questions about the proposed agreement.

CONSENT AGENDA

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

- A. Award the bid for a tandem axle dump truck to Schulz Equipment and Parts Company of Iron Mountain, Michigan in the amount of \$58,597.00 being the only bid and meeting specifications.
- B. Schedule a public hearing for September 25, 1989 on the rezoning of the Brookridge property.
- C. Adopt a resolution of support for the reconstruction of County Road 426.
- D. Schedule a public hearing on special assessment improvements to the water system on West Ridge Street between Fifth and Sixth Streets for the September 25, 1989 meeting.

The following resolution was adopted:

WHEREAS, County Road 426 is located and traverses across the Counties of Delta, Dickinson, and Marquette, and

WHEREAS, The Board of County Road Commissioners of Marquette County, have determined there is a need to upgrade and reconstruct County Road 426 between Channing and Escanaba to make it an all season route, and

WHEREAS, the improvement of County Road 426 would have an economic impact on the business and industrial community including the forest industry, farming, and the construction industry, and

WHEREAS, an improvement in the business and industrial community of will benefit the City of Marquette both directly and indirectly, and

WHEREAS, state legislation has been enacted which provides funding for road improvements through the Transportation Economic Development Fund for improving and upgrading roads that serve industry,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission hereby supports an application for Category A funding under the Transportation Economic Development Fund to improve and reconstruct County Road 426 in its entirety to an all season road.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda identified the following properties:

247 ROCK STREET: Maintenance problems and noise and maintenance problems in the past owned by Dean Bjorlein.

525 SOUTH FOURTH STREET: Noise problems now and in the past where the tenant is Nancy Beaudin and owner Ken Blondeau who also owns 246 Fisher with noise problems in the past.

920 JEFFERSON: Noise problems where there have also been noise and maintenance problems in the past, the tenants being Nickle, Wentland and Strube and the owner Tom Bullock.

900 Lakeshore: Noise problems on two occasions in one week the tenants being Kinder, Masnich and McCree and the owner Emmendorfer and Zenti Enterprises.

502 N. FRONT STREET: Maintenance problems now and noise and maintenance problems in the past owned by Dan Klumb who has had problems at 1204 Division Street, 1616 Fitch Street, 510 N. Front Street, 245 Rock Street, and 809 N. Third Street. Mr. Klumb also owns 414 South Seventh Street where there were noise problems recently and the tenant is Eric Muller.

325 WEST COLLEGE: Noise problems now and maintenance problems in the past the tenant being Joseph Yanover and the owner Leif LaLone.

346 HARRISON: Maintenance problems now and in the past owned by Mildred Marietta.

709 CHAMPION: Maintenance problems now and in the past owned by Dan Michelson.

517 NORTH THIRD STREET: Maintenance problems now and in the past owned by Chad Norton who also owns 521 North Third Street with maintenance problems in the past.

1424 LINCOLN: Maintenance problems now and in the past owned by Bernice Pfaffle who also owns 1429 Lincoln with maintenance problems.

625 NORTH FOURTH STREET: Noise problems now and noise and maintenance problems in the past where the tenant is Mark Vutci and the owner is Francis Roe.

1409 NORWAY: Noise problems now and noise and maintenance problems in the past the tenant is Chris Meneghini and the owner Mary and Janet Sonaglia.

2074 VAN EVERA: Noise problems now and noise and maintenance problems in the past owned by S. R. & R. Development who also have had problems at 609 Norwood, 2058 Van Evera, and 2090 Van Evera. The tenant this time being David Sorensen.

APPOINTMENTS

Mayor Berube, with the Commissions concurrence, appointed William York to the Harbor Committee to fill the unexpired term of Tony Wedal and Judith James to the Housing Commission to fill the unexpired term of Tony Wedal.

CITIZEN COMMENT

David Hamari said that there are property maintenance problems throughout the city and that people should do more to solve litter problems. He said there is a lot of noise on Presque Isle Avenue from trucks which are also speeding there. He said Captain Dishno had gotten the lines on the pedestrian cross walk at the PEIF building painted promptly. He thanked Commissioner Sciotto for his advice on how to address the Commission.

SCIOTTO

Commissioner Sciotto said the three families on Adams Street are happy with the city's quick action in regard to the water repairs there. He said he is happy to see that construction on the water improvements in the 400 Block of West Ridge Street should be done yet this year. He complimented the staff for their work on this project. He said that the students are back in town and that noise is still a problem. He asked noisy students to be quiet around town when they leave parties.

GLENN

Commissioner Glenn thanked the staff for the good financial reports on the Detroit Symphony Concert in the UP Summer Sports Festival. She said these are family oriented events and should be encouraged.

COYNE

Commissioner Coyne said that he had spent two days in a town near Boston, Massachusetts last week and that the person he was staying with paid \$30.00 a month for garbage collection and \$300.00 a month for water and sewer. He said these rates are much higher than what is being paid in Marquette.

COFFEY

Commissioner Coffey congratulated the people who worked on the Seafood Fest. He said it had been a good event. He noted the successful mediation on the final City Hall labor contract today and asked if the new second offense noise ordinance is being enforced. City Manager Svanda said that convictions in court are required before the ordinance can be enforced.

BIRCH

Commissioner Birch thanked Mr. Hamari for his comments on littering and thanked Chief Johnson for the increased traffic surveillance on Front Street. He said people having parties should be considerate of their neighbors and accept their advice on quieting the parties down instead of having to call the police.

MAYOR BERUBE

Mayor Berube complimented Mike Golisek, Spencer Nebel and the neighbors in the 400 Block of West Ridge Street for working to resolve their problems. He said that they have reached a good solution. He said that people speed a lot in Marquette but that police enforcement seems to be helping.

ADJOURNMENT
The meeting was adjourned at 7:49 p.m.

Robert O Bumble III

Norman L. Gruber, Jr.
City Clerk

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 25, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 25, 1989 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 Coyne, supported by Commissioner Coffey, and carried to excuse the absence of Commissioner Birch.

APPROVAL OF MINUTES

It was moved by Commissioner Glenn, supported by Commissioner Acocks, and carried to approve the minutes of the September 11, 1989 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$579,250.14 were presented. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing changes in the agenda, Mayor Berube removed item 9D from the Consent Agenda and made it item 8A. He also added item 11, a report from the City Attorney relating to the SCA development, and said that item 12, going into closed session would be for two reasons; to discuss property acquisitions and to discuss evaluations and salaries of the City Manager and City Attorney. City Clerk Gruber noted three corrections in bid amounts on Consent Agenda items.

PROCLAMATION - Domestic Violence Awareness Month

Mayor Berube made the following proclamation:

Domestic Violence Awareness Month

WHEREAS, domestic violence occurs in one out of three families, with the majority of violence directed toward women and children; and

WHEREAS, we would like people to be aware of the occurrence of domestic violence in Marquette County and the State of Michigan; and

WHEREAS, to let people know that there are places to go and call for help; and

WHEREAS, services from the public as time and donations can receive recognition;

September 25, 1989

page 156

NOW, THEREFORE, I Robert O. Berube II, do hereby proclaim the month of October as Marquette City DOMESTIC VIOLENCE AWARENESS MONTH, and urge all citizens to be aware of the help available for the people of Marquette and that the general public has been, and is essential in providing this help.

PROCLAMATION - National Cosmetology Month
Mayor Berube made the following proclamation:

National Cosmetology Month

WHEREAS, National Cosmetology Month will be observed in our community and across the country during October, 1989 by the 47,000 members of the National Cosmetology Association; and

WHEREAS, the activities of this national association of cosmetologists benefit community charities and enhance the appearance of our nation's greatest wealth, its people; and

WHEREAS, the theme of 1989 National Cosmetology Month, "A NEW YOU . . . What Better Time Than Now!", promotes self worth and personal development.

NOW, THEREFORE, I Robert O. Berube II, Mayor of the City of Marquette do hereby proclaim the Month of October, 1989 as National Cosmetology Month.

UNDERWATER PRESERVE

Mayor Berube announced that this is time set for an update on the proposed underwater Preserve. Dennis Whitehead said that the Underwater Preserve Committee formed by the county has been meeting for nearly a year and that last week their report was accepted by the State Bottomlands and Salvage Committee. He said that this the first step towards designation of the Underwater Preserve by the State Legislature and that the committee hopes it can be done within one year. Mayor Berube thanked Mr. Whitehead and the members of the committee for their work on this project.

PUBLIC HEARING - Brookridge Rezoning.

Mayor Berube announced that this was the time and date set for a public hearing on the rezoning of the Brookridge property. The recommendation from the Planning Commission was read. Bill Nemacheck representing Marquette General Hospital and Lyn Swadley, an adjoining property owner, both supported the rezoning. Mr. Swadley said he is concerned that drainage from the proposed project be done properly. The hearing was closed. Assistant City Manager Nebel and Community Development Director Smith both answered questions about the proposed rezoning. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried to approve the rezoning of a portion of the Brookridge Property from Deferred Development to Multiple Family Residential as recommended. It was then moved by Commissioner Coyne, supported by Commissioner Coffey, and carried to approve the agreement with Marquette General Hospital regarding the payment in lieu of taxes and to authorize the Mayor and City Clerk to execute it. Mayor Berube complimented Marquette General Hospital for their open-minded approach to the payment in lieu of taxes question.

Mayor Berube recognized Boy Scout Troop 305 from the First Methodist Church who were in attendance at the meeting.

PUBLIC HEARING - West Ridge Street Water Special Assessment

Two reports and recommendations from the City Manager, one from the last meeting and one prepared for this meeting, regarding the proposed water improvement project on West Ridge, Fifth, and Sixth Streets were read. Tom Turtan, Emily Zwolinski, Sharon Carlson, Barry Marietta and Jimmy Chan all said that they own properties on Fifth Street and that these properties do not have any water supply problems. They objected to being included in the assessment district. Kathy Staffne said that she has water problems but that the high assessment is too much. Warren Kelley, David Wiering, Gerald Krieg all said that they live on North Sixth Street and that there are water problems at their houses they are not serious enough to justify the high assessment being proposed. Joe Meyskens asked if the city is going to absorb the additional cost over the estimated cost of the project. The hearing was closed. It was moved by Commissioner Coffey, and supported by Commissioner Glenn to concur with the recommendation of the City Administration. The item was discussed at great length by the commissioners. During the discussion, Assistant City Manager Nebel and Assistant City Engineer Golisek answered questions about the proposed project. The following vote was taken:

Ayes: Mayor Berube. Commissioners Acocks, Glenn.

Nays: Commissioners Coffey, Coyne, Sciotto.

The motion was not carried. It was then moved by Commissioner Coffey to direct the City Manager to prepare a new proposal and get new cost estimates. Motion died for lack of support. It was moved by Commissioner Sciotto to postpone this matter until we have a complete screening of the residence to determine their preference; and until Spring. Motion died for lack of support. It was moved by Commissioner Coffey and supported by Commissioner Sciotto to call a five minute recess. The following vote was taken:

Ayes: Mayor Berube. Commissioners Coffey, Sciotto.

Nays: Commissioners Accocks, Coyne, Glenn.

The motion was not carried. It was then moved by Commissioner Coffey, supported by Commissioner Coyne and carried that a new special assessment district be created to include all of West Ridge Street and North Sixth Street from the present district and a sub-main on North Fifth Street for those who can not get water from the main to be constructed on Ridge Street and to continue this public hearing until such time as the new information is available.

CITIZEN COMMENT Robert Manning, Eric Smith, Peter Frazier and Tom Knauss asked to speak on item 8.

LABOR AGREEMENT - Public Works Department Union

A report and recommendation from the City Manager, regarding a labor agreement with the Public Works Department Union was read. It was moved by Commissioner Sciotto, supported by Commissioner Coffey, and carried to concur with the recommendation of the City Manager, to approve this agreement, and to authorize the Mayor and City Clerk to execute it on behalf of the City.

EQUITY GRANT - Application

A report and recommendation from the City Manager, regarding an application for a Department of Commerce Equity Grant was read. It was moved by Commissioner Acocks and supported by Commissioner Sciotto that the administration be authorized to develop application materials for the Shiras Zoo improvement project. The commission discussed the zoo improvement project as opposed to the Shiras Planetarium improvement project, at length. Community Development Director Dan Smith answered questions about the equity grant process. The following vote was taken:

Ayes: Mayor Berube. Commissioners Acocks, Sciotto.

Nays: Commissioners Coffey, Coyne, Glenn.

The motion was not carried. Following further discussion it was moved by Commissioner Coffey, supported by Commissioner Coyne and carried that the administration be authorized to develop application materials for the Shiras Planetarium improvement project.

LOWER HARBOR PARK - Safety Improvement

A report and recommendation from the City Manager, regarding bids for the installation of safety improvements at the Ellwood A. Mattson Lower Harbor Park was read. Tom Knauss said that the Harbor Committee is in unanimous support for the ladders if properly installed and in unanimous opposition to the proposed safety fence. He said the fence is a waste of money and would be more dangerous than not having a fence at all. He approved the handicap access. He said if the fence is not put in the City could avoid overspending by \$26,000.00 on this project. Peter Frazier supported Mr. Knauss's comments. He said that he is very unhappy with the fence proposal but that he strongly supports the ladders. He said he represents a group which will pay for and install the ladders if there is no fencing. He also said the entire strip between the crane rail and the concrete bulkhead should be paved, not just a portion of this strip. He said that the fence would cause more accidents and it would prevent. Eric Smith also opposed the fence. He supported the previous comments. He said that while visiting many Michigan ports this summer he had not seen any fences in places where there is a concrete bulkhead. He said the fence would be a problem for increased boating activity in Lower Harbor. He recommended that, in addition to the ladders, a fender system for small boats be considered. Robert Manning said that the fence should not be built and supported paving the entire strip between the bulkhead and the crane rail abutment. He said the gravel in this area is hazardous. It was moved by Commissioner Acocks, and supported by Commissioner Coyne to table this item and to refer it to staff and to the Harbor Committee for revised recommendations. The following vote was taken:

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

Nay: Commissioner Coffey.

The recommendation was carried.

UTILITY VEHICLE - Bids

A report and recommendation from the City Manager, regarding bids for a utility vehicle for the Fire Department was read. Assistant City Manager Nebel presented clarifications to the recommendation. He said that the low bid did not include a back seat and that this would be \$448.00 additional. It was then moved by Commissioner Coffey, supported by Commissioner Acocks, and carried unanimously to award the bid to the low bidder Specker Motors in the amount \$16,100.00 for a 1990 Jeep Cherokee.

CONSENT AGENDA

City Clerk Gruber presented the Consent Agenda noting two corrections in bid amounts. It was moved by Commissioner Acocks, supported by Commissioner Glenn and carried unanimously to:

- A. Purchase a 1984 Ford LTL 9000 used semi-tractor trailer from the low bidder Eagle Truck and Equipment Sales of Kaukauna, Wisconsin for \$26,800.00.
- B. Purchase a 1990 Chevrolet K1500 for \$12,899.26 and a 1990 Chevrolet C2500 for \$13,659.44 from the low bidder, Frei Chevrolet.
- C. Purchase a 2-wheel drive pick up truck from the low bidder, Frei Chevrolet in the amount of \$11,021.00.
- E. Schedule a public hearing on the taxi rate proposal from Bach Mobilities.
- F. Purchase a 3/4-ton 4-wheel drive truck with plow from the low bidder, Superior Ford L-M-T-VW, Inc. in the amount of \$18,075.
- G. Schedule a public hearing on the renaming of Peter Street.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

Assistant City Manager Nebel identified the following properties:

- 529 NORTH FOURTH STREET: Maintenance violations; owned by Charles Morrison who has also had violations at 310 and 306 South Fifth Street and 1823 Wilkinson.
- 920 NORTH FRONT STREET: An unlicensed vehicle owned by Peter Embly and maintenance violations in the past; the owner is John Dursema.
- 809 NORTH THIRD STREET: Maintenance violations now and noise and maintenance violations in the past; owned by David Klumb.
- 1617 AND 1617 1/2 PRESQUE ISLE: Maintenance violations now and five noise and/or maintenance violations in the past; owned by Darryl Dobrzanski.
- 2046 PRESQUE ISLE: Noise violations now; the tenant is Greg Deampam and there have two noise and a maintenance violation in the past; the owner is Meyland Zarkovacki.
- 325 WEST COLLEGE: Noise violations now and noise and maintenance violations in the past where the tenant is Kevin Kims and the owner Lief Lalone.
- 1001 1/2 NORTH THIRD: Noise violations; the tenants are Carol Kroll, Pamela Whitt, and Laurie Ann Walker; the property is under control of the First of America Bank which also has had violations at 1706 Presque Isle.

SCA DEVELOPMENT - Purchase Agreement

A recommendation from the Attorney, regarding an amendment to the purchase agreement with SCA Development was read. It was moved by Commissioner Acocks, supported by Commissioner Coyne and carried that the amendment be accepted and approved.

CITIZEN COMMENT

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

COFFEY

Commissioner Coffey said that the City already funds a full time animal

control officer and operates a dog pound and should not be expected to help support the Human Society. He spoke about the newspaper article on Front Street saying that the dates of the traffic surveys were not consistent. He said that his comments in the article about the City having authority to erect stop signs without state approval was based upon comments from the City Manager. He said he had a nice tour of the landfill which is very impressive and that the work on the part of many city and other officials is commendable. He suggested that the Commission ask the City Manager to look into methods for separate pickup of recyclable paper. He asked what could be done to shape up the barricade on Front and Third Streets and asked what the effect of tabling the Lower Harbor Park safety fence project would be. Assistant City Manager Nebel said that this would not be significant if we comply with the DNR requirement and receive their approval for any modification.

COYNE

Commissioner Coyne asked how the Coastal Zone Management grant could get this far without the concern from the Harbor Committee being noted. Mayor Berube said that the Harbor Committee had reviewed the grant application at a meeting on February 10, 1989. Commissioner Coyne also asked for an update on the board and committee job descriptions and attempts to improve communications and minutes of these organizations. He said that the City Commission needs to meet with the boards and committees. In regard to the Equity Grant, Commissioner Coyne asked if we should look at improving the quality of the zoo for animals as well as for people. He said that there are beautiful pavilions next to the boat launching ramps in Gladstone and Rapid River and that there should be one in Marquette also. He congratulated Spencer Nebel upon his excellent response to commission questions at this meeting.

GLENN

Commissioner Glenn said that people should register to vote before October 10th to be able to vote in the November election this year. She said that the Mayor had attended a hearing on the County Solid Waste Management Plan but that the plan had not been approved. She said the landfill is very good.

SCIOTTO

Commissioner Sciotto said that he is surprised that the properties on the north end of Van Evera Avenue were not listed on the properties causing neighborhood problems list because there had been many complaints from neighbors in the area this week. He said there have been problems with speed and noise of trucks driving on Grove Street and that the landfill is very impressive. He said that if everyone in the county uses the landfill it will make it more economical for everyone.

MAYOR BERUBE

Mayor Berube said that the Marquette County Health Department - Health Promotion Walk will be held on September 28th and urged everyone to be involved. Also on September 28th, at 3 p.m., will be the grand opening and dedication of the new tourist information center in Marquette and that this center being dedicated in honor of Carl Pellonpaa. He noted a thank you from Governor Blanchard for the city's assistance in his shoreline tour. Mayor Berube noted a receipt of a letter of thanks from the Marquette

County Solid Waste Management Authority Board in relation to the City's support for the board especially for financing an equipment purchase recently. Mayor Berube commended the County Planning Commission and County Solid Waste Planning Committee and said that they are both doing a good job trying to represent all points of view. He said that some of the speakers at the meeting had ignored some of the facts and had misrepresented others.

COFFEY

Commissioner Coffey said that the liner at the landfill could be repaired even if it was punctured.

GLENN

Commissioner Glenn said that she had been the elected official present at the dedication of the McCormick Tract Wilderness Area. She said this wilderness area will benefit the county, both from a tourism and recreational point of view.

COYNE

Commissioner Coyne said that over 1500 people will be here to participate in the Michigan Municipal League Convention next week. He said this is our opportunity to showoff Marquette and that the staff and Commission have worked hard on this project for five years.

MAYOR BERUBE

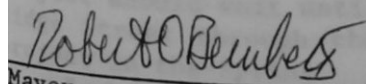
Mayor Berube said that this will be the second largest Municipal League convention ever. He said that there have been problems developing but that they are being solved as they develop by the cooperation of Northern Michigan University, the Chamber of Commerce, and local businesses. Mayor Berube also complimented Northern Michigan University Dean of Students, Sandra Michaels, who has called each of the students involved in noise violations into her office to determine ways that they can be less of a problem for their neighbors.

CLOSED SESSION

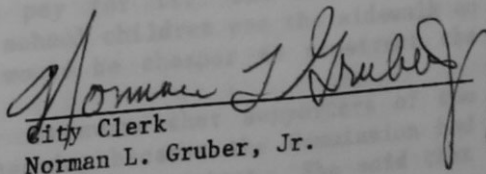
It was moved by Commissioner Acocks, supported by Commissioner Coffey and carried with no dissenting votes to go into closed session to discuss possible property acquisitions and to discuss evaluations and salaries of the City Manager and City Attorney. The meeting was recessed at 9:45 p.m. The meeting was reconvened at 10:47 p.m. It was moved Commissioner Coyne and supported by Commissioner Acocks and carried to increase the City Managers salary by 7 3/4% retroactive to July 1, 1989 and the City Attorney Salary by 4% retroactive to July 1, 1989.

ADJOURNMENT

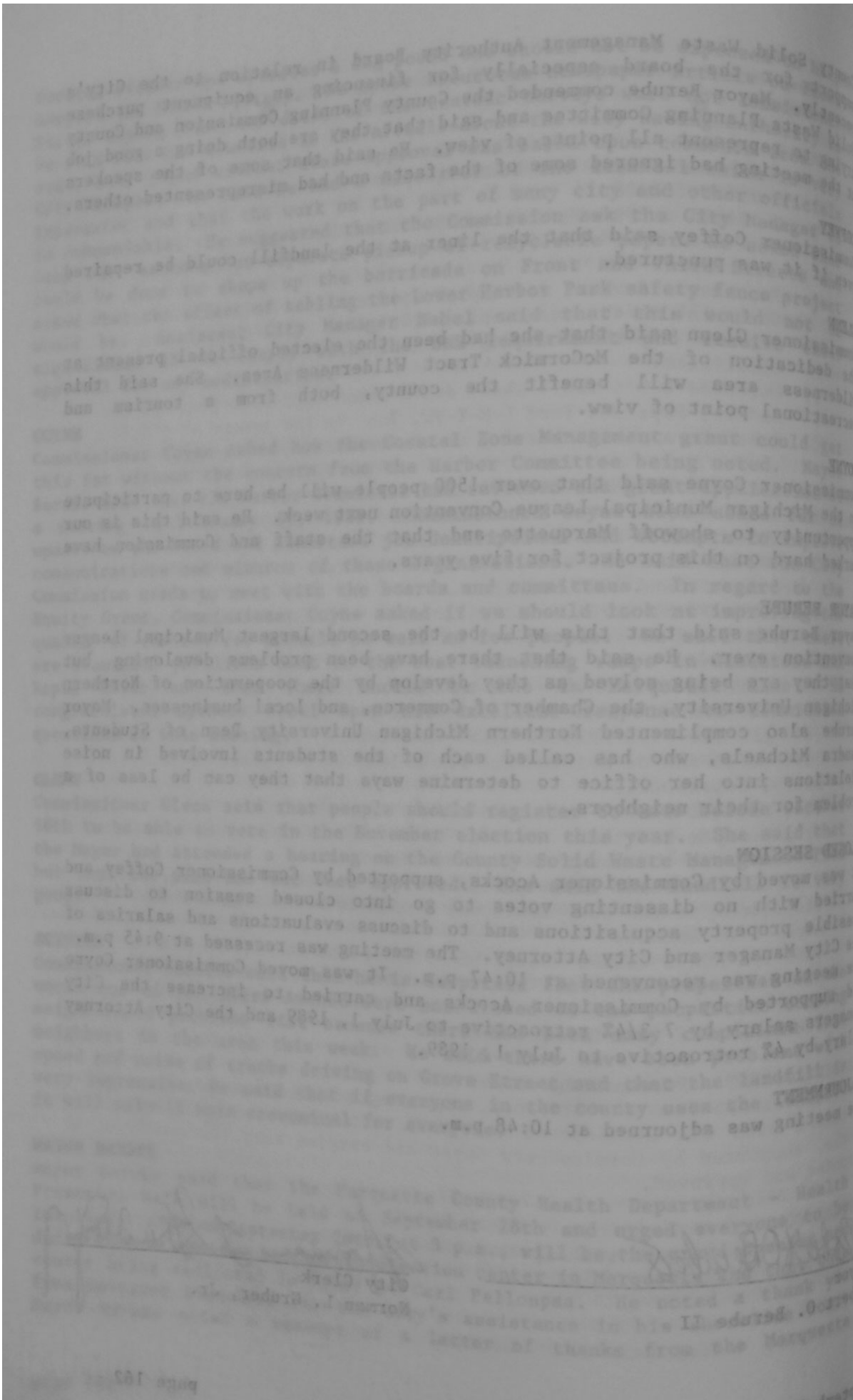
The meeting was adjourned at 10:48 p.m.



Mayor
Robert O. Berube II


City Clerk
Norman L. Gruber, Jr.

September 25, 1989



OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, October 2, 1989

A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, October 2, 1989 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: Commissioner Coffey.

EXCUSE ABSENCE

It was moved by Commissioner Acocks, supported by Commissioner Glenn, and carried to excuse the absence of Commissioner Coffey, as he is out of the city.

AGENDA

Mayor Berube announced that the special meeting had been called to continue a Public Hearing on the West Ridge Street Water Improvement Project Special Assessment and to consider awarding a bid for improvements at the Ellwood A. Mattson Lower Harbor Park.

PUBLIC HEARING - West Ridge Street Water Special Assessment

A report and recommendation from the City Manager, regarding changes proposed to the Special Assessment District was read. Three letters from persons in the assessment district opposing the high cost of the assessments were read. A letter from Commissioner Coffey stating his position on the assessments was also read, as well as a memo from Assistant City Engineer Mike Golisek, regarding the changes in the assessments based upon removing the properties on Fifth Street from the district.

Dennis Staphne said that he has good water pressure and does not need the project, although he sees the need for it to improve service to some of his neighbors houses. He said the work should be delayed until next Spring and the project rebid to see if the cost could be reduced. Mick Kreis said that there is an established need for this project but that he would not object to waiting until Spring if it would lower the cost. Sandy Meyskens said that she really needs the water project and is disappointed that it is not done now. She said she could wait until Spring if she knows that it would be done then. Tom Turton said that there has been a lot of dissension in the neighborhood because some of the neighbors do not need the project. He objected to being included in this district for only a small increase in water pressure. He said the very high cost of the project is not justified for him. Marie Stickney said that she supports all of the comments that have been made at the hearing. She said people who don't need the water improvement project should not have to pay for it. She also said the project should wait until Spring because school children use the sidewalk on Ridge Street through the Winter and it would be cheaper to construct the project in the Spring.

Barbara Stenberg said that she was not aware that supporters of the project needed to appear at the last hearing because the Commission had already determined that it was necessary to do the project. She said that

it is needed, although she would be willing to wait until Spring. Gene Stenberg said that he does need and does support the water project, however, the cost are too high and some way to cut them should be found. Al Carlson said that he is the only house on a private line that goes to Michigan Street and that he has good water pressure. He said that he should not be included in the assessment. Tom Turton discussed water pressure measurements on Fifth Street.

Dennis Staffne asked the City Commission to discuss tax incentive programs as used on Third Street in the Special Assessment Project for the streetscape improvements. Joe Meyskens said that he needs and wants the water project and does not object to waiting until Spring. He suggested that it be rebid to get lower costs. He said that the water system on Fifth and Sixth Streets will need work soon, if not now, and so the project should be done as a whole. Emily Zwolinski said that she did not want to be included in the assessment district. Barry Marietta said that he does not need improved water pressure in his property on Fifth Street. Sharon Carlson said that she does not want to be in the assessment district. Janice Anderson said that she needs water improvement badly but will not pay \$4,000.00 for it. David Wiering said that it is not right that the people on Sixth Street should pay more for the people on Ridge Street to get water. He said his neighbors, Gerald Kreig and Warren Kelley support this position. Gene Stenberg said that John Amo, his neighbor, could not be at the meeting tonight but they want the water project. Gordon Voight said that he owns two properties on Sixth Street and that it would be cheaper, for the people on Sixth Street, to put in their own pipes than to help pay for the pipes on Ridge Street. Harold Reynolds said that he has lived in the neighborhood since 1940 and that the water situation there is worse then ever. He said the City should try to help the residents. The hearing was closed.

The Commission discussed the matter at great length. It was moved by Commissioner Glenn, supported by Commissioner Acocks, and carried that the Ridge Street Water Improvement District as originally established be rebid in the Spring. It was moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried to direct the City Manager to prepare a report and recommendation regarding instances where water systems must be replaced and attempt to find innovative ways to lower the cost of these systems, to investigate tax incentive plans for these projects, and to find ways that other cities have developed to deal with the same issue. It was moved by Commissioner Sciotto, supported by Commissioner Coyne, and carried that pending the administrations investigation of this matter, as identified in Commissioner Coyne's motion, that the infrastructure solutions be applied to Ridge Street Water Improvement Project also.

BIDS - Ellwood A. Mattson Lower Harbor Park

A recommendation from the Harbor Committee, regarding the bids for improvements to the Ellwood A. Mattson Lower Harbor Park was read. Tom Knauss, representing the Harbor Committee, thanked the City Commission for the chance to have input on this matter. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried to not proceed with the proposed project due to the substantial cost increases received in the bid process over the engineering cost projections and to direct the City Manager to communicate with the Department of Natural Resources regarding this action, explaining the bid cost overrun and the fact that a local group is prepared to do part of the financing of the project. It was then moved by Commissioner Coyne, supported by Commissioner Sciotto and carried that

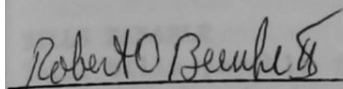
the Harbor Committee, the Parks and Recreation Advisory Committee, the Lower Harbor Development Committee, and the Handicap Citizens Advisory Board meet in a work session with the City Commission to review the present plan and to determine a more cost effective solution to a mutual agreeable plan. Commissioners agreed to meet in work session at 7 P.M. on Monday, October 9th, if representatives from the other groups are able to make a meeting at that time.

PUBLIC COMMENT

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

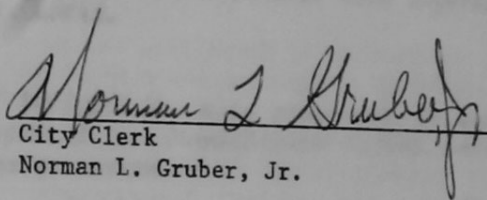
ADJOURNMENT

The meeting was adjourned at 8:55 p.m.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

ADMINISTRATIVE

During the time set for administrative business, the Mayor added item 15, discussion of installation of new equipment, and item 16, discussion of proposed improvements.

PROCLAMATION - Bureau Week

Mayor Berube adjourns the following proclamation:

WHEREAS, Bureau Communications Company provided the cable television system in the City of Marquette in December of 1984, and has been providing excellent cable television service to the residents of the City since that date; and

WHEREAS, Bureau Communications has given outstanding service to the residents of the City and surrounding areas by providing the services of the City Commission, the County Commission, and the State of Michigan; and

WHEREAS, Bureau Communications has helped to promote the City of Marquette through the production of a video about the City and entering this video in the "City Video" contest on the City and Entertainment channel and the National League of Cities, and selected as one of 20 national finalists in the contest; and

WHEREAS, Bureau Communications recently sponsored a number of City Public Access video shows delegates to the 1989 National Cable Television Association in Tokyo, Japan, for the purpose of showcasing the City and delegates and producing a one half hour video about the City and

October 2, 1989

page 165

...the Park and Recreation Advisory Committee, the Board of
...the City Commission to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to
...the Board of Commissioners to review the present plan and to

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, October 10, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, October 10, 1989 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Birch, supported by Commissioner Sciotto, and carried unanimously to approve the minutes of the September 25th regular and October 2nd Special meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$961,867.35 were presented. It was moved by Commissioner Sciotto, supported by Commissioner Coffey, and carried unanimously to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing additional agenda items, Mayor Berube added item 15, discussion of Installment Purchase Agreements for landfill equipment, and item 16, discussion of Ellwood A. Matson Lower Harbor Park improvements.

PROCLAMATION - Bresnan Week

Mayor Berube made the following proclamation:

WHEREAS, Bresnan Communications Company purchased the cable television system in the City of Marquette in December on 1984, and has been providing excellent cable television service for the residents of the City since that date, and

WHEREAS, Bresnan Communications has given outstanding service to the residents of the City and surrounding areas by televising the meetings of the City Commissions, the County Commission, and the Board of Education, and

WHEREAS, Bresnan Communications has helped to promote the City of Marquette through the production of a video about the City, by entering this video in the "City Video" contest run by the Arts and Entertainment channel and the National League of Cities, and by being selected as one of 20 national finalists in the contest, and

WHEREAS, Bresnan Communications recently sponsored a member of their Public Access staff as a delegate to Marquette's sister city, Yokaichi, Japan, for the purpose of recording the visit of the delegation and producing a one half hour video about the visit, and

WHEREAS, Bresnan Communications has, each year, provided far more support for Public Access and Local Origination programming than is required by the cable television franchise, and

WHEREAS, Bresnan Communication's outstanding efforts during the recent Michigan Municipal League Convention in Marquette made that event much more enjoyable and useful for the delegates by providing 12 hours per day of special television programming, including a video bulletin board of meeting schedules, interviews with visiting dignitaries, capsules of the seven local tours available to the delegates, videos from other Michigan cities, and quality entertainment for the Annual Banquet,

NOW THEREFORE, I Robert O. Berube II, Mayor of the City of Marquette Michigan, do hereby proclaim the week of October 9, 1989 as

BRESNAN COMMUNICATIONS WEEK

in the City of Marquette, and do urge all citizens of the city to join with me in honoring the owners and staff of this outstanding company.

PROCLAMATION - School Board Recognition Week

Mayor Berube made the following proclamation:

WHEREAS, an excellent public education system is vital to the quality of life for all Marquette residents, and our citizens have always demonstrated a commitment to uphold the quality of education in our City, and

WHEREAS, the members of the Marquette Board of Education and the Marquette Alger Intermediate School Board represent a tremendous resource as local decision makers, responding to the education, and serving the interest of school children by preparing them for the future, and

WHEREAS, the members of both boards continually strive for improvement and progress in education, with an understanding of the need for commitment to change and growth in our educational system. These men and women deserve recognition and thanks for countless hours of public service,

NOW THEREFORE, I, Robert O. Berube II, Mayor of the City of Marquette, Michigan, do hereby proclaim the week of October 9 thru 13, 1989 as:

SCHOOL BOARD RECOGNITION WEEK

in the City of Marquette. I commend the members of the Marquette Board of Education, and the Marquette Alger Intermediate School Board for their dedicated service to the people of our City, and urge all our citizens to join with me in demonstrating gratitude to these outstanding individuals.

PRESENTATION - U.P. Summer Festival of Sport

Jim Kayser, representing the Great Lakes Training Centers Association, thanked the City Commission for their support and Silver Medal Sponsorship of the U.P. Summer Festival of Sport. He presented a plaque to Mayor Berube who accepted it and expressed hope that the festival will continue for many years to come.

PRESENTATION - Bresnan Communications

Ed McCullough, General Manager of Bresnan Communications, presented Mayor Berube with the first copy of a half-hour video tape depicting the visit of the Delegation from Marquette to our Sister City, Yokkaichi, Japan this summer. He said that Bresnan had sponsored the visit of their Program Director, Katherine Crowley, to Japan to video tape the significant portions of the visit. He said that the tape has been named "The Land of the Rising Sun". Mayor Berube thanked Mr. McCullough and said that this is another good example of ways that Bresnan is working to make Marquette a better place to live.

PUBLIC HEARING - Peter Street

Mayor Berube opened the hearing on an ordinance to change the name of Peter Street. A recommendation from the Planning Commission that the name of Peter Street be changed was read. There being no citizens wishing to address the Commission the hearing was closed. It was moved by Commissioner Coffey, supported by Commissioner Coyne, and carried unanimously to adopt the ordinance, changing the name of Peter Street to Grandview Drive. Ordinance number 423 was adopted as follows:

AN ORDINANCE TO AMEND TITLE XII, CHAPTER 89 OF THE MARQUETTE CITY CODE BY ADDING A NEW SECTION 89.10.1

PUBLIC HEARING - Special Service Taxi Rates

Mayor Berube opened the hearing on proposed taxi rates for Bach Mobilities. A report and recommendation from the City Manager, regarding approval of special service taxi rates for Bach Mobilities was read. Dwayne Ford, representing Bach Mobilities, supported the request and answered questions. The hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried unanimously that the rates be approved as follows:

One Way	\$15.00
Round Trip (same day)	25.00
The first five miles each way are free, after five (or 10) miles	1.25
Waiting time (per hour) after 1st hour	5.00

CITIZEN COMMENT

During the time set for citizens to address the Commission, Bob Hogg asked to speak on item 14. Buzz Tiseo asked to speak on item 8 and Gerald Pinkos asked that he, and others, be allowed to speak on item 8. Dan Hakala asked to speak on item 12.

EAST AVENUE - Curbing and Paving

A petition from properties owners on East Avenue, for curbing and paving of East Avenue and the east end of Huron street was read. It was moved by Commissioner Coffey, supported by Commissioner Acocks, and carried

unanimously to refer this item to the City Manager for a report and recommendation within one month.

PLANNING COMMISSION - Two-way Traffic on Third Street

A recommendation from the Planning Commission, for two-way traffic on Third Street was read. Gerald Pinkos, representing the Village Business Association, supported two-way traffic on Third Street. He described the Village Business Association's activities in regard to two-way traffic and said why he felt it would be better. He read a letter from a realtor in lower Michigan who said businesses do better on two-way streets. Dan Dallas, Lou Ann Balding, Kathy Bureau, Buzz Tiseo, Jim Golden, Nancy Henderson, Dennis Henderson, and Michelle Butler all spoke at length in support of two-way traffic giving reasons they felt it would be better. It was moved by Commissioner Sciotto and supported by Commissioner Acocks that the recommendation from the Planning Commission be referred to the City Administration for analysis of:

- A. The impact of business and loss of business.
- B. Cost of the signage required to make the change.
- C. Safety issues.

Following discussion it was moved by Commissioner Coffey and supported by Commissioner Birch to amend the motion to require that Third Street remain two-way until this report is received. The vote on the amendment was:

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

Nay: Commissioner Sciotto.

The amendment was carried. Following more discussion a letter from Dan Trotochaud supporting two-way traffic on Third Street was read. A motion to call the question was carried unanimously. The vote on the amended motion was

Ayes: Mayor Berube. Commissioners Acocks, Sciotto

Nays: Commissioners Birch, Coffey, Coyne, Glenn

The motion was defeated.

It was then moved by Commissioner Coyne and supported by Commissioner Acocks to leave Third Street, from Fair to Fisher, two-way and to ask that the results of an on-going evaluation be presented to the Commission on September 1, 1990 including; traffic volumes, speed, accident rates, and snow removal and that other surveys on Front, Fourth, and other streets to determine the effect on these streets be done, that an evaluation of the need for a one-way loop with Front Street be done, and that an evaluation of South Third Street be done. It was moved by Commissioner Sciotto and supported by Commissioner Glenn to amend the motion to have Third Street stay one-way from Washington Street to Fisher Street. The following vote was taken:

Ayes: Commissioners Acocks, Birch, Coffey, Coyne, Glenn, Sciotto

Nay: Mayor Berube.

The amendment was carried. The vote on the amended motion was:

Ayes: Commissioners Acocks, Birch, Coffey, Coyne, Glenn, Sciotto

Nay:: Mayor Berube

The amended motion was carried. It was then moved by Commissioner Glenn and supported by Commissioner Acocks to return Front Street to one-way traffic north from Ridge Street to Fair Avenue. The following vote was taken:

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

Nays: Commissioners Birch, Sciotto.

The motion was carried.

RECESS

Mayor Berube called a five minute recess at 9:31 p.m.

EQUITY GRANT APPLICATION

A report and recommendation from the City Manager, regarding an application for Michigan Equity Grant for the Shiras Planetarium was read. It was moved by Commissioner Coffey, supported by Commissioner Glenn and carried unanimously to make application for a Michigan Equity Grant for the Shiras Planetarium by adopting the following Resolution:

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

WHEREAS: The City of Marquette has at a regular meeting held this date considered the project known as the Shiras Planetarium Instrument replacement; and

WHEREAS: There exists need at the Shiras Planetarium for a new instrument, and

WHEREAS: All persons are afforded an opportunity to the Shiras Planetarium facilities; and

WHEREAS: The provision of these facilities at the Shiras Planetarium 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 \$100,000.00 for the purchase and installation of a new instrument at the Shiras Planetarium;

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

That the City Manager act as designated signatory for all documents relating to this application.

WASHINGTON STREET - Design Engineering

A report and recommendation from the City Manager, regarding a Design Engineering Agreement for the Washington Street reconstruction project between Fourth and Fifth Streets was read. It was moved by Commissioner Birch, supported by Commissioner Acocks, and carried unanimously that the agreement for preliminary engineering services with Sundberg, Carlson, and

October 10, 1989

Associates be approved and that the Mayor and Clerk be authorized to execute the necessary documents. Commissioners Coffey and Sciotto said that contracts like this should be bid more often so that the City is sure it is getting competitive prices.

TRAFFIC SIGNAL AGREEMENT - US 41 and McClellan

A report and recommendation from the City Manager, regarding an agreement with the Michigan Department of Transportation for a Traffic Signal at the US 41 and McClellan Avenue intersection was read. It was moved by Commissioner Coffey, supported by Commissioner Glenn and carried unanimously to concur with the recommendation of the City Manager and authorize the City Administration to execute any agreements necessary to accomplish installation of this Traffic Signal.

ORPHANAGE PROPERTY - Bids for Securing

A report and recommendation from the City Manager, regarding bids for securing the Orphanage Property was read. Dan Hakala spoke to the Commission on behalf of owner Glenn Rhodes and W. S. Smith Company, a proposed purchaser of the property. He said these two companies are working on an Agreement for sale of the property and development of it for housing the elderly. He asked that his company be allowed to secure the lower floors of the building and that the expense of securing the entire building be deferred. Following a lengthy discussion it was moved by Commissioner Sciotto and supported by Commissioner Birch to disregard the recommendation from the City Manager and ask that representatives of the Smith Corporation meet with the City Manager to discuss the issue, to establish a \$10,000.00 bond required to be posted within three days, that if the bond is not posted, the bid be awarded, to establish a time limit until October 27th for W.S. Smith to do the required work to satisfy the Administration, and if the work is not done then the bid be awarded. Following lengthy discussion the question was called. The vote on the call of the question was:

Ayes: Mayor Berube. Commissioners Acocks, Glenn, Sciotto

Nays: Commissioners Birch, Coffey, Coyne.

The motion was not carried due to a two-thirds vote requirement. Following further discussion the vote on the motion was:

Ayes: Commissioners Birch, Coffey, Sciotto

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

The motion was defeated. It was then moved by Commissioner Coyne, and supported by Commissioner Acocks to award the bid to the low bidder, Ted's Paint and Dry Wall in the amount of \$6,869.00. The following vote was taken:

Ayes: Mayor Berube. Commissioners Acocks, Birch, Coyne

Nays: Commissioners Coffey, Glenn, Sciotto

The motion was carried.

CONSENT AGENDA

Mayor Berube presented the Consent Agenda. It was moved by Commissioner Acocks, supported by commissioner Coffey, and carried unanimously to approve the Consent Agenda as follows:

- A. Schedule a Public Hearing on a Grant Application to the Neighborhood Builders Alliance Program.

- B. Adopt a resolution to grant a one day liquor license to the Marquette Junior Hockey.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

Bob Hogg addressed the Commission saying that he thought the City Policy was not to read out the names of property owners who are working to correct the problems at their properties. He said that his name had been read out at the August 28th meeting only three days after a violation and that he felt time should have been given for him to correct the violation. City Manager Svanda said that this is a correct position and that Mr. Hogg's name should not have been read out. Mr. Svanda then presented the following properties:

393 WEST CRESENT: Maintenance and zoning violations now and in the past; owner Tom Bogdan.

1516 FINCH: Noise violations now and in the past; owned by Larry Lemerad.

817 NORTH THIRD STREET: Noise violations now and within the last month; owned by Ruth Melchiori.

LANDFILL EQUIPMENT PURCHASE AGREEMENT

A recommendation from the City Attorney, regarding Installment Purchase Agreements for equipment to be used at the solid waste landfill was read. It was moved by Commissioner Coyne, supported by Commissioner Acocks and carried unanimously to adopt the following resolutions approving these agreements.

RESOLUTION

WHEREAS, an Installment Purchase Agreement (the "Agreement") between the City of Marquette, Michigan (the "City") and Bark River Culvert & Equipment Co. (the "Vendor"), for the acquisition of certain equipment as described on Exhibit A attached hereto (the "Equipment") has been prepared; and

WHEREAS, the Equipment is to be acquired for a price of \$160,145.00 and the City will, pursuant to the Agreement pay the price in 39 quarterly payments of \$4,003.63, due on January 1, 1990 on April 1, July 1, and October 1 and January 1, thereafter, with the final payment of principal and interest on October 1, 1999, with interest on the unpaid balance at the rate of 7.50% and with said interest rate to be renegotiated between the Bank and the City on October 1, 1994; and

WHEREAS, the Agreement is to be assigned to First of America Bank-Upper Peninsula, N.A. (the "Bank"); and

WHEREAS, it is necessary to approve the Agreement and authorize either the Mayor or the City Clerk to execute the Agreement and/or certain other documentation relative thereto;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agreement is hereby approved substantially in the form on file with the City Clerk.

October 10, 1989

2. The Mayor and the City Clerk are each hereby authorized and directed to execute the Agreement and deliver it to the Vendor substantially in the form on file with the City Clerk with such additions, changes and modifications as shall be approved by the City Attorney.

3. The useful life of the Equipment is hereby determined to be not less than ten (10) years.

4. Both the Mayor and the City Clerk are each hereby directed and authorized to execute such additional documentation as shall be necessary to effectuate the closing of the Agreement and the assignment thereof.

5. The assignment of the Agreement by the Vendor to the Bank is hereby approved.

6. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and interest on the Agreement coming due before the next fiscal year. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional, statutory and tax rate limitations.

7. The City hereby designates the Installment Purchase Agreement as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions under the provisions of the Internal Revenue Code of 1986, as amended.

RESOLUTION

WHEREAS, an Installment Purchase Agreement (the "Agreement") between the City of Marquette, Michigan (the "City") and Thomas P. Stevens, Inc. (the "Vendor"), for the acquisition of certain equipment as described on Exhibit A attached hereto (the "Equipment") has been prepared; and

WHEREAS, the Equipment is to be acquired for a price of \$57,747.00, including a deposit of \$14,437.00, paid by the City to the Vendor, and the City will, pursuant to the Agreement pay the price in 39 quarterly payments of \$1,443.68 each plus interest, due on January 1, 1990 on April 1, July 1, and October 1 and January 1, thereafter, with the final payment of principal and interest on October 1, 1999, with interest on the unpaid balance at the rate of 7.5% and with said interest rate to be renegotiated between the Bank and the City on October 1, 1994; and

WHEREAS, the Agreement is to be assigned to First of America Bank-Upper Peninsula, N.A. (the "Bank"); and

WHEREAS, it is necessary to approve the Agreement and authorize either the Mayor or the City Clerk to execute the Agreement and/or certain other documentation relative thereto;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agreement is hereby approved substantially in the form on file with the City Clerk.

2. The Mayor and the City Clerk are each hereby authorized and directed to execute the Agreement and deliver it to the Vendor substantially in the form on file with the City Clerk with such additions, changes and modifications as shall be approved by the City Attorney.

3. The useful life of the equipment is hereby determined to be not less than twenty (20) years.

4. Both the Mayor and the City Clerk are each hereby directed and authorized to execute such additional documentation as shall be necessary to effectuate the closing of the Agreement and the assignment thereof.

5. The assignment of the Agreement by the Vendor to the Bank is hereby approved.

6. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and interest on the Agreement coming due before the next fiscal year. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional, statutory and tax rate limitations.

7. The City hereby designates the Installment Purchase Agreement as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions under the provisions of the Internal Revenue Code of 1986, as amended.

RESOLUTION

WHEREAS, an Installment Purchase Agreement (the "Agreement") between the City of Marquette, Michigan (the "City") and Harris Press & Shear, Inc. (the "Vendor"), for the acquisition of certain equipment as described on Exhibit A attached hereto (the "Equipment") has been prepared; and

WHEREAS, the Equipment is to be acquired for a price of \$229,049.00, including a deposit of \$44,000.00, paid by the City to the Vendor, and the City will, pursuant to the Agreement pay the price in 39 quarterly payments of \$5,726.23 each plus interest due on January 1, 1990 on April 1, July 1, and October 1 and January 1, thereafter, with the final payment of principal and interest on October 1, 1999, with interest on the unpaid balance at the rate of 7.50% and with said interest rate to be renegotiated between the Bank and the City on October 1, 1994; and

WHEREAS, the Agreement is to be assigned to First of America Bank-Upper Peninsula, N.A. (the "Bank"); and

WHEREAS, it is necessary to approve the Agreement and authorize either the Mayor or the City Clerk to execute the Agreement and/or certain other documentation relative thereto;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agreement is hereby approved substantially in the form on file with the City Clerk.

2. The Mayor and the City Clerk are each hereby authorized and directed to execute the Agreement and deliver it to the Vendor substantially in the form on file with the City Clerk with such additions, changes and modifications as shall be approved by the City Attorney.

3. The useful life of the Equipment is hereby determined to be not less than twenty (20) years.

4. Both the Mayor and the City Clerk are each hereby directed and authorized to execute such additional documentation as shall be necessary to effectuate the closing of the Agreement and the assignment thereof.

5. The assignment of the Agreement by the Vendor to the Bank is hereby approved.

6. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and interest on the Agreement coming due before the next fiscal year. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional, statutory and tax rate limitations.

7. The City hereby designates the Installment Purchase Agreement as a "qualified tax-exempt obligation" for purposes of deduction of interest expense by financial institutions under the provisions of the Internal Revenue Code of 1986, as amended.

ELLWOOD A. MATSON LOWER HARBOR PARK IMPROVEMENTS

City Manager Svanda gave a verbal report of the results of the work session held last evening. He said that it was agreed to pave the gravel road between the bulkhead and the concrete wall; to work with volunteers for placement of safety ladders and safety lines; and to eliminate the fencing. He said that the State has been contacted and that they had agreed to participate in the amount of \$4,550.00 if the work is done by October 31st. He said authorization is necessary to work with existing contractors. It was moved by Commissioner Acocks, supported by Commissioner Birch, and carried unanimously to precede with negotiations to expedite this matter and to ask for a report and recommendation on the issue of "foot versus non-motorized traffic" on the road that will be paved.

CITIZEN COMMENT

George Hanson thanked the Administration for quick responses to his questions. He said he is concerned about the purchase of land on Pioneer Road by an Indian Tribe and the possibility of a gambling casino being located there. He said the City should negotiate service and utility contracts in a manner to ensure that this would not be allowed. He distributed copies of a booklet on casino gambling published by the Michigan Council on Alcohol Problems.

Dan Dallas said that he is pleased with the decision on Third Street and asked for further study. He said he is concerned about skate board problems.

MAYOR BERUBE

Mayor Berube noted the death, last week, of former Commissioner Helen Johnson. He said that we will all miss her and that she was a warm human being. He noted that the City Government phone numbers will change on October 25th. He asked if anyone has a video tape of the City Commission Meeting on September 28th and said that the Marquette Alzheimers Chapter will have a pancake breakfast Sunday October 22, 1989. He noted the receipt of a Resolution of Appreciation from the Michigan Municipal League for the convention held here last week. He read the message on the plaque. He noted that the convention had been a community effort to make the community look good in the eyes of the state and that it had been well received.

ACOCKS

Commissioner Acocks said David Svanda should have many thanks for spearheading the Municipal League Convention. She asked for and received a standing ovation for Mr. Svanda.

BIRCH

Commissioner Birch said that democracy works and that he is proud of the City Commissioners and of the City.

COFFEY

Commissioner Coffey saluted the Firemen on the occasion of Fire Prevention Week, commented on the excellent arrangements by Northern Michigan University for the Municipal League Convention and asked if there was an agreement for the Indian Property yet. City Manager Svanda replied no. Commissioner Coffey also asked if Mr. Hanson's concerns are being addressed. Mr. Svanda said they were. Commissioner Coffey said that skate boards are a serious safety problem and that he is concerned about violations of No Parking Zones near churches on Sundays.

COYNE

Commissioner Coyne spoke of his respect for former Commissioner Johnson.

GLENN

Commissioner Glenn said that Helen Johnson was a great influence on the City Commission. She asked if we had found biodegradable bags for leaf pickup. City Manager Svanda said we have not. Commissioner Glenn asked the status of the County Road 553 sewer and was informed that it has been installed already. Commissioner Glenn said that she had enjoyed the Michigan Municipal League Convention and had received many compliments for it.

SCIOTTO

Commissioner Sciotto said skate boards are a serious problem, that the project to rebuild "Old Jerry", the 1926 Seagrave fire truck, is nearly completed, that the City Manager deserves much credit for the success of the Municipal League Convention, and that the arena had been especially beautiful for the Convention banquet. He offered his condolences to the

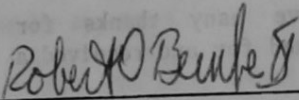
family of Commissioner Johnson and said that she was a good teacher and was always concerned about training children for fire safety. He said she was an inspiration to all and will be sorely missed.

CITY MANAGER SVANDA

City Manager Svanda said that he will miss Commissioner Johnson and that she had helped teach him how to serve people. He thanked everyone for their comments on the Michigan Municipal League Convention and said that he would pass them on to the deserving people. He said the Commission also deserves credit for allowing and encouraging the City to participate in this project. He thanked Parks and Recreation Director John Turausky for his fast work on the Ellwood A. Matson Lower Harbor Park Project.

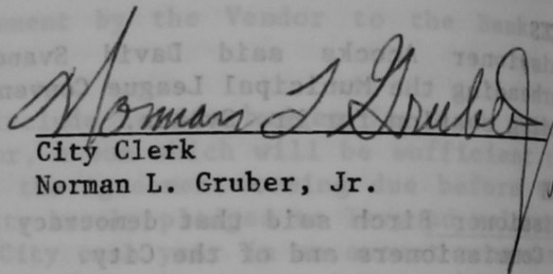
ADJOURNMENT

The meeting was adjourned at 11:25 p.m.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Thursday October 26, 1989

A special meeting of the Marquette City Commission was duly called and held at 6:30 p.m. on Thursday, October 26, 1989 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: None.

AGENDA

City Manager Svanda asked the Commission to add consideration of scheduling a hearing on a Second Amended Project plan for the Heritage Hotel Project to the agenda. There was unanimous consent from the Commission to add this as an agenda item.

MICHIGAN DEPARTMENT OF TRANSPORTATION - Intersection Resolution

Mayor Berube said that this resolution pertains to changes at the intersection of Third and Washington Streets relating to the proposed change of traffic direction on Third Street. He asked if the resolution was for one way or two-way traffic on Third Street. City Manager Svanda said that the resolution was worded that either alternative was available and that the administration would submit materials supporting whatever decision the Commission makes on this issue. Mayor Berube then read the resolution. It was moved by Commissioner Coyne, supported by Commissioner Glenn, and carried unanimously to adopt the resolution, with the addition of sections dealing with possible changes at the intersection of Washington and Front Street also. The following resolution was adopted:

RESOLUTION

WHEREAS, the City of Marquette is in the process of completing reconstruction of North Third Street; and

WHEREAS, during reconstruction Third and North Front Streets were changed from one way traffic to two way traffic in order to accommodate traffic during this period of time; and

WHEREAS, the City Commission of the City of Marquette has determined that Third Street from Fisher Street to Fair Avenue and North Front Street from Washington Street to Hewit Avenue should be changed to permit two way traffic; and

WHEREAS, signal and pavement marking changes will be required to be made at the intersections of Washington Street (Business route U.S. 41) and Third Street, and Washington Street and Front Street to accommodate two way traffic on Third and North Front Streets.

NOW, THEREFORE, BE IT RESOLVED, by the Commission of the City of Marquette that the City Administration be authorized to sign any cost agreements necessary to make the signal and marking changes at the intersections of Washington Street and Third Street and Washington Street and Front Street to accommodate two way traffic on these two streets.

FIRE TRAINING CENTER - Grant Application

Mayor Berube presented a recommendation from the City Manager supporting this Grant Application. It was moved by Commissioners Sciotto, supported by Commissioner Birch, and carried unanimously to concur with the Manager's recommendation and authorize the application for funding.

HERITAGE HOTEL PROJECT - Second Amended Project Plan

It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to adopt the resolution scheduling a public hearing on the second Amended Project Plan for the Heritage Hotel Project for Friday, November 10, 1989 at 5 p.m. and to schedule a special meeting to hold that hearing. The following resolution was adopted:

RESOLUTION SETTING PUBLIC HEARING (Heritage Hotel Project)

WHEREAS, The Economic Development Corporation of the City of Marquette (the "Issuer") by resolution dated October 26, 1989, submitted and recommended a Second Amended Project Plan for the Heritage Hotel Project (the "Second Amended Project Plan") for approval by the City Commission (the "Governing Body"); and

WHEREAS, this Governing Body must consider approval of the Second Amended Project Plan and issuance of the bonds after a public hearing, notice of which (a) must be published once in a newspaper of general circulation in the City of Marquette at least fourteen (14) days before the hearing, (b) must be mailed to the last known owner of each parcel of real property in the Project District Area at the last known address as shown by the tax assessment records at least 10 days before the hearing, and (c) must be posted in at least ten (10) conspicuous and public places in the Project District Area, which mailing and posting must be done at least ten (10) days before the hearing.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that a public hearing be held on November 10, 1989, to consider the Second Amended Project Plan and the issuance of bonds in connection with this project, and that public notice be given in accordance with applicable law, in substantially the form attached to this resolution.

BE IT FURTHER RESOLVED that a copy of the Second Amended Project Plan be available for public examination and inspection as set forth in the form of public notice.

CITIZEN COMMENT

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

ADJOURNMENT
The meeting was adjourned at 6:42 p.m.

Robert Pemberton

Norman L. Gruber, Jr.
City Clerk

City Clerk
Norman L. Gruber, Jr.

is to be held at the City of Marquette...
that are the subject of the application...
Washington Street and Forest Street...
to be held at the City of Marquette...

...the City of Marquette...
...the City of Marquette...
...the City of Marquette...
...the City of Marquette...

SECOND AMENDED PROJECT PLAN
...supported by Commissioner Sciante, and
...scheduling a public hearing...
...Heritage Hotel Project for Friday,
November 10, 1989 at 5 p.m. and to schedule a special meeting to hold the
hearing. The following resolution was adopted:

RESOLUTION OF THE PUBLIC HEARING
(Heritage Hotel Project)

WHEREAS, the Heritage Hotel Project Corporation in the City of Marquette
(the "Project") by resolution dated October 26, 1989, submitted and
recommended a Second Amended Project Plan for the Heritage Hotel Project
(the "Second Amended Project Plan") for approval by the City Commission
(the "Governing Body") is that:

WHEREAS, the Governing Body must consider approval of the Second
Amended Project Plan the afternoon of the hearing after a public hearing,
notice of which has been published once in a newspaper of general
circulation in the City of Marquette at least fourteen (14) days before the
hearing, (b) must be mailed to the last known owner of each parcel of real
property in the Project District at the last known address as shown in
the tax assessment records at least 10 days before the hearing, and (c)
must be posted in at least ten (10) conspicuous and public places in the
Project District area, which mailing and posting must be done at least ten
(10) days before the hearing.

AND WHEREAS, IT IS HEREBY RESOLVED, that a public hearing be held
on November 10, 1989, to consider the Second Amended Project Plan and the
issuance of bonds in connection with this project, and that public notice
be given in accordance with applicable law, in substantially the form
attached to this resolution.

AND IT IS FURTHER RESOLVED that a copy of the Second Amended Project Plan
be made available for public examination and inspection as set forth in the
attached resolution.

AND IT IS FURTHER RESOLVED that any person wishing to address the Commission during the
public hearing shall do so in accordance with the rules of the Commission.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, October 30, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, October 30, 1989 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: Birch.

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

APPROVAL OF MINUTES

It was moved by Commissioner Coyne, supported by Commissioner Glenn, and carried to approve the minutes of the October 10th regular and October 26th special meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$680,486.41 were presented. It was moved by Commissioner Sciotto, supported by Commissioner Coffey, and carried to pay the bills as presented.

ADOPT-A-PARK - Recognition of Participants

Mayor Berube said that this was the first of three meetings where the Commission would be recognizing participants in the City's Adopt-A-Park program. He said this program has expanded greatly in the last few years and that many people are involved in helping to keep our parks and public areas clean and beautiful. He identified the following locations, the people who are working at them, and the work that they are performing.

<u>LOCATION</u>	<u>CONTACT</u>	<u>GENERAL DESCRIPTION OF WORK</u>
Father Marquette Park	Diane Kordich	Shrub & flower plantings and general maintenance
Water Plant	Betty Wright Mary Ferguson	Shrub & flower planting and seasonal maintenance
Shiras Hills East Entrance	Sue LeGalley Peggy Frazier	Flower & shrub planting and seasonal maintenance
Chief Kawbawgam's Grave	Indian Education Students Char Shelafoe	Planting and maintaining around the gravesite
Maritime Museum Rock Garden	Virginia Long	Plant & maintain rock garden area. Also, prepare annual Adopt-a-Park Newsletter

October 30, 1989

page 181

A spruce tree at takes City Hall	Willard Martin	Plants flowers around tree and care of tree.
Setter Field (Tourist Park) equipment	Keg League Tom Sullivan	Groom & maintain ball diamond, keep fence, bleachers, and other in good repair
Triangle at Lakeshore and Pine Street	Century Club Carolyn McDonald	General clean-up. Flower planting and seasonal maintenance.
Hurley Field Playground	Superiorland Kiwanis John Wagner	Seasonal clean-up and general maintenance of playground area.
Shiras Hills Park	Shiras Hills Park Inc. Tom Solka	General clean-up, seasonal mainten- ance, fund raising for additional development
US 41 By-Pass Median Strip	Yesterday's Girls Hellie Leach	Plant and maintain flower & shrub beds during growing season
Dead River Bridge Park	Telephone Pioneers of America Bernie & Shirley LaBonte	Plant flowers, shrubs, trees, full maintenance & installed and main- tained water fountain (One of Blue Ribbon efforts of the year)
Harlow Park	American Legion Post #44 Bob Constance	Plant & maintain flowers, brush & weed removal and coordinate with the Board of Light and Power to restore park lighting
Lower Harbor Tree Planters	Business & Profess- ional Women Rose Tourville	Plant & maintain Mattson Park tree planters. Also planted area around new park sign for summer and 1990 spring flowers
Lake Side Park	Lions Club Marv Shimp Marquette Chamber of Commerce Mike Roche	General spring clean-up work bee. Seasonal maintenance of park area

HELEN I. JOHNSON - Recognition

Mayor Berube announced that this is the time set for recognition of former Commissioner Helen I. Johnson. It was moved by Commissioner Acocks, supported by Commissioner Glenn, and carried to rename the Marquette Senior and Handicapped Citizens Center the Helen I. Johnson Senior and Handicapped Citizens Center. Several Commissioners commented upon what an outstanding person Former Commissioner Johnson had been and how fitting it was that she be remembered in this way.

PUBLIC HEARING - Veterans Center Neighborhood Park

Mayor Berube announced that this was the time and date set for a Public Hearing on a Grant Application to the Neighborhood Builders Alliance Program for a Veterans Center Neighborhood Park. The report and recommendation from the City Manager was read. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Acocks, and carried to adopt the following resolution:

RESOLUTION

WHEREAS, the Michigan State Housing Development Authority has funding available through its Neighborhood Builders Alliance Program for Non-Profit Groups located in Small Cities and Urban Counties, and

WHEREAS, The City Commission of the City of Marquette has been asked by the Upper Peninsula Veterans Housing Corporation to apply for funding from the Neighborhood Builders Alliance to help build a neighborhood park for senior citizens and handicapped persons near the existing Veteran's Center, which park shall be open to the public, and

WHEREAS, the City Commission of the City of Marquette held a public hearing following proper notice to obtain citizen input on the application for funding, and consider the community's needs for housing and community development, and compensation for anyone who will be displaced by the activity if it is funded, and

WHEREAS, it is estimated that over 50% of the funds would go to benefit persons of low and moderate income, as the park will be open to the public, as the park will be designed for and used primarily by senior citizens and handicapped persons

NOW THEREFORE BE IT RESOLVED,

THAT the City of Marquette submit an application to the Neighborhood Builders Alliance, Michigan Department of Commerce for \$74,040.00 to construct and landscape a neighborhood park on Chamberlain Street near the existing Veterans Facility, and that the City Manager be authorized to execute all documents pertaining to the submission.

Bill York representing the Veterans Center said that the park would not be built until construction on the Veterans Center Housing Project is complete.

CITIZEN COMMENT

Stuart Haakala asked to speak on item 5 and Dirk Ashley offered to answer questions on item 6.

MICHIGAN MUNICIPAL LEAGUE CONVENTION - Thank You

A communication from the executive Director of the Michigan Municipal League thanking the City Commission for their participation and hospitality during the recent convention was read. Mayor Berube said that there had been tremendous work by people in the community, supported by city staff, to make this an outstanding convention.

October 30, 1989

THIRD STREET - Traffic Changes

A communication from Willian McDonald regarding proposed two way traffic on Front and Third Streets was read. City Manager Svanda presented a verbal recommendation regarding changes necessary to implement the two way traffic pattern. He said that the staff has worked very hard since the City Commission's Work Session to gather information on what changes will be necessary and that the Michigan Department of Transportation has been very helpful in this process. He said that on Front Street, the proposal is to change Front between Washington Street and the alley leading to the parking ramp to two way with the remainder of North Front Street remaining one way. He said that it would be necessary to prohibit right hand turns from south bound Front street because of the configuration of the curb. In regard to Third Street and Washington, he said Third street is proposed for two way traffic from Washington North, that access to and egress from the parking ramp onto Third will be allowed, that the parking spaces north of the access onto Third Street would be preserved, and that in order to preserve the loading zone on the south side of Washington east of Third, left hand turns from east bound Washington onto Third Street would be prohibited. He referred to a letter from the Department of Transportation on this specific proposal. He said that South Third Street could be made two way however, there are two difficulties, first is that pavement marking would have to be changed and second that the railroad tracks are not properly signaled for two way traffic. He said revising the railroad signals would cost \$30-40,000 and could not be done this fall. It was moved by Commissioner Coffey and supported by Commissioner Coyne to reiterate that Third Street from Washington to Fair be made two way, that Front Street from Washington to the alley into the parking ramp be two way, and that left hand turns from East bound Washington onto third street be prohibited. Following lengthy discussion the following vote was taken:

Ayes: Commissioners Acocks, Coffey, Coyne, Glenn,
Sciotto.

Nay: Mayor Berube.

The motion was carried.

Stewart Haakala, representing the Front Street Neighborhood Association said they are concerned that the Commission is not showing proper concern for safety problems on Front and Fourth Streets caused by having two way traffic on Third Street. He said his association wants to see slower traffic on Front Street and a chance for children to cross the street going to schools. He supported one or more stop signs on Front Street and made several suggestions for traffic studies in that area. Following lengthy discussion, during which a motion was made and with drawn, it was moved by Commissioner Coffey and supported by Commissioner Coyne to call a five minute recess at 8:28 p.m. The following vote was taken:

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

Nay: Commissioner Sciotto.

The motion was carried.

Following the recess it was moved by Commissioner Coffey, supported by Commissioner Coyne and carried to direct the City Manager to have a traffic study done of the area from Front to Fourth and Fair to Washington

and any necessary surrounding area and to report back to the City Commission when he has a recommendation.

MASS APPRAISAL SERVICES - Proposed Agreement

A report and recommendation from the City Manager, regarding an agreement for a Mass Appraisal of City Properties was read. It was moved by Commissioner Glenn, supported by Commissioner Acocks, and carried that the agreement with Great Lakes Appraisal Services be approved and that the Mayor and City Clerk be authorized to execute it on behalf of the City.

SHORELINE BICYCLE PATH - Authorization to Apply for Grant

A report and recommendation from the City Manager, regarding alternative Grant Sources for funding a portion of the Shoreline Bicycle Path was read. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried that the administration be authorized to submit an application to the Quality of Life Bond Program and that the following resolution be adopted:

RESOLUTION

WHEREAS, The Michigan Department of Natural Resources, Recreation Bond Fund program has identified funding for fiscal year 1989-90 for construction projects; and

WHEREAS, The City of Marquette is sole owner of 17.10 acres of filled Lake Superior bottomland known as Lower Harbor Park; and

WHEREAS, The City of Marquette has established and pursued a policy for the development of a Shoreline Bicycle Path along the City's Lake Superior shoreline from Presque Isle Park to the southern city limits for recreational purposes, and

WHEREAS, The City of Marquette is continuing development of the Lower Harbor Park and desires funding to construct a bicycle path through the Lower Harbor Park which would add to the existing system and provide an alternate route to using Lakeshore Blvd.

NOW THEREFORE, BE IT RESOLVED, That the City Manager is directed to make application to the Recreation Bond Fund for construction of a Lower Harbor bicycle pathway at a total cost of \$135,160.00.

And that the City of Marquette hereby assures the Michigan Department of Natural Resources Recreation Bond Fund that the local funding will be available as a match to the grant application in the amount of \$33,790.00 if the application project receives funding.

CONSENT AGENDA

Mayor Berube presented the Consent Agenda. It was moved by Commissioner Coyne, supported by Commissioner Coffey and carried to approve the Consent Agenda and take the following actions:

- A. Approve the resolution recognizing AMCAB Head Start as a local nonprofit organization.
- B. 1) Amend the Lakeshore Boulevard construction contract with

October 30, 1989

Associated Construction to include Ellwood A. Mattson Lower Harbor Park Access and Safety Improvement Project in the amount of \$13,600.00.

- 2) Authorize the Administration to execute any Grant Agreement amendments.
 - 3) Revise the Ellwood A. Mattson Lower Harbor Park Development Budget to include a \$7,200 appropriation for this project.
- C. Award the bid for purchase of Computer Equipment to the low bidder E. A. Gibbs Company of Marquette, MI for the amount of \$13,600.
- D. Award the bid for purchase of 32% and 38% Liquid Calcium Chloride from the low bidder Van Waters and Rogers, Inc. of Appleton, WI. and for purchase and direct application of 32%, 35%, and 38% Liquid Calcium Chloride to the low bidder Bay Dust Control of Kawkawlin, MI.
- E. Award the bid for purchase of a Toro Groundmaster 322-D Model 30788 from the low bidder, Reinders Brothers, Inc., of Elm Grove, Wisconsin for the amount of \$10,583.00.
- F. Award the contract for Engineering Services for the design of an Effluent De-Chlorination System to Sundberg, Carlson, and Associates for \$7,080.00.
- G. Award the bid for Supplemental Snow Removal Services for four municipal parking lots be awarded to the low bidder David Zorza for \$6,327.00.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda presented the following properties:

214 W. RIDGE STREET: Noise problems now and in the past where the tenant is Jane Moiland. He said there have been two noise violations since the last City Commission Meeting, and others in the weeks before that. The owner of this property is Stan Gierlack who also owns properties where there have been noise and maintenance problems at 203 N. FOURTH, 109 PROSPECT, And 510 W. BLUFF.

1204 DIVISION STREET: Noise problems now and in the past. The owner is Donald L'Huillier.

1104 N. THIRD STREET: Noise problems now and in the past. The current tenant is Dean Antos and the owner is Don Potvin.

2046 and 2050 PRESQUE ISLE: Noise problems now and in the past. The owner is Milan Zarkobaki.

RESIGNATIONS AND APPOINTMENTS

Mayor Berube referred to a letter from County Clerk, David Roberts, notifying the Commission that the term of Commissioner Sciotto on the County Central Dispatch Policy Board and the term of Richard Schwemin on the MarqTran Board will both expire on December 31st. He urged both of these gentlemen to reapply for their positions. He noted that there is another opening on the MarqTran Board to be filled by the City Commission. He said a resignation from David Alley from the Traffic and Parking

Advisory Committee has been received and that people interested in these positions can call the City Hall or City Commissioners.

CITIZENS COMMENT

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

SCIOTTO

Commissioner Sciotto noted a letter from three noise violators apologizing for a noisy birthday party. He said that he is very proud of them for taking this action.

COYNE

Commissioner Coyne said good-bye to City Assessor, Gary Trudgeon, who is leaving to work for the City of Sterling Heights. He said Mr. Trudgeon has done an outstanding job in a tough situation. Commissioner Coyne also said good-bye to Mayor Berube because this will be his last regular meeting as Mayor and as a Commissioner. He said it has been a great pleasure to serve with Mayor Berube for five years on the Commission and that he has done an excellent job and is outstanding in his work for the City. Commissioner Coyne also asked everyone to vote in the election on Tuesday.

COFFEY

Commissioner Coffey echoed Commissioner Coyne's comments on Gary Trudgeon and Mayor Berube. He urged caution for people driving on Halloween night and urged citizens to vote to support schools in the election next week. He said good schools are necessary for quality of life and economic growth.

ACOCKS

Commissioner Acocks echoed the sentiments for Gary Trudgeon and Mayor Berube. She said Halloween needs to be observed safely by everyone and that there are two indoor parties available for children. One is in the Baraga Gym, sponsored by the City and Payne Hall Residents, from 6 to 8:30 p.m. on Tuesday for children from 3 years to fifth grade, the other is at the Marquette Mall beginning at 6 p.m..

MAYOR BERUBE

Mayor Berube said good-bye and thank you to Gary Trudgeon. He read a letter from the Mayor of Hastings, Michigan, thanking the City for the hospitality during the Municipal League Convention. He said that this was one of many letters which were received. He noted the award of a plaque to Betty Donkers by the Marquette Golden Kiwanas recognizing her for her assistance to senior citizens at the Senior Citizens Center. He said there will be a special City Commission Meeting at 5 p.m. on Friday November 10th.

CITY MANAGER SVANDA

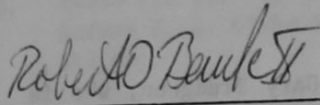
City Manager Svanda said that a large crate, containing a kite from our sister city, is being stored in the hallway. Mayor Berube said that this kite is very large and very beautiful and that a place to display it should be found. City Manager Svanda also echoed the Commissioners comments on Gary Trudgeon. He said he had done an excellent job and will be missed.

CLOSED SESSION

It was moved by Commissioner Acocks, supported by Commissioner Coffey and carried to go into closed session to discuss property acquisition. The meeting was recessed at 9:08 p.m. Commission returned to open meeting at 9:52 p.m.

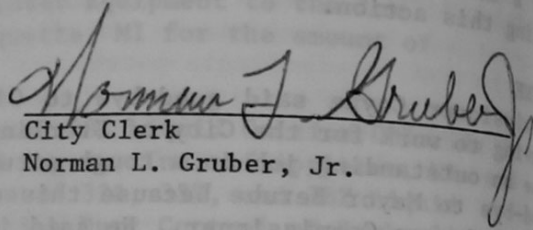
ADJOURNMENT

The meeting was adjourned at 9:52 p.m.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Friday, November 10, 1989

A special meeting of the Marquette City Commission was duly called and held at 5:00 p.m. on Friday, November 10, 1989 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Berube. Commissioners Acocks, Coffey, Coyne, Sciotto. Commissioner Birch arrived during the meeting.

ABSENT: Commissioner Glenn.

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

AGENDA

Mayor Berube said that there are two items on the Agenda, the second being going into closed session to discuss property acquisition, and that no items could be added because not all Commissioners are present.

HERITAGE HOTEL - Project Plan Approval

City Manager Svanda gave a verbal recommendation for approval of the Resolution Adopting the Second Amended Project Plan and Issuance of Bonds. Mayor Berube opened the public hearing on this matter. Donald Potvin asked several questions about the proposed project. Commissioner Birch arrived. The hearing was closed. Commissioners discussed Mr. Potvin's questions and gave responses to them at some length. It was moved by Commissioner Coffey, supported by Commissioner Acocks, and carried to adopt the following resolution:

**RESOLUTION APPROVING SECOND AMENDED
PROJECT PLAN AND ISSUANCE OF BONDS
(Heritage Hotel Project)**

WHEREAS, notice has been given in compliance with Act 338, P.A. 1974, as amended (the "Act") and the United States Internal Revenue Code of 1986, as amended (the "Code"), of a public hearing which was held on November 10, 1989, to consider a Second Amended Project Plan for the Heritage Hotel Project (the "Project"), the issuance of bonds in connection with the Project by The Economic Development Corporation of the City of Marquette (the "Issuer"), and the method of financing the facility; and

WHEREAS, at the said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the Second Amended Project Plan, and further, due consideration has been given to all communications received in writing with reference thereto; and

WHEREAS, the Act and the Code require that, prior to issuance of bonds, this governing body approve the Second Amended Project Plan, the issuance of the bonds, and the nature and location of the Project.

November 10, 1989

page 189

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. That the Second Amended Project Plan meets all the requirements set forth in Section 8 of the Act.

2. That the persons who will be active in the management of the Project for not less than one (1) year after the approval of the Second Amended Project Plan have sufficient ability and experience to manage the Plan properly.

3. That the proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.

4. That the Project is reasonable and necessary to carry out the purposes of the Act.

5. That the Second Amended Project Plan for the Project constitutes a public purpose, and is hereby, in all respects, approved.

6. That the facility is a commercial facility consisting of the acquisition of land and an existing 50,000 plus square foot building, and the renovation and furnishing of the building for hotel and related uses.

7. That the bond proceeds will be used for the acquisition, construction, equipping, furnishing and financing of the Project.

8. That the maximum aggregate face amount of the obligations to be issued with respect to the facility will be \$5,000,000.

9. That the initial owner and manager of the facility will be Marquette Hotel Building Corporation, a Michigan corporation, or another entity controlled by Edward F. Havlik and Virgil W. Owings.

10. That the Project will be located at 214 N. Front Street, in the City of Marquette, Michigan.

11. That this City Commission consents to the nature and location of the Project in the City of Marquette.

12. That this City Commission approves the issuance of limited obligation revenue bonds and the plan of financing the facility pursuant to Section 103(k) of the Code.

13. That the Issuer is hereby authorized and directed to proceed with the Project, the Second Amended Project Plan therefor, and the financing thereof.

14. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby rescinded.

PUBLIC COMMENT

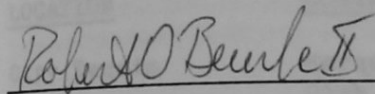
Donald Potvin said that he does not feel Commissioners know where the money is coming from to pay the debt represented by the bonds sold for the

Heritage Hotel Project. Mayor Berube said that the Commission has had this information in the past and is satisfied that there will be adequate income to operate the project and pay the bonds. Commissioner Coffey said that the people doing this project are investing a considerable amount of their own money and that they have a good track record for similar projects. Commissioner Coyne said that he has seen the information and agrees with Mayor Berube and Commissioner Coffey. Commissioner Birch said that he is not in a position to evaluate the business risk of this project.

PROPERTY ACQUISITION

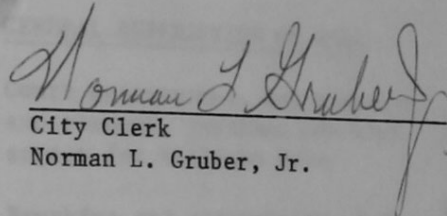
It was moved by Commissioner Coyne, supported by Commissioner Sciotto, and carried with no distenting votes to go into closed session to discuss property acquisition negotiations. The meeting was recessed at 5:28 p.m.

Commission returned to open session at 6:24 p.m. and adjourned immediately.



Mayor

Robert O. Berube II



City Clerk

Norman L. Gruber, Jr.

Frederick Lake

Nature Trail

Williams Park

Lakehurst House

Flower Shop

City Hall

Flower Beds

Secretary Hall

Strip

N. Washington St.

Median Strip (West

of Street)

Belmont Sign

South St. St.

Garage Signs

Entrance

Bus Stop Sign

John & Jim

Angerapella

St. George High

School

Grey Street

St. Joe Company

Sub School

Rocky Barabara

Rocky Kelly

Rocky Kelly

Children

Marquette House

Lodge #1052

East England

Telephone Pioneers

of America

Rocky Kelly

Garage Signs

Entrance

Bus Stop Sign

Brushing and

Inner Harbor

Isle Park

Brushing and

Plant and

and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

Plant and

November 10, 1989

page 191

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, November 13, 1989

The organizational meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 13, 1989 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: None.

RECOGNITION OF ADOPT A PARK PARTICIPANTS

Mayor Berube presented the following participants in the Adopt-A-Park program and the parks and activities that they have been involved in.

<u>LOCATION</u>	<u>CONTACT</u>	<u>GENERAL DESCRIPTION OF WORK</u>
City Tennis Courts	Marquette Tennis Club Jim Kiesby	Court maintenance, net placement and removal, purchase new wind screen for Williams Park.
Presque Isle Nature Trail	John & Jim Argeropolis	Brushing and maintaining of the inner nature trails on Presque Isle Park.
Williams Park	Bi-County High School Gary Gored	Brushing and litter pick-up.
Lakeshore Blvd. Flower Urn	MI Gas Company Bob Schact	Plant urn with flowers. Weed and maintain in growing season.
City Hall Flower Beds	Becky Berube Barb Kelly	Plant and maintain City Hall flower beds in growing season.
Cemetery Fit Strip	Mary Sved & Children	Litter pick-up during spring and summer months.
W. Washington St. Median Strip (west of Shopko)	Marquette Moose Lodge #1059 Paul Seglund	Develop and maintain new median strip flower plantings.
Welcome Sign South US 41	Telephone Pioneers of America Dick Vivian	Annually plant & maintain flower bed at Welcome sign to City's south entrance.
Shiras Hills Entrance Nicolet Entry	Loretta Acocks	Develop and maintain flower & shrub planter at entrance to Shiras Hills sub-division.

Harlow Park Playground	American Legion Post #44 Auxiliary June Brown & Pat Lampinen	Purchased an 11 foot cyclone slide and canopy and a 2-way animal hop (frog & lion) and new geodisic dome costing over \$3500.
McCarty's Cove Playground	Marquette Noon Kiwanis Bob Kulisheck & Chris Thierry	Purchased playground equipment and lumber for border area and prepared ground for installation. Cost in excess of \$2500.
Presque Isle Bog Walk Nature Trail	Rotary Club of Marquette Howard Schweppe	In Spring, a work bee by the Club collected over 2000 pounds of trash from the Bog. Also, the Club has approved purchase, at their expense two additional benches and educational signage for the display boards.
Park Cemetery Woods	Dick Coombs	Remove dead fall trees and branches to maintain safety and appearance.
Giant Footh Park	Giants Foot Park Association Kathy Sromalski	Formed neighborhood association and proceeded to have a part of the Mountain Street Tank property dedicated for park purposes. Have done tree cutting and brushing in advance of playground equipment installation and have successfully raised funds for park development.
South Front Street Petunia Bed Project	Marquette Beautification and Restoration Committee Barb Kelly	Under direction of Barb Kelly, conceived and implemented the most visible of our Adopt-A-Park projects this season. Her personal efforts in fund raising, securing volunteers and personal labor were at the very least, outstanding.
Triangle at Lakeshore and	Century Club Caroline McDonald	General clean-up. Flower planting and seasonal maintenance.

Barbara Kelly addressed the Commission thanking the many people who had worked or made contributions towards the Petunia Pandemonium Project along South Front Street this summer. Mayor Berube thanked all of the participants in the Adopt-A-Park program for their help in keeping the city beautiful.

SEATING OF COMMISSIONERS ELECT

City Clerk Gruber then administered the Oath of Office to Commissioners Elect Donald K. Potvin and Frank P. Sciotto. Both new Commissioners were seated.

ELECTION OF MAYOR

Mr. Gruber announced that this was the time set for election of Mayor. He distributed paper ballots to each of the Commissioners. On the first ballot no commissioner received a majority of the votes. Commissioner Potvin then asked for comments from the Commissioners who are seeking the position of Mayor. Commissioners discussed whether this was an appropriate activity during the balloting for Mayor. City Attorney Martin said that the Charter does not address this issue and that the City Commission is allowed to make its own rules of order. It was moved by Commissioner Sciotto and supported by Commissioner Acocks to continue with the election. Following brief discussion it was moved by Commissioner Sciotto and supported by Commissioner Acocks to call the question. The following vote was taken:

Ayes: Commissioners Acocks, Glenn, Sciotto.

Nays: Commissioners Birch, Coffey, Coyne, Potvin.

The motion to call the question was defeated.

During discussion on the motion to continue with the election, Commissioners Acocks, Coyne, and Potvin made statements regarding their seeking the position of Mayor. The motion was then carried unanimously. On the next ballot Commissioner Coyne was elected Mayor with four votes. It was moved by Commissioner Potvin, supported by Commissioner Coffey, and carried unanimously to cast a unanimous ballot for Mayor Coyne. Mr. Gruber then administered the oath of office to Mayor Elect Coyne and Mayor Coyne was seated.

ELECTION OF MAYOR PRO TEM

Mr. Gruber then requested permission to conduct the election for Mayor Pro Tem. On the second ballot, Commissioner Sciotto was elected with four votes. Mr. Gruber administered the oath of office to Mayor Pro Tem Elect Sciotto and Mayor Pro Tem Sciotto was seated.

ROLL CALL OF THE NEW COMMISSION

The roll call of the new Commission was taken as follows:

PRESENT: Mayor Coyne, Commissioners Acocks, Birch, Coffey, Glenn,
Potvin, Sciotto.

ABSENT: None.

RECOGNITION OF RETIRING MAYOR BERUBE

Mayor Coyne asked former Mayor Berube to step to the podium to be recognized. Mayor Coyne presented gifts from Commissioners and other people to Mayor Berube. The gifts commemorated his six years on the City Commission and two terms as Mayor. He also presented two plaques, one containing a gavel and the dates that Mr. Berube had been Mayor. Mayor Coyne then made the following proclamation:

P R O C L A M A T I O N

WHEREAS, Robert O. "Buzz" Berube has been a City Commissioner of the City of Marquette for six years, and, during that six years has served two terms as Mayor of the City of Marquette, and

WHEREAS, during his service on the City Commission Buzz has provided strong, thoughtful, and dedicated leadership on such difficult issues as

November 13, 1989

page 195

Solid Waste Management, Economic Growth and Development, Infrastructure Reconstruction and Development, Water and Sewer Utility Financing and Rates, and Property Tax Rates Establishment, and

WHEREAS, Buzz has pursued improvement of Intergovernmental Relations at the local level by fostering discussion and cooperation on issues of mutual concern, and

WHEREAS, Buzz has helped to place the City of Marquette in a leadership position in the State of Michigan through participation in many activities of the Michigan Municipal League, including hosting the 1989 State Convention of the League in Marquette,

NOW THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, do hereby declare Tuesday, November 14, 1989

BUZZ BERUBE DAY

in the City of Marquette, and do urge all Citizens of Marquette to join with me in thanking Buzz for his outstanding service to the community.

Mr. Berube thanked the citizens of the city for electing him to the City Commission and his office staff, the city staff, the city manager, and the City Commissioners for their support while he was a Commissioner and Mayor. He said his wife and three daughters had been especially supportive during his service to the community. He offered his congratulations to Commissioners Potvin and Sciotto on their election and to Mayor Coyne and Mayor Pro Tem Sciotto on their election.

Each of the Commissioners and City Manager Svanda thanked Mr. Berube for his service to the community.

APPROVAL OF MINUTES

It was moved by Commissioner Sciotto, supported by Commissioner Glenn, and carried unanimously to approve the minutes of the October 3rd open and closed meetings and the November 10th special and closed meetings as presented.

BILLS PAYABLE

Total bills payable in the amount of \$748,284.93 were presented. It was moved by Commissioner Acocks, supported by Commissioner Birch, and carried unanimously to pay the bills as presented.

PROCLAMATION - Board of Light and Power Day

Mayor Coyne then made the following proclamation:

BOARD OF LIGHT AND POWER 100TH ANNIVERSARY

WHEREAS, on November 23, 1989, the City of Marquette, through its Electric Department initiated electric service in the City of Marquette with 37.5 kilowatts of electricity coming from the Number One Hydro Plant on the Dead River being used to operate 70 - 2,000 candlepower street lights, 50 of which were turned off at midnight, and

WHEREAS, The Utility grew over the years adding hydro plants in 1920 and 1924, seven diesel generators in the period between 1926 and 1955, the Shiras Steam Plant in 1967, with additions in 1972 and 1983, and a gas turbine in 1983, giving the Utility a total generating capacity of 106 megawatts, and a value in excess of 65 million dollars, and

WHEREAS, the citizens of the City voted in 1967 to amend the City Charter to create an elected Board of Light and Power to oversee the operation of the City's Electric Utility, and

WHEREAS, the five members of the Board of Light and Power and its 88 employees constantly strive to provide the City and surrounding areas with reliable low cost electricity, including maintenance and upgrading of the 310 miles of electric line, and planning to provide generating capacity for future growth,

NOW THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, Michigan do hereby proclaim November 23, 1989 as Board of Light and Power Day in the City of Marquette, and do urge the Citizens of Marquette to join with me in celebrating the Board of Light and Power and in thanking the members of the Board and their employees for the outstanding service they provide the community.

Board of Light and Power Director, David Hickey, on behalf of the past and present members on the Board of Light and Power and the past and present employees of the Board, thanked the City Commission for their recognition.

PROCLAMATION - National Family Caregivers Week

Mayor Coyne made the following proclamation:

WHEREAS, the City of Marquette has been enriched by the contributions of its caregivers; and

WHEREAS, close to seven million Americans provide unpaid personal care in the home for an older, chronically ill or disabled family member or friends; and

WHEREAS, nearly 3/4 of disabled people living in the community rely solely on friends and family for their care; and

WHEREAS, providing care and assistance, these caregivers allow their older relatives and spouses to continue living at home rather than in a nursing home; and

WHEREAS, the City of Marquette recognized the needs of local caregivers through funding and support of Senior Center services;

NOW, THEREFORE, I, J. Michael Coyne, Mayor of the City of Marquette, do proclaim November 19-25 Family Caregivers Week in Marquette and urge our citizens to join me in recognizing the contributions of caregivers to all residents in our State.

November 13, 1989

CITIZEN COMMENT

Chris Thierry addressed the Commission, thanking John Turausky and the City for allowing the noon Kiwians Club to become active in the Adopt-A-Park program. He described the activities of the club, in installing and maintaining new playground equipment at McCarty's Cove.

SOLID WASTE DISPOSAL AGREEMENT - K. I. Sawyer Air Force Base

A report and recommendation regarding an agreement with K. I. Sawyer Air Force Base which would allow the Solid Waste Authority to bill them directly for their services, was read. It was moved by Commissioner Glenn, supported by Commissioner Sciotto, and carried unanimously to approve this modification of the solid waste agreement and authorize the Mayor and City Clerk to execute this agreement.

ANIMAL TRAPPING ORDINANCE

A communication from the City Attorney presenting a proposed ordinance banning the trapping of animals in the City, was read. It was moved by Commissioner Potvin, and supported by Commissioner Sciotto to amend the proposed ordinance to delete the phrase, "live traps". Commissioners discussed the effect of this amendment and the effect of the proposed ordinance at length. The following vote was taken:

Ayes: Commissioners Potvin, Sciotto.

Nays: Mayor Coyne, Commissioners Acocks, Birch, Coffey, Glenn.
The motion was defeated.

It was then moved by Commissioner Coffey, and supported by Commissioner Sciotto, to set the meeting on November 27th, as the time and date for a Public Hearing on this proposed ordinance. The following vote was taken:

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

Nays: Commissioner Potvin.
The motion was carried.

PIZZA HUT LIQUOR LICENSE

A report and recommendation from the City Manager regarding transfer of the liquor license at the Pizza Hut on U.S. 41 West, was read. It was moved by Commissioner Acocks, supported by Commissioner Coffey, and carried unanimously to approve the following resolution:

That the request from Michigan Pizza Hut, Inc. (A Michigan Corporation) to transfer stock in a 1989 12 Months Resort Tavern licensed business, located at 2131 W. US-41, Marquette, Mall, Marquette, MI 49855, Marquette County, whereby, Donald G. White Trust; Michigan National Bank, Trustee will be dropped as stockholder through transfer of his 1,861 shares of stock to new stockholders, Joyce L. Lunsford and Jeffrey C. White be approved.

CITIZEN COMMENTS

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

SCIOTTO

Commissioner Sciotto thanked the Commissioners for electing him to the position of Mayor Pro Tem. He said that he will do the best job that he can.

POTVIN

Commissioner Potvin noted dangerous traffic movements at the intersection of McClellan and U.S. 41.

COFFEY

Commissioner Coffey urged people to use caution with two way traffic on Third street. He said that there are a lot of people parking in the no parking areas near the corners and that this makes the intersections very dangerous. He commended the City Treasurer for a successful program to reduce delinquent taxes.

BIRCH

Commissioner Birch congratulated Commissioners Potvin and Sciotto on their election and Mayor Coyne and Mayor Pro Tem Sciotto on their election. He said that the City Commission works as a team instead of as individuals and this has proven very successful.

ACOCKS

Commissioner Acocks congratulated the new Commissioners and Mayor and Mayor Pro Tem. She said that perhaps there should be no right hand turn on red at the McClellan - U.S. 41 intersection.

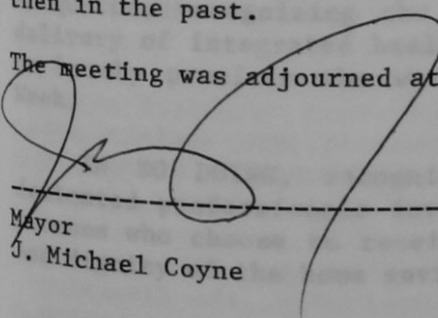
MAYOR COYNE

Mayor Coyne offered his congratulations to Commissioners Potvin and Sciotto on their election. He said that he looks forward to the coming year as Mayor and said that we have a good government in Marquette.

CITY MANAGER SVANDA

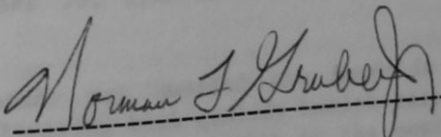
Mr. Svanda said that the City has already been in touch with the Department of Transportation regarding the need for additional signage at the U.S. 41 McClellan Intersection. He also said that the fall leaf clean up had been completed before heavy snow had been received and that the Public Works department and Peninsula Sanitation have done a much better job this year than in the past.

The meeting was adjourned at 8:37 p.m.



Mayor

J. Michael Coyne



City Clerk

Norman L. Gruber

November 13, 1989

page 199

...the Commission has been very successful in its efforts to improve the city's financial situation. The Commission has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's financial situation is much improved.

The Commission has also been successful in its efforts to improve the city's physical environment. It has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's physical environment is much improved.

The Commission has also been successful in its efforts to improve the city's social environment. It has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's social environment is much improved.

The Commission has also been successful in its efforts to improve the city's economic environment. It has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's economic environment is much improved.

The Commission has also been successful in its efforts to improve the city's cultural environment. It has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's cultural environment is much improved.

The Commission has also been successful in its efforts to improve the city's political environment. It has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's political environment is much improved.

The Commission has also been successful in its efforts to improve the city's environmental environment. It has been able to secure a number of new sources of revenue, and it has been able to reduce the city's expenditures. As a result, the city's environmental environment is much improved.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, November 27, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 27, 1989 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Coyne. Commissioners Acocks, Birch, Coffey, Glenn, Potvin, Sciotto.

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Coffey, supported by Commissioner Birch, and carried unanimously to approve the minutes of the November 13, 1989 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$553,599.49 were presented. It was moved by Commissioner Acocks, supported by Commissioner Sciotto, and carried unanimously to pay the bills as presented.

AGENDA CHANGES

During the time set for announcing changes to the agenda, Commissioner Coffey asked that item 9B be removed from the Consent Agenda and be made item 8A. Commissioner Acocks asked that a Proclamation for the American Lung Association be made item 1A. Commissioner Birch asked that item 12, discussing the Traffic Pattern on Front Street between Washington and Ridge, be added.

PROCLAMATION - National Home Care Week

Mayor Coyne made the following Proclamation:

PROCLAMATION

BE IT HEREBY NOTED that Mayor J. Michael Coyne and the City of Marquette, recognizing the important role home health care plays in the delivery of integrated health care services to all residents of this city, do hereby proclaim the week of November 26, 1989 as National Home Care Week.

IN SO DOING, recognition and honor are awarded the hundreds of dedicated professionals involved in delivering high-quality health care to persons who choose to receive nursing and therapy services in the comfort and dignity of the home environment.

PROCLAMATION - Christmas Seal Month

**PROCLAMATION
AMERICAN LUNG ASSOCIATION**

WHEREAS, 1989 marks the 82nd 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.

WHEREAS, diseases of the lungs still claims in the excess of 300,000 lives each year in these United States, the majority due to cigarette smoking, and

WHEREAS, nicotine has been declared an addictive drug comparable with cocaine, and

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

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

NOW, THEREFORE, BE IT RESOLVED THAT I, J. MICHAEL COYNE, Mayor of the City of Marquette, Michigan, do hereby proclaim and designate the month of December 1989 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. Much has been accomplished in an attempt to establish a smoke free society, but much more work has to be done.

RESOLUTION - Fighting Back Against Drugs Week

Mayor Coyne said that this was the time set to consider a Resolution establishing Fight Back Against Drugs Week. Police Officer Greg St. John described the D.A.R.E. (Drug Abuse Resistance Education) Program which is being presented in the Public Schools. It was moved by Commissioner Coffey, supported by Commissioner Acocks, and carried unanimously to adopt the following resolution:

RESOLUTION

WHEREAS, the presence of drugs and narcotics in our society has resulted in innumerable problems of human, social and economic dimension; and

WHEREAS, the consequences of drug-related problems are witnessed in the loss of human lives, the loss of economic productivity, the diversion of public resources to address these problems on all fronts to the health of our people; and

WHEREAS, the dissolution of the family, an inadequate education system, poverty, unemployment, and greed all contribute to illegal drug use; and

WHEREAS, the demand for illegal drugs is a pervasive problem that affects all segments of our society; and

WHEREAS, illegal drugs plague urban, suburban and rural communities of all sizes and regions; and

WHEREAS, illegal drugs constitute a problem in our community and lead to a host of problems such as homicides, robberies, burglaries and other crimes, and domestic violence; and

WHEREAS, our nation's cities and villages are on the frontlines of our war on drugs; and

WHEREAS, hundreds of America's dedicated public servants have died and thousands of others risk their lives daily to fight our communities' individual battles against illegal drugs and the criminal activities stemming from illegal drugs;

WHEREAS, a national war on drugs has been declared to combat the importation, trafficking, sale and abuse of drugs; Now therefore be it

RESOLVED, that Marquette City declares December 3 to 9 as "Fighting Back Against Drugs Week," and be it further

RESOLVED, that member of Marquette City on on record as urging community groups, schools, and business and civic organizations to support and participate in special activities during that week to draw community attention to this issue.

PUBLIC HEARING - Proposed Trapping Ordinance

Mayor Coyne noted that the ad in the newspaper had incorrectly stated that this ordinance had been adopted. He said that it has not and that the hearing on the ordinance is being held tonight. He asked the City Attorney to summarize a State Attorney General's opinion regarding this matter. Mr. Martin said that the City can not ban trapping in the City due to State preemption of trapping regulations. Mayor Coyne then opened the hearing.

Frank Opolka, Regional Director of the Department of Natural Resources, asked that the City Commission have the Attorney review the proposed ordinance in light of the Attorney General's opinion. Robert Wood, Regional Wildlife Biologist with the DNR, said that both trapping and hunting are used to scientifically manage fur bearing animals. He supported the need for trapping in the City and said that populations of these animals could become problems if they are not controlled. Ben Walker said that his dog had been killed in an illegal trap and that traps should be banned for public safety reasons.

David Basil, UP Director of the Michigan Trappers Association, said that young people can walk to the river areas in the City to trap. He said that his association is working with State funds to educate trappers and raise the ethical standards. He said it has been 11 years since a dog has been caught in a trap in the City. A letter from Duane Philipps opposing the proposed ordinance was read. John Hougisto said that the trap which killed

the dog was illegally set. He said that no legally set traps have caused problems for dogs in the City. He supported enforcement of trapping laws but said that trapping should not be banned. He also noted the utility of live traps in eliminating problem animals in the City. Caron Christopherson, representing the Marquette County Humane Society, said that the Attorney General's opinion does not prohibit the City from banning trapping. She said the Humane Society receives many calls from people concerned about trapping.

Laura Britton said that she is the woman who found the dog caught in the trap. She is concerned for her children and said that traps should be banned or people should be educated about them. The hearing was closed. It was moved by Commissioner Potvin, and supported by Commissioner Sciotto that in light of the testimony by the Department of Natural Resources we do not accept the proposed ordinance. Following lengthy discussion during which Mr. Opolka and Mr. Walker answered questions, the following vote was taken.

Ayes: Mayor Coyne, Commissioners Acocks, Coffey, Glenn, Potvin, Sciotto.

Nays: Commissioner Birch.

The motion was carried. It was then moved by Commissioner Coffey to ask the City Manager to make a report and recommendation within the next three months on a potential ban or regulation of trapping on Board of Light and Power and City property with the advice of the DNR and the Trappers Association. Motion died for lack of support.

CITIZEN COMMENT

Dave Gillis offered to answer questions on item 6.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT PLAN

A communication from the Marquette County Board of Commissioners regarding the proposed five-year update to the Marquette County Solid Waste Management Plan was read. It was moved by Commissioner Birch and supported by Commissioner Coffey to approve the Marquette County Solid Waste Management Plan as revised in accordance with the five-year update requirements of Act 641 of 1978. Following lengthy discussion, it was moved by Commissioner Potvin and supported by Commissioner Acocks to call the question. The following vote was taken:

Ayes: Commissioners Acocks, Coffey, Glenn, Potvin, Sciotto.

Nays: Mayor Coyne, Commissioner Birch.

Motion failed due to the need for a unanimous vote. Following further discussion the original motion was carried unanimously.

FIVE YEAR PLAN - Development Process

A report and recommendation from the City Manager regarding a proposed development process for the next five-year plan was read. It was moved by Commissioner Coffey and supported by Commissioner Acocks to concur with the recommendation of the City Manager and to establish the process as proposed with the City Manager and City Commission to meet with the facilitator on the Friday night before the large meeting, to schedule that meeting for January 6, 1990, to add the concept of an Award Program for volunteers using a certificate or award pin, and to omit the concept of a banquet.

CUPPAD MEMBERSHIP

A report and recommendation from the City Manager regarding renewal of the City's Membership in the CUPPAD Regional Commission, was read. It was moved by Commissioner Acocks and supported by Commissioner Coffey that the City renew its membership in CUPPAD, that the dues payment be authorized, and that \$2,037.00 be appropriated from the current year contingency fund for this purpose. The following vote was taken:

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

Nay: Commissioner Potvin.

The motion was carried.

EAST AVENUE - Special Assessment

A report and recommendation from the City Manager regarding the request for construction and paving of East Avenue was read. It was moved by Commissioner Sciotto, supported by Commissioner Coffey and carried unanimously that the Commission authorize the City Administration to participate in discussions when Marquette Township, the Marquette County Road Commission, and affected residents to accomplish the necessary utility and street improvements on East Avenue.

ROLL OFF TRUCK BIDS

A report and recommendation from the City Manager regarding bids for a Tandem Axle Heavy Duty Roll Off Truck was read. It was moved by Commissioner Birch, supported by Commissioner Coffey, and carried unanimously to concur with the recommendation and to award this bid to Fox Valley Truck Service of Appleton, Wisconsin in the amount of \$127,095.90 being the second lowest bid meeting all specifications.

MICHAEL ETELAMAKI - Service Time

A report and recommendation from the City Manager, regarding the pension plan of the former Public Works Director was read. It was moved by Commissioner Coffey and supported by Commissioner Potvin to refer this item back to the City Manager to investigate ways to secure the City from any eventuality including dissolution of the Solid Waste Authority. After discussion Commissioners Coffey and Potvin agreed to amend the motion to request that the authority agree to pay the \$9,431.00 in a lump sum within two years. After more discussion the following vote was taken:

Ayes: Mayor Coyne. Commissioners Acocks, Coffey, Glenn, Potvin, Sciotto.

Nays: Commissioner Birch.

The motion was carried.

CONSENT AGENDA

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

A. Award the bid for purchase of radio equipment to Motorola Communications & Electronics, Inc. of Wells, Michigan for a bid price of \$10,005.10 being the only bid and meeting specifications.

November 27, 1989

APPOINTMENTS

Mayor Coyne then made the following appointments with the Commissions concurrence:

Reappoint Thomas Griffith to the Marquette Area Wastewater Treatment Advisory Board, new term expiring 9-8-92.

Reappoint Evelyn McKindles to the Commission on Aging Board. Her new term would expire 10-1-92.

Reappoint Lyle Argetsinger to the Board of Review. His new term will begin 2-1-90 and expire on 2-1-93.

Appoint Mark Canale to a vacancy on the Traffic/Parking Advisory Committee. His term would expire 5-3--90.

The nomination of Commissioner Sciotto to the Marquette County Central Dispatch Policy Board.

The nomination of Richard Schwemin and Richard Klahn to the Marqtran Board.

The appointment of Commissioners Coffey and Glenn to the Marquette County OEDP Committee.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda identified the following properties:

2058 VAN EVERA: Noise problems currently and noise and property maintenance problems in the past where the tenant is Rachel Clanola and the owners are Summers, Revord and Revord Development, Inc.

124 WEST CRESCENT: Noise problems now and maintenance problems in the past where the owner Tim Perra is a resident of St. Paul, Minnesota.

FRONT STREET - Traffic Discussion

Commissioner Birch said that the current traffic pattern on Front Street between Washington and Bluff is very confusing. He said that there should be two way traffic between Washington and Ridge Street on Front. City Manager Svanda said that 7 parking spaces would be lost on Front Street if this traffic change were made and that it would be very difficult to make the changes during the winter. It was moved by Commissioner Birch and supported by Commissioner Coffey to make Front Street from Washington Street to Bluff Street two way. After lengthy discussion the following vote was taken:

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

Nay: Commissioners Acocks, Glenn, Potvin.

The motion was carried.

CITIZEN COMMENT

David Alley said that there are many houses near the Dead River and that traps should be banned for safety reasons.

ACOCKS

Commissioner Acocks said that we will work with the Department of Natural Resources to find a good solution to the trapping issue. She thanked the

DNR representatives who had attended the meeting. She said the City Christmas tree looks very good as does the newly decorated Christmas Tree outside City Hall.

BIRCH

Commissioner Birch said that we should ban the use of animal traps in the City.

COFFEY

Commissioner Coffey said that we can ban trapping on City owned property. He said that he had attended the Christmas tree lighting and that the tree is very pretty. He also noted the lights in Harlow Park, placed there by the Board of Light and Power, in celebration of their 100th Anniversary, were fantastic. He said there should be better signage at the McClellan-U.S. 41 intersection and wished his wife Laurie Happy Birthday.

GLENN

Commissioner Glenn said that she is please to see that the City is studying ways to improve the Lakeshore Boulevard water main. It was then moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously to add to the Agenda discussion of a letter to Senator Riegler and Representative Davis asking for arbitrage relief on bond money. It was then moved by Commissioner Glenn, supported by Commissioner Birch and carried unanimously to prepare a letter to Mr. Riegler and Mr. Davis asking them to support HR3299.

POTVIN

Commissioner Potvin said that there has been some activity with a bulldozer on the C&W property along Lakeshore Blvd. but that nothing is going to be constructed there because there has been no zoning change. He asked if the city could place a portable toilet on Presque Isle for the use of cross country skiers. He suggested that the City open the City snow dump to business owners but not to snow removal companies. He noted a complaint that no parking signs on Third Street can't be read due to the Christmas decorations. He suggested that the police department give warnings during the holiday season and asked why so many tickets had been issued for parking in no parking zones.

SCIOTTO

Commissioner Sciotto said that there is a lot of parking going on in no parking areas on Third Street and this is a serious safety problem. He said the trapping issue needs to be addressed and that there should not be trapping within 500 feet of a residence.

COYNE

Mayor Coyne said that the Grand Opening of Third Street will be Thursday at 5 PM at the corner of Third and Fair. He said that Board of Light and Power Chairman, Jim Smith, had made a nice speech at the Harlow Park Christmas Tree Lighting and light dedication.

November 27, 1989

CITY MANAGER SVANDA

Mr. Svanda said that, based on the action of the Commission, the administration is not doing anything on the trapping issue. He said that about half of the parking loss on Third Street is due to two way traffic and that enforcement of the no parking areas had been done in response to requests from the Commissioners before Third Street was reopened.

The meeting was adjourned at 10:34 p.m.

Mayor
J. Michael Coyne

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, December 11, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, December 11, 1989 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Coyne. Commissioners Acocks, Birch, Coffey, Glenn, Potvin, Sciotto.

ABSENT: None.

APPROVAL OF MINUTES

It was moved by Commissioner Birch, supported by Commissioner Coffey, and carried unanimously to approve the minutes of the November 27, 1989 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$758,711.45 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 changes to the agenda, Mayor Coyne asked that item 10B be removed from the Consent Agenda and be made item 9A. Commissioner Glenn asked for the addition of item 13, discussion of Port-A-Johns at Presque Isle Park and the fit strip. Commissioner Potvin asked for the addition of items 14 and 15, scheduling a work session and joint meeting with the Board of Light and Power, and scheduling a work session about the Office Bar.

TIE-ONE-ON PROGRAM

Mayor Coyne announced that this was the time set for a presentation regarding the Tie-One-On Program. Lt. Henderson, from the Marquette Police Department, explained the program. He said it is a National Program sponsored by Mothers Against Drunk Driving and that its goal is to foster public awareness of the problems resulting from drinking and driving. He urged all Commissioners and citizens to participate in the program by tying a red ribbon on the left side of their automobile indicating their concern for drinking and driving. He said the department is also participating in the Party-Smart Program, which encourages moderation and safety when alcohol is used at parties.

COMMUNITY CHRISTMAS DINNER

Mayor Coyne announced that this was the time set for a presentation by people sponsoring a community Christmas dinner. Tom Denton, representing the Superiorland Kiwanis, said that members of his club and many other volunteers will work this year to provide Christmas Day dinner for people who would otherwise be alone on Christmas. He said the dinner will be held at the Ponderosa Steak House. He recognized the many contributors to the

December 11, 1989

dinner and urged people to volunteer their assistance in cooking or serving the meal. He said transportation will be provided throughout Marquette County by Marqtran, thanks to a grant from the state and additional local support. He said that people interested in volunteering or attending the dinner should call 228-8490. He said the meal will also be delivered to home bound people.

CITIZEN COMMENT

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

HARBOR COMMITTEE - Marina Rates

A recommendation from the Harbor Committee regarding the proposed 1990 rate structure for the City's Marina Facility was read. Committee Chairman, Tom Knaus, answered questions and spoke on the lobbying efforts of the Harbor Committee with the State Water Ways Commission in regards to Marina rates in the Upper Peninsula. It was moved by Commissioner Acocks, supported by Commissioner Glenn, and carried unanimously to approve the 1990 rate structure for Marina Facilities as proposed.

PLANNING COMMISSION - Summits Subdivision

A recommendation from the Planning Commission for approval of the final preliminary plat of Summits Subdivision was read. It was moved by Commissioner Glenn, and supported by Commissioner Sciotto to accept the final preliminary plat as presented. Commissioner Potvin said that he felt sidewalks should be built in this subdivision or the ordinance should be changed so that they are not required. It was moved by Commissioner Potvin, and supported by Commissioner Sciotto to amend the motion to approve the preliminary plat with the proviso that sidewalks be required. After lengthy discussion the following vote was taken:

Ayes: Commissioners Potvin, Sciotto.

Nays: Mayor Coyne, Commissioners Acocks, Birch, Coffey, Glenn
The motion was defeated. The vote on the original motion to approve the original plat was:

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

Nay: Commissioner Potvin.

The motion was carried. City Manager Svanda was directed to include the item of Sidewalk Maintenance Equity on the Agenda for the January 6, 1990 meeting about the five year plan.

FIRE/POLICE PENSION SYSTEM - Enhancement

A report and recommendation from the City Manager regarding a plan to enhance minimum payments of the Fire/Police Pension System, was read. Mayor Coyne noted that Commissioner Sciotto may have a conflict of interest. City Attorney Martin said that in his opinion, Commissioner Sciotto should abstain from voting on this matter. It was moved by Commissioner Birch, and supported by Commissioner Glenn to allow Commissioner Sciotto to abstain from discussion and voting on this issue due to his receiving a pension from this fund. The following vote was taken:

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

Nay: Commissioner Potvin

The motion failed for lack of unanimous support. Mr. Martin then referred to the City Charter and said that Commissioner Sciotto could abstain

because he does have a direct financial interest in this pension fund. It was moved by Commissioner Birch, and supported by Commissioner Acocks that a minimum monthly benefit of \$600.00 be established for the Police and Fire Retirees. After lengthy discussion the following vote was taken.
Ayes: Mayor Coyne, Commissioners Acocks, Birch, Glenn
Nays: Commissioners Coffey, Potvin
Abstention: Commissioner Sciotto

The motion was carried. It was then moved by Commissioner Birch and supported by Commissioner Coffey that this change be effective January 1, 1990. The following vote was taken:

Ayes: Mayor Coyne, Commissioners Acocks, Birch, Coffey, Glenn, Potvin.
Nays: None
Abstention: Commissioner Sciotto

POLICE CARS- Bid

A report and recommendation from the City Manager regarding bids for Police patrol vehicles, was read. It was moved by Commissioner Sciotto, supported by Commissioner Acocks, and carried unanimously to concur with the recommendation of the City Manager, to purchase three 1990 Police patrol vehicles from Superior Ford in the amount of \$44,635.50 including a \$300.00 trade in, that the 1988 Ford be transferred to the Water Billing Department, and that the 1984 Ford be utilized by the Assessors Office.

FRONT END LOADER - Bid

A report and recommendation from the City Manager regarding bids for a front end loader was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto and carried unanimously to award the bid for a four wheel drive articulated loader to Fabco Equipment in the amount of \$138,717.00 for a Cat 966E being low bid and meeting specifications.

SNOWBLOWER HEAD-Purchase

A report and recommendation from the City Manager regarding purchase of a replacement snowblower head for the Holder Tractor, was read. It was moved by Commissioner Coffey, supported by Commissioner Sciotto and carried unanimously to concur with the City Manager's recommendation, to determine that no advantage to the City will result from competitive bidding, to waive the bidding requirements, and to purchase the Ber-Vac 5B560 snowblower from Wenberg Sales of Marquette for an amount not to exceed \$5,650.00.

WORK SESSION - Traffic Studies Methodologies

Mayor Coyne announced that this was the time set to schedule a work session to meet with the Michigan Department of Transportation and CUPPAD on traffic study methodologies. After discussion, it was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to schedule a work session for Wednesday, January 24, 1990 to discuss traffic study methodology and the Office Bar if there is time.

PLANNING COMMISSION - Medical Center PUD

A recommendation from the Planning Commission regarding a proposed rezoning for the Marquette Medical/Dental Center was read. Mayor Coyne asked to be excused from consideration of this item due to a conflict of interest. It was moved by Commissioner Birch, supported by Commissioner Glenn, and

December 11, 1989

carried unanimously to allow Mayor Coyne to abstain from voting on this matter. Mayor ProTem Sciotto took the chair. It was moved by Commissioner Coffey and supported by Commissioner Acocks to schedule a Public Hearing on this rezoning for the regular Commission meeting on December 27, 1989. Various Commissioners asked for information to be provided at the time of the hearing. The following vote was taken:

Ayes:

Commissioners Acocks, Birch, Coffey, Glenn, Potvin, Sciotto.

Nays:

None.

Abstention: Mayor Coyne.

The motion was carried. Mayor Coyne resumed the chair.

CONSENT AGENDA

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

- A. Schedule a Public Hearing on December 27, 1989 to receive comment on an Ordinance allowing the Creation of a Hospital Hospitality House.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Svanda identified the following properties:

913 McClellan: Maintenance problems now and in the past where the owner is Cheryl Ries.

213 Fisher: Maintenance problems now and in the past. The owner

Richard Trudeau is a resident of New Mexico.

Commissioner Potvin said that the Office Bar, which is owned by the City, also has property maintenance problems.

APPOINTMENTS

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

The reappointment of Scott Weymouth and Don Grisham to the Police/Fire Retirement Board.

The appointment of Frank Cambensy to the Commission on Aging.

The appointment of Commissioner Potvin as alternate representative to the Marquette County OEDP Committee.

PORT-A-JOHNs - Presque Isle and Fit Strip

It was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously that the City rent 1 Port-a-John each for Presque Isle and the Fit Strip for 3 1/2 months for \$524.00 and to appropriate this amount from the contingency fund.

SCHEDULE WORK SESSION

It was moved by Commissioner Potvin and supported by Commissioner Sciotto to schedule a work session with the Board of Light and Power to discuss the possibility of a City or Board of Light and Power owned cable television system. After discussion the following vote was taken:

Ayes:

Commissioners Coffey, Potvin, Sciotto.

Nays:

Mayor Coyne. Commissioners Acocks, Birch, Glenn.

The motion was defeated.

CITIZEN COMMENT

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

ACOCKS

Commissioner Acocks said that more publicity on City Services is needed. She cited as an example the fact that the Animal Control Officer does an excellent job and the City Dog Pound is available for City Residents. She wished everyone Happy Holidays.

BIRCH

Commissioner Birch encouraged citizens to keep their sidewalks clear of snow for the safety of walkers, especially children.

COFFEY

Commissioner Coffey urged people to avoid parking across sidewalks during the winter. He said that last Saturday afternoon he and Mayor Coyne had ridden with snowplow operator Bridget Cantor and that her operation of the plow was very impressive. He asked people to be sure to dim lights for oncoming snow plows and to be careful of snowplows backing up. He asked for a report and recommendation on the Pension System for the remaining City Employees to determine if a minimum pension payment should be set there also.

GLENN

Commissioner Glenn said that the Public Works Department is doing a good job with snow removal this year. She said that she and Commissioner Coffey had attended the County OEDP Committee meeting last week and that it is interesting to work on plans for the economic future of the area. She said that she had represented the City in welcoming the producers of a video on restoration of the Michigan State Capitol. She said that the video and restoration work were very impressive but that our work on restoration in Marquette is also impressive.

POTVIN

Commissioner Potvin suggested that the Parks and Recreation Department have someone at the two cross country ski trails on occasion to sell passes and to police the trails to be sure everyone using them has passes. In regards to a report on equipment damage, Commissioner Potvin asked what we do when there is employee negligence. City Manager Svanda said that disciplinary action is taken and that the City also works on safety training. Commissioner Potvin said that the Michigan Municipal League Legislative bulletin indicates that senate bill 305, which would close property tax loopholes is progressing. He encouraged people to write their legislators opposing this law.

SCIOTTO

Commissioner Sciotto said that there had been an incident of vandalism in the arena parking lot. Police Chief Johnson said that City patrols are made through the parking lot at the arena during events. Commissioner Sciotto said that the snowplow driver on Crescent Street this week had been doing an excellent job. He also said that he was involved in setting up

the Fire/Police pension system in the 1940's and that many systems like that now have cost of living allowance provisions. He said some of the fire/police pension system recipients are at a poverty level because they do not qualify for social security.

COYNE

Mayor Coyne wished everyone Happy Holidays. He said that riding in the snowplow had showed that it is a hard job, it is lonely, and that the city has excellent and concerned individuals doing this job. He noted a letter from Lakeshore Inc. regarding the plant closing in Marquette and said this is bad economic news for the City and employees. He noted a visit tomorrow from two Russian Dog Sled teams. He said that they would be at Presque Isle Park at 1:00 PM and at the Holiday Inn for a dinner at 7:00 PM and a meeting at 8:00 pm. Mayor Coyne said that he had received comments that it would be nice to have a skating rink in the Ellwood A. Matson Lower Harbor Park. He said it would be nice if someone would donate the funds to provide this skating rink. He also said that handicapped vans are excluded from parking in the downtown parking ramp by the low overhead sign location. He asked if this could be corrected.

SVANDA

City Manager Svanda said that City Treasurer, Elizabeth Grill, will now also be the City's Customer Relations Director.

The meeting was adjourned at 9:27 p.m.

Mayor

J. Michael Coyne

City Clerk

Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Wednesday, December 27, 1989

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Wednesday, December 27, 1989 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Coyne. Commissioners Acocks, Coffey, Glenn, Potvin, Sciotto.

ABSENT: Commissioner Birch.

EXCUSE ABSENCE

It was moved by Commissioner Glenn, supported by Commissioner Coffey, 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 Sciotto, and carried to approve the minutes of the December 11, 1989 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$367,732.44 were presented. It was moved by Commissioner Coffey, supported by Commissioner Acocks, and carried to approve the bills payable as presented.

AGENDA CHANGES

During the time set for announcing changes to the agenda, Mayor Coyne added item 4a, consideration of a solid waste transfer agreement with the City of Negaunee. Commissioner Potvin asked that item 6, a letter to our congressional delegation, be added.

MOUNT MARQUETTE OBSERVATION DECK

Mayor Coyne said that this is the time set for a presentation on a proposed observation deck for Mount Marquette. Architects Douglas Frederick and Ann Cederna displayed a model of the proposed observation deck and discussed their plans for the deck, for improving the Mount Marquette area, and for acquiring funding for the project. Following the presentation, Mr. Frederick answered questions from the Commissioners. It was moved by Commissioner Coffey, supported by Commissioner Potvin, and carried to schedule a public hearing on the proposed observation deck for the next regular meeting. It was then moved by Commissioner Potvin, supported by Commissioner Sciotto, and carried that they be given the City's blessing to develop funding sources and that the Mayor be authorized to appoint a committee to oversee this process. Following further discussion regarding the time required for this process, it was moved by Commissioner Glenn, supported by Commissioner Sciotto, and carried to hold the public hearing, which has been scheduled for the next Commission meeting, at the convenience of the City Commission and the design firm. Mayor Coyne thanked Mr. Frederick and Ms. Cederna for their interest and for the presentation.

PUBLIC HEARING - Hospital Hospitality Houses

December 27, 1989

Mayor Coyne announced that this was the time set for a public hearing on a proposed amendment to the zoning ordinance to provide for hospital hospitality houses. Lynn Hammerstrom, President of the Marquette General Hospital Auxiliary, supported the amendment at length. She described the proposed ordinance and the way it would function. Bill Nemacheck, representing the Hospital, supported Mrs. Hammerstrom's comments. The hearing was closed. The City Clerk read the proposed ordinance. After discussion and questions of Mrs. Hammerstrom, it was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried to adopt ordinance #424 as follows:

AN ORDINANCE TO AMEND CHAPTER 80, TITLE XII OF THE MARQUETTE CITY CODE BY AMENDING SECTIONS 80.02, 80.21, AND 80.65 TO ALLOW FOR THE CREATION OF HOSPITAL HOSPITALITY HOUSES

PUBLIC HEARING - Medical Center Planned Unit Development

Mayor Coyne declared a conflict of interest on this matter and relinquished the gavel to Mayor Pro Tem Sciotto. Mayor Pro Tem Sciotto opened the hearing. Les Ross, representing Sundberg, Carlson, and Associates, the project Architects, gave background information and discussed planning and zoning ramifications of the project. Betty Murray, 1509 West Fair, read a letter which had been sent to the Commissioners opposing the project. Bill Lake substantiated the overflow problem with the creek east of Mrs. Murray's house. He is concerned about increased traffic from the proposed development. Yvonne Derrick supported Mrs. Murray's concerns. She said that consideration must be given to protecting her property. Michael Pond, representing Sundberg, Carlson, and Associates, answered questions and presented further information. Mrs. Murray said that the creek has eroded onto her property since she moved into the house. The hearing was closed. The recommendation from the Planning Commission was read. It was moved by Commissioner Coffey and supported by Commissioner Acocks to approve the rezoning as proposed. During the lengthy discussion, City Planner Gruber, Police Chief Johnson, Assistant Manager Nebel, and Don Klimmek, representing Sundberg, Carlson, and Associates, answered questions. Judith Boyle, representing the Medical-Dental Center said that they are not planning to buy Mrs. Murray's house now, but may in the future. It was then moved by Commissioner Coffey and supported by Commissioner Potvin to table this matter until the next regular meeting. The following vote was taken:

Ayes: Commissioners Coffey, Glenn, Potvin.

Nays: Mayor Pro Tem Sciotto, Commissioner Acocks.

Abstention: Mayor Coyne.

The motion was carried. It was moved by Commissioner Potvin and supported by Commissioner Coffey to ask that the people promoting this project contact the City Commissioners before the next meeting regarding the Commission's concerns. The following vote was taken:

Ayes: Commissioners Coffey, Glenn, Potvin.

Nays: Mayor Pro Tem Sciotto, Commissioner Acocks.

Abstention: Mayor Coyne.

The motion was carried. It was moved by Commissioner Glenn and supported by Commissioner Coffey to ask for information both on the background, the current activities, and the future plans for the drainage district in the area. The following vote was taken:

Ayes: Mayor Pro Tem Sciotto, Commissioners Acocks, Coffey, Glenn,

Potvin.
Nay: None.
Abstention: Mayor Coyne.
The motion was carried.

CITIZEN COMMENT

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

TRANSFER FACILITY - Use Agreements

A report and recommendation from the City Manager, regarding agreements with Marquette Township and the City of Negaunee for use of the Marquette Transfer Facility, was read. It was moved by Commissioner Coffey, supported by Commissioner Acocks, and carried that the agreements for use of the transfer facility by Marquette Township and the City of Negaunee be approved and that the Mayor and City Clerk be authorized to execute them.

APPOINTMENTS

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

PUBLIC WORKS ADVISORY BOARD: Steve Balbierz for a term ending June 1, 1993.

TREE COMMITTEE: Lou Ann Balding for a term ending December 30, 1992.

WATER/SEWER UTILITY ADVISORY BOARD: Reappointment of Robert Glenn for a term expiring December 1, 1992.

BOARD OF ZONING APPEALS: Reappointment of Steve Pelto to a term expiring February 15, 1993, Colleen Walker to a term expiring February 15, 1993, and Dennis Honch as an alternate member with a term expiring February 15, 1993.

PARKS & RECREATION ADVISORY BOARD: Reappoint Rico Zenti and Laurie Weesen to terms expiring January 29, 1993.

LETTER TO CONGRESSIONAL DELEGATION - Cable TV Rates

It was moved by Commissioner Potvin and supported by Commissioner Coffey that the Marquette City Commission send a resolution asking our congressional delegations to support any legislation proposing local control of cable television rates. The following vote was taken:

Ayes: Commissioners Potvin, Sciotto.

Nays: Mayor Coyne. Commissioners Acocks, Coffey, Glenn.

The motion was defeated.

CITIZEN COMMENT

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

POTVIN

Commissioner Potvin urged any property owner on Third Street to get into the Community Development Office and apply for the credits which they can receive this year related to the Third Street reconstruction project. He also said that the Christmas dinner at the Ponderosa Steakhouse had been very well done and that support by many volunteers including at least two City employees was gratifying.

December 27, 1989

GLENN

Commissioner Glenn said that she had just returned from Chicago and that traffic is much worse in bigger cities than it is in Marquette.

COFFEY

Commissioner Coffey said that the new water meter had been installed in his house in a very efficient and prompt manner. He said he is happy the new landfill is open and feels it is one of the safest landfills built to date. He said that people plowing snow should follow City ordinances especially regarding not piling it on sidewalks.

ACOCKS

Commissioner Acocks said the City looked very good during the holiday season, especially the new street lighting on West Washington Street. She thanked the Board of Light and Power for their efforts on the street lighting. She said the City's snowplow has been working off the pavement into her front yard and urged people to "Tie One On" and to not drink and drive during the New Years Holiday.

COYNE

Mayor Coyne said that on Saturday, January 6, 1990 over 200 volunteers on boards and committees will meet to hear a futurist and prepare for having input to the new five year plan. He said the City Commission will be meeting with the facilitator on Friday evening and that this meeting will be held in the Commission Chambers instead of at his house because of a letter from Commissioner Potvin regarding public access to the meeting. He also noted that Commissioner Potvin's letter expressed a problem with the Mayor and Mayor Pro Tem meeting with the City Manager on Friday afternoons, however, he said this is legal and is necessary to functioning as a mayor. He noted a gift received from two Russian sled dog racers who were in the City recently. It is a flag of St. Michael of Moscow. He noted the racers' emotional reactions to local hospitality. He said the Christmas dinner at the Ponderosa had been outstanding and because of the many volunteers and the success of the dinner, it will probably become an annual event. He said the City is happy that the landfill has received its license and that working on the landfill and meeting the many bright and talented people from throughout the County had been a very good experience. He said now we need to work on recycling so that the landfill will not be used up as quickly. He complimented Assistant Manager Spencer Nebel for his handling of the meeting this evening.

ADJOURNMENT

The meeting was adjourned at 9:53 p.m.

Mayor
J. Michael Coyne

City Clerk
Norman L. Gruber, Jr.

