

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, September 9, 1991

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 9, 1991 in Commission Chambers of City Hall.

PRESENT: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Potvin, Sciotto.

ABSENT: None.

MINUTES

It was moved by Commissioner Cihak, supported by Commissioner Coffey, and carried unanimously to approve the minutes of the August 26, 1991 Commission meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$700,941.27 were presented. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to approve the bills payable as presented.

AGENDA

During the time set for approving the agenda, Commissioner Glenn asked that item 4a, declaration of restrictive covenants for the Cliffs Dow Disposal Site, be added. There was no objection to this addition. It was moved by Commissioner Potvin and supported by Commissioner Cihak to add repair and renovation of the curb on the northwest corner of Front and Washington Street to the agenda. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Glenn, Pinkard, Potvin, Sciotto.

Nay: Commissioner Coffey.

The motion was carried. This was made item 4b. It was moved by Commissioner Potvin and supported by Commissioner Pinkard to add confirmation of naming of the fire vehicle for Commissioner Sciotto to the agenda. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Glenn, Pinkard, Potvin, Sciotto.

Nay: Commissioner Coffey.

The motion was carried. This was made item 4c. Commissioner Cihak asked that a letter from Bresnan Communications about set top converter rentals, be added to the agenda. There being unanimous support for this request, this was made item 4d.

CITIZENS

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

WHITE'S ADDITION - Sale of City Property

A report and recommendation from the City Manager, regarding the sale of City-owned lot 5 in block 8 of White's Addition located on the east end of Newberry Street, was read. It was moved by Commissioner Glenn and supported by Commissioner Cihak that the sale be authorized in the manner described in the Manager's report and with the appropriate deed restrictions. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Glenn, Sciotto.

Nays: Commissioners Coffey, Pinkard, Potvin.
The motion failed due to the Charter requirement for a five-vote majority.
The Commission discussed this sale at great length. It was moved by
Commissioner Potvin and supported by Commissioner Cihak that the City offer
this property for sale by sealed bid with no minimum bid. During
discussion, the motion was amended by consent to include asking the
Planning Commission to investigate vacation of Newberry Street and
combination of the vacated right of way with this lot to make a useable
lot. The following vote was taken:

Ayes: Commissioners Cihak, Coffey, Glenn, Pinkard, Potvin.
Nays: Mayor Birch. Commissioner Sciotto.

The motion was carried.

SHIRAS PARK - Encroachment

A report and recommendation from the City Manager, regarding an
encroachment on City owned lot 184 of Ely Park Addition, which is a portion
of Shiras Park, was read. It was moved by Commissioner Glenn and supported
by Commissioner Pinkard that the City, with the approval of the Shiras
Institute, grant the property owner the right to occupy that portion of lot
184 currently occupied by his garage so long as the current structure
remains and it's present use continues. Chris Zenti, one of the property
owners, spoke to the Commission about the encroachment, and requested their
approval of the motion. After discussion, it was moved by Commissioner
Sciotto to amend the motion to refer this matter back to the Shiras
Institute, to see if the portion of lot 184 occupied by the garage could be
sold. The amendment died for lack of support. After further discussion, it
was moved by Commissioner Cihak and supported by Commissioner Potvin to
table this matter for the administration to address the issues which have
been raised. The following vote was taken:

Ayes: Commissioners Cihak, Potvin, Sciotto.

Nays: Mayor Birch. Commissioners Coffey, Glenn, Pinkard.

The motion was defeated.

It was next moved by Commissioner Glenn, supported by Commissioner Sciotto,
and carried unanimously to amend the motion to include sale of the property
as an option for presentation to the Shiras Institute. It was then moved by
Commissioner Potvin and supported by Commissioner Sciotto to amend the
motion to also consider cleaning up the whole situation by including enough
property from lot 184 in the option of sale to make a proper lot size
meeting side and rear yard requirements. The following vote was taken:

Ayes: Commissioners Cihak, Pinkard, Potvin, Sciotto.

Nays: Mayor Birch. Commissioners Coffey, Glenn.

The second amendment was carried.

The original motion with both amendments was then carried unanimously.

DATA PROCESSING EQUIPMENT AND SOFTWARE - Waive Bidding Requirements

A report and recommendation from the City Manager, requesting authorization
to waive the bidding requirements and proceed with purchase of accounts
receivable software and a data acquisition device, was read. It was moved
by Commissioner Coffey, supported by Commissioner Cihak, and carried
unanimously to concur with the recommendation of the City Manager and to
determine that, due to the unavailability of multiple vendors for these
items, the City would derive no advantage or benefit from soliciting
competitive bids, and to authorize the purchase of the accounts receivable
module and the grid pad for \$4,500 and \$4,200 respectively.

FINANCING FOR EQUIPMENT PURCHASES

A report and recommendation from the City Manager, regarding financing for the purchase of a mini-pumper and two dump trucks, was read. It was moved by Commissioner Sciotto, supported by Commissioner Pinkard, and carried unanimously to adopt the resolutions approving the installment purchase agreements and assigning the purchase agreements to the First of America Bank UPNA for handling the financing, and to authorize the Mayor and City Clerk to execute all documents related to this transaction.

CLIFFS DOW CLEAN UP SITE - Restrictive Covenants

Mayor Birch announced that this was the time set to consider proposed restrictive covenants for the City-owned property where the Cliffs Dow dump site is. City Attorney Martin explained that the restrictive covenants need to be approved for presentation to the Environmental Protection Agency. It was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously that the restrictive covenants be approved so that the EPA can comment on them by the October 15 meeting date.

CURB REPAIR - Front and Washington

It was moved by Commissioner Potvin and supported by Commissioner Sciotto that the administration coordinate and cause the construction of long radius curb on the northwest corner of Front and Washington Streets. After a lengthy discussion, during which the status of one-way versus two-way streets was discussed, the following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Potvin, Sciotto.

Nays: Commissioners Coffey, Glenn, Pinkard.

The motion was carried.

MINI-PUMPER - Confirmation of Name

It was moved by Commissioner Potvin and supported by Commissioner Cihak that the City Commission approve naming of the new fire mini-pumper in honor of former fire fighter Frank P. Sciotto. The Commission discussed at length whether it is the Commission's or the Mayor's prerogative to name City equipment. During discussion, Commissioner Sciotto requested permission to abstain from voting on this matter, however, the Commission did not approve his request. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Glenn, Pinkard, Potvin, Sciotto.

Nay: Commissioner Coffey.

The motion was carried.

BRESNAN COMMUNICATION - Converter Rental

It was moved by Commissioner Potvin and supported by Commissioner Pinkard to suspend the rules to allow discussion prior to a motion. The following vote was taken:

Ayes: Commissioners Cihak, Pinkard, Potvin, Sciotto.

Nays: Mayor Birch. Commissioners Coffey, Glenn.

The motion was carried.

During discussion, Commissioners expressed their displeasure over Bresnan Communications proposed rent for set top converters. They expressed the opinion that rent has been paid for these converters as part of regular cable charges and that additional rent should not be charged now. It was moved by Commissioner Potvin and supported by Commissioner Cihak that

Bresnan Communications be requested to reconsider their action of requiring rent for set top converters. The following vote was taken:
Ayes: Commissioners Cihak, Pinkard, Potvin, Sciotto.
Nays: Mayor Birch, Commissioners Coffey, Glenn.
The motion was carried.

CONSENT AGENDA

The City Clerk presented the consent agenda. It was moved by Commissioner Sciotto, supported by Commissioner Cihak, and carried unanimously to approve the consent agenda as follows:

- A. Award a Contract for the Purchase of a Heavy Duty Sweepster Broom to the low bidder, Bark River Culvert & Equipment Company in the amount of \$6,170.00.
- B. Award a Contract for the Purchase of New Balcony Seating at Lakeview Arena to Superior School Equipment Company in the amount of \$9,900.00.
- C. Awards a Contract for Tree Stump Removal to the low bidder, Community Tree Service of Skandia, Michigan, the low bidder.

APPOINTMENTS

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

- PARKS AND RECREATION ADVISORY BOARD:** Dr. James Jackson for a term expiring 1-29-94.
BOARD OF ZONING APPEALS: Dan Jahnke as an alternate for a term expiring 2-15-94.
HISTORIC PRESERVATION TASK FORCE: Additional members Carolyn Pierce, Joseph Bertucci, Russell Menaghi, Fred Huffman, Ellen Sargeant, and William Mulligan.

Mayor Birch also said that he has received a letter from David Payant submitting his resignation from the Parks and Recreation Advisory Board. Commissioner Cihak said that Mr. Payant did an excellent job on this Board and on the Ad Hoc Wisconsin Central Railroad Shoreline Acquisition Committee.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Iman identified the following properties:

- 920 JEFFERSON:** The most recent violator is Michael A. Strauss and there have been 13 complaints in recent years. The owners are Tom and Penny Bullock.
- 619 NORTH FOURTH:** The most recent violation was by Eric Larson and there have been many violations over the years owned by Lambda Chi Alpha.
- 220 WEST MICHIGAN:** The most recent violation was by Thomas Huber and the owners are Gary and Debbie Enright.

CITIZEN COMMENT

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

SCIOTTO

Commissioner Sciotto spoke regarding the safety of the cliffs at Presque Isle Park. He urged people to be more cautious when in the area of the cliffs. He also asked if there could be a painted crosswalk across Lakeshore Boulevard at the end of Fair Avenue because many pedestrians cross in this location. He said the bocce ball court in the Ellwood A. Mattson Lower Harbor Park does not seem to be properly built. Parks and Recreation Director Turausky said the standards of the national association were followed in it's construction. Commissioner Sciotto also asked how many of the neighbors had been complaining about 920 Jefferson. Mr. Iman said several neighbors had complained.

POTVIN

Commissioner Potvin said that there had been cars driving on the bike path and grass during the Seafood Fest at the Ellwood A. Mattson Lower Harbor Park. There were also dogs present in the Park. He said all of these activities should be stopped. He also said there should not be a cable across the west end of the bike path in the Park. He asked if Ball Moving and Storage is permitted to have retail sales at their warehouse location on Lakeshore Boulevard. He asked what rent the Logging Congress pays for the Lakeview Arena and said Commissioner Pinkard had misread the budget when he said the Arena was making money this year. He asked for a report on the status of Center Street and reported a call supporting construction of a bike path on the former Dead River Spur railroad right of way. He asked for a report and recommendation at the next meeting on the status of emergency sidewalk repairs, said there is enough money in the budget for department head raises, congratulated the City of Ishpeming on the opening on the Ski Hall of Fame and asked about the wording on the "No Swimming" signs at McCarty's Cove. City Attorney Martin said that the wording was consistent with what the courts had indicated was appropriate.

PINKARD

Commissioner Pinkard offered his appreciation to the man who works at the compactor station and collects the landfill tickets. He said he is very helpful to people who are unloading trash there. He said that although the Arena didn't make money, the losses are less than they have been and that the management at the Arena and other City staff along with the Arena Advisory Board had all contributed to this. He said Washington Street will be widened for two blocks beginning at the corner of Washington and McClellan by adding a center left turn lane, and commented upon the many improvements in the appearance of Lakeshore Boulevard and Hawley Street.

GLENN

Commissioner Glenn said that the Michigan Art Train will be in Marquette on September 19 - 22. It will be parked on the railroad tracks at the Lakeview Arena. She said the Arts and Culture Advisory Committee is alive and well and that the first meeting of the Ad Hoc Historic Preservation Task Force will be on Thursday.

COFFEY

Commissioner Coffey said he was very impressed by the Logging Congress. He said that he had read an article about used tires being used for temporary rip rap in erosion areas. He said the Lakeview Arena budget has improved considerably and that the remaining losses are due to the City Commission's decision to subsidize use of ice time. He agreed with Commissioner Sciotto

about noise in the community and said tonight's agenda had been doubled by late additions. He said these items often do not get proper scrutiny. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to grant unanimous endorsement for naming the new mini-pumper after fire fighter Frank P. Sciotto.

CIHAK

Commissioner Cihak read a quote which said "be careful of your thoughts, they may become words at any moment". He said that Commissioner Glenn is an excellent artist and it is good to have her on the Arts and Culture Committee. He noted the first annual beach clean up to be held on Saturday, September 21 and said that President Bush has declared September 12 to be "DARE Day" and that all bells are encouraged to be rung at 1:15 p.m. He noted a Harbor Cruise sponsored by students on that day. He said he had received a complaint about bikes on the trails at Presque Isle Park coming up behind people without warning and said the bike path is heavily used and needs to be overhauled. He said he had read an article in a Milwaukee paper about vandalism of Christmas lights in Marquette and asked if something could be done about this. He offered his congratulations to all who were involved in preparations for the Logging Congress. He said a visitor to the Logging Congress had remarked about the very courteous drivers in Marquette. He said he was glad to see City Manager Iman and five members of the Commission at the Ski Hall of Fame Ceremony in Ishpeming last week. He said the City should continue to work with bargaining units on the use of prison and jail labor and that dogs in the park and cars on the bike path and grass at the Seafood Festival should be ticketed. He offered his congratulations to all who worked at the Seafood Festival and noted that the income from this event benefits the entire community. He said he had been swimming in Lake Superior this evening and it was very cold.

MAYOR BIRCH

Mayor Birch congratulated Ishpeming on the fine Ski Hall of Fame. He said he had received a letter from the Lakeview Arena Advisory Board wanting recognition for the staff for their hard work in reducing the budget deficit. He said the 400 car grass parking lot at the University had worked out well for the Logging Congress and that we should not charge rents for events which benefit the community. He said many good things are done in Marquette and we should focus more on them. He said students also do many good things for the community.

CITY MANAGER IMAN

Mr. Iman said a solution to the cable across the bike path and cars driving on the bike path in the Lower Harbor Park is being implemented. He said he will be working on the beach clean up. He said he had attended the Logging Congress and noted that the staff had put in many hours on this event but that there was much benefit to the City. He said his information on Center Street that is that it will be opened if and when McClellan Avenue is built. He said the Administration intends to put the bike path on the railroad right of way not along McClellan. He said the inventory of sidewalk repairs is almost done and the staff will be working on establishing priorities and making corrections to the highest priority problems. He said that the staff and department heads are an excellent group of people to work with and that they deserve to be paid appropriately.

SCIOTTO

Commissioner Sciotto commended the Labor Unions for the parade and picnic at the Ellwood A. Mattson Lower Harbor Park on Labor Day.

CIHAK

Commissioner Cihak said he had received compliments for the food service provided by Northern Michigan University to the Logging Congress.

ADJOURNMENT

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

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William G. Birch
Mayor
William G. Birch

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

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ADJOURNMENT

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

William G. Birch
Mayor
William G. Birch

Lori J. Bick
Deputy City Clerk
Lori J. Bick

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, September 17, 1991

A special meeting of the Marquette City Commission was duly called and held at 7:30 p.m. on Tuesday, September 17, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Potvin, Sciotto.

ABSENT: None.

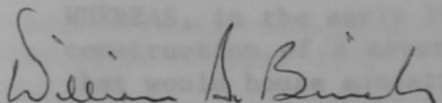
LAKEVIEW ARENA COMPRESSORS

A report and recommendation from the City Manager, regarding compressor repairs at Lakeview Arena, was read. It was moved by Commissioner Glenn and supported by Commissioner Coffey to enter into contract with United Technologies Carrier Building Services for the repair of Compressors #1, 3, and 4 for an amount not to exceed \$12,000 and that the administration investigate the availability of a used compressor to replace #2 compressor and that the City Commission be advised of the availability and cost when that information is known. Commissioners asked several questions of David Emilia and David Barr, representatives of Carrier Building Systems and Services, regarding the current condition of the compressors, past maintenance of the compressors, and cost of replacement. The motion was carried unanimously.

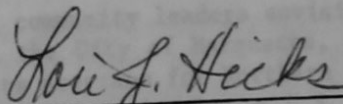
It was then moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to get a report and recommendation as soon as possible on a demineralization process.

ADJOURNMENT

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



Mayor
William G. Birch



Deputy City Clerk
Lori J. Hicks

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, September 17, 1991

A special meeting of the Marquette City Commission was duly called and held at 7:30 p.m. on Tuesday, September 17, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch, Commissioners Clark, Coffey, Glenn, Pinkard, Povin, Schotto.
ABSENT: None.


LAKVIEW ARENA COMPRESSORS

A report and recommendation from the City Manager, regarding compressor repairs at Lakview Arena, was read. It was moved by Commissioner Glenn and supported by Commissioner Coffey to enter into contract with Lighted Technologies Carrier Building Services for the repair of compressors #1, 2, and 4 for an amount not to exceed \$12,000 and that the administrator investigate the availability of a used compressor to replace #3 compressor and that the City Commission be advised of the availability and cost when that information is known. Commissioners asked several questions of Lighted and David Barr, representatives of Carrier Building Systems and Services, regarding the current condition of the compressors, past maintenance of the compressors, and cost of replacement. The motion was carried unanimously.


It was then moved by Commissioner Coffey, supported by Commissioner Clark and carried unanimously to get a report and recommendation as soon as possible on a demineralization process.

ADJOURNMENT

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



Deputy City Clerk
Fort J. Hicks



Mayor
William G. Birch

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 30, 1991

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 30, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch, Commissioners Cihak, Coffey, Glenn, Pinkard, Potvin, Sciotto.

ABSENT: None.

MINUTES

It was moved by Commissioner Coffey, supported by Commissioner Glenn, and carried unanimously to approve the minutes of the September 9 regular and September 17 special Commission meetings as presented.

BILLS

Total bills payable in the amount of \$874,416.04 were presented. It was moved by Commissioner Glenn, supported by Commissioner Pinkard, and carried unanimously to accept the bills payable.

AGENDA

During the time set for agenda changes, Commissioner Coffey asked that item 17f be removed from the Consent Agenda. It was made item 16a. City Manager Iman asked that item 16 be removed from the agenda.

SPORTS TRAINING DOME - Resolution

A resolution of support for the Northern Michigan University Sports Training Dome was presented. It was moved by Commissioner Pinkard, supported by Commissioner Coffey, and carried unanimously to adopt the resolution as follows:

WHEREAS, in the early 1970's, several community leaders envisioned the construction of a covered stadium in the City of Marquette, Michigan that would house educational and sports programs for Northern Michigan University and would serve as a catalyst to develop a U.S. Olympic Training Center in Michigan's Upper Peninsula; and

WHEREAS, through the diligent efforts of those community leaders, and Northern Michigan University, and with the strong support of the Upper Peninsula legislators, the Michigan State Legislature, and the Governor, approved funding in 1985 for the construction of a 21.8 million dollar covered Sports Training Complex; and

WHEREAS, on October 2, 1989, the earth work for the Sports Training Complex was initiated and over the next 23 months, 781 Douglas Fir beams and 108.5 miles of 2" x 8" Douglas Fir tongue-and-groove decking were assembled by local craftsmen to build the world's largest wooden dome structure covering over 5 acres of land; and

September 30, 1991

WHEREAS, on September 14, 1991, the use of the Sports Training Dome was initiated when it hosted the Northern Michigan University and University of Indianapolis football game before an all-time record attendance of 8,000 area fans for any Midwest Intercollegiate Football Conference game; and

WHEREAS, the Sports Training Dome will be utilized for educational activities, athletic events, training of athletes at the U.S. Olympic Education Center, community events, conventions and other appropriate activities providing economic and social benefits to the entire Upper Peninsula well into the 21st Century;

NOW, THEREFORE, BE IT RESOLVED THAT: The Commission of the City of Marquette commends and congratulates the State of Michigan, Northern Michigan University, and the contractors and craftsmen and all others who were instrumental in the planning and construction of the Sports Training Dome at Northern Michigan University and pledges its support and commitment to work with Northern Michigan University for the full and complete future utilization of the building for the benefit of the entire Upper Peninsula.

COST REVENUE STUDY - David M. Griffith & Associates

Mayor Birch announced that this was the time set for a presentation from David M. Griffith and Associates, Ltd. on a cost revenue analysis that they have done for the City. William Maxwell, manager of the Lansing office of David M. Griffith and Associates explained what is done in this kind of study. He said the study serves as a starting point for discussion on cost and fee structures and described how the study and analysis can be used. Following questions by Commissioners, it was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously to accept the report and to ask the City Manager to set four priority areas for initial review including Parks and Recreation, Planning, Preventive Inspections, and Assessor.

CITIZENS

During the time set for citizens wishing to address agenda items, Andrea Viggli and Mike LaPoint asked to speak on item 3. Bill Hetrick asked to speak on item 8, and Steve Hench asked to speak on item 4.

SOIL CONSERVATION DISTRICT - Loan Request

A communication from the Marquette County Soil and Water Conservation District, requesting a loan advance for the Whetstone Watershed grant, was read. It was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously to approve the concept of a loan to the Marquette County Soil and Water Conservation District for the purpose of financing the Whetstone Watershed grant and to direct the administration to work out the details of the loan. Andrea Viggli and Mike LaPoint answered questions about why this loan is needed and the guarantee from the State for funding for the project.

PETITION - Sewer on Crescent and Front Streets

A petition from residents on Crescent and Front Streets for replacement of the sewer pipes serving their homes, was read. It was moved by Commissioner Potvin, supported by Commissioner Sciotto, and carried unanimously to set

the next regular meeting as the time and date for a public hearing on a special assessment project to do this work. Steve Hench complained about the length of time it takes to repair road openings in the City.

PETITION - Water on Crescent and North Front Streets

A petition from property owners on East and West Crescent and North Front Streets for the installation of new water pipes to serve their homes, was read. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to refer this petition to the administration for a report and recommendation and to schedule a public hearing for the next regular Commission meeting on a special assessment project to complete this work.

PETITION - Fair and McClellan Stop Sign

A petition opposing the stop signs which have been installed at the intersection of Fair and McClellan Avenues was read. It was moved by Commissioner Coffey, supported by Commissioner Glenn, and carried unanimously to refer this petition to the Traffic and Parking Advisory Committee.

DAVID BONSALL - Baseball Field Improvements

A communication from David Bonsall, representing Marquette Little League, regarding the improvements plan for the three baseball fields at the North Marquette Athletic Complex, was read. It was moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously to accept the offer of \$14,000 from the Little League with \$7,000 of this to be paid in the springtime. Al Strasser, representing the Parks and Recreation Department, answered questions about the financing of this project.

DOWNTOWN DEVELOPMENT AUTHORITY - Sidewalk Alterations

A communication from the Downtown Development Authority, requesting that that group be involved in the decision making process on proposed changes in the downtown area, was read. Bill Hetrick, representing the Downtown Development Authority, said they would like to be able to comment on proposed changes before they are approved. It was moved by Commissioner Potvin and supported by Commissioner Sciotto to continue the process of making the changes to the curbing at the northwest corner of Washington and Front and to choose design option #1 for these changes. The following vote was taken:

Ayes: Mayor Birch, Commissioners Cihak, Glenn, Potvin, Sciotto.

Nays: Commissioners Coffey, Pinkard.

The motion was carried.

ZOO IMPROVEMENT TASK FORCE

A communication from the Zoo Improvement Task Force, requesting the establishment of a fund for zoo donations and the establishment of a fund raising organization, was read. It was moved by Commissioner Potvin, supported by Commissioner Pinkard, and carried unanimously to direct the City's Finance Officer to set up an interest bearing account to receive, monitor and disperse donations for a possible zoo improvement project. It was then moved by Commissioner Glenn, supported by Commissioner Coffey, and carried unanimously that the City support a fund raising organization following the direction indicated by the zoo master plan.

MARQUETTE COUNTY REAPPORTIONMENT PLAN

Mayor Birch announced that this was the time set to discuss the Marquette County Reapportionment Plan. It was moved by Commissioner Cihak and supported by Commissioner Coffey to have the City of Marquette appeal the Marquette County Reapportionment Plan on the basis that a smaller number of Commissioners would make for better government. After discussion during which City Clerk Gruber and Attorney Martin answered questions about the reapportionment process, the following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard.

Nay: Commissioners Potvin, Sciotto.

The motion was carried.

CITY COMMISSION AGENDA POLICY

A communication from Commissioner Coffey, regarding a policy for submission of agenda material by City Commissioners, was read. It was moved by Commissioner Coffey and supported by Commissioner Glenn to adopt the policy recommended in this report. After lengthy discussion, during which several Commissioners said they believe the present system is adequate, the motion was withdrawn.

FIRE STATION #2 - Property Encroachments

A report and recommendation from the City Manager, regarding encroachments on the property at #2 Fire Station and Fire Station encroachments on the adjacent property at 721 North Front Street, was read. It was moved by Commissioner Sciotto, supported by Commissioner Potvin, and carried unanimously to accept this report and to authorize the Mayor and City Clerk to execute the exchange of easements.

SNOWPLOW - Bids

A report and recommendation from the City Manager, regarding bids for a four wheel drive snow plow truck with fifth wheel trailer coupler, was read. It was moved by Commissioner Pinkard, supported by Commissioner Cihak, and carried unanimously to award this bid as recommended to Transquip of Norway, Michigan in the amount of \$111,818.00.

SHIRAS PARK - Property Encroachment

A report and recommendation from the City Manager, regarding an encroachment by the property at 900 Lakeshore Boulevard onto the Shiras Park property adjacent to it, was read. It was moved by Commissioner Pinkard, supported by Commissioner Sciotto, and carried unanimously that the City Commission approve the terms of the agreement outlined in the City Manager's report and authorize the Mayor and Clerk to execute any required documents, conditioned upon the Board of Zoning Appeals approval of the required zoning variances.

LAKEVIEW ARENA - Compressor Rebuilding

A report and recommendation from the City Manager, regarding a contract for rebuilding of compressor #2 and related work at the Lakeview Arena, was read. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to concur with the recommendation and to enter into a contract with Carrier Building Systems and Services of Brookfield, Wisconsin in an amount not to exceed \$21,428.00 and to take this money from the contingency line item in the budget.

SHIRAS POOL - Sodding of Beach Area

A report and recommendation from the City Manager, regarding a contract for sodding of the sand beach area at the Shiras Pool, was read. Parks and Recreation Representative Al Strasser answered questions regarding this project. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to award the bid to BSR Landscaping in the amount of \$22,175.00.

CONSENT AGENDA

City Clerk Gruber presented the consent agenda. It was moved by Commissioner Sciotto, supported by Commissioner Pinkard and carried unanimously to approve the consent agenda as follows:

- A. Approve the sale of lot 3, block 9, of Nester's Addition (906 West Ridge Street) to Floyd Langford of Marquette, the highest responsible bidder, for the amount of \$2,512.00.
- B. Award a contract to Anderson Communications, the low bidder, for the purchase of Police and Fire radio equipment in the amount of \$1,684.00 and \$2,995.00.
- C. Award a contract to Van Waters & Rogers, of Appleton Wisconsin, the low bidder, for the purchase of liquid calcium chloride.
- D. Award a contract to David Zorza of Marquette, the low bidder, for supplemental snow removal services in the amount of \$6,327.00.
- E. Award a contract to Traffic and Parking Control Company, Inc. for the purchase of delineator posts for an amount not to exceed \$4,850.00.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Iman reported on the following properties:
1830 Altamont: Party problems owned by Michael Loeber.
1615 Fitch: Maintenance violations and a junk car owned by Dan Klumb.

CITIZENS

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

CIHAK

Commissioner Cihak complimented the Parks and Recreation Advisory Board and Department, and Laurie Weesen in particular, for the successful Beach clean up last weekend. He said there should be a work session on purchase of the Lower Harbor Park property and suggested that the Ad Hoc Committee to study the purchase of this property invite representatives of the Planning Commission to their meetings. He also spoke on the converter rental charges recently enacted by Bresnan Communications. He said he feels Bresnan is trying hard to resolve these issues but the City needs to continue discussions with the company.

COFFEY

Commissioner Coffey expressed his thanks to the City for all of the help in securing a Michigan Equity Grant for reconstruction of the Shiras Planetarium. He said the new Planetarium instrument will be installed next spring.

GLENN

Commissioner Glenn noted some of the Commissioners had attended a Marquette County Township Association and Overall Economic Development and Planning Committee meeting this weekend. Discussions had included economic development activities in the County and she feels that the exchange between representatives of various governmental units was good. She reminded citizens about the Special Primary Election being held in County Commissioner District 5 tomorrow. She suggested that a work session be held to discuss the proposed Peninsula Sanitation buyout and the Lakeview Arena and Sports Training Center promotional project. It was agreed to hold this work session at 7:00 p.m. on Wednesday, October 16.

POTVIN

Commissioner Potvin said the sidewalk repair process needs to be rethought by the Engineering Department. He said he is still looking for an income and expense report on the Logging Congress and asked about the status of the land sale on Newberry Street. He said Commissioners who will be attending the Michigan Municipal League Convention have been invited to dinner by an engineering firm, but he feels that this is a conflict of interest. He asked for a copy of the charge to the Public Access Committee and said there are openings on this Committee. He said some Commissioners were invited to meet with Mr. Buettgenbach of Bresnan Communications. He said Mr. Buettgenbach should have come to the Commission meeting instead. He suggested that a policy of lease purchase for the converters be considered by Bresnan. Bresnan General Manager Rex Buettgenbach addressed the Commission regarding the company policy on converters. He said they are trying to work with the City and the customers on this item.

SCIOTTO

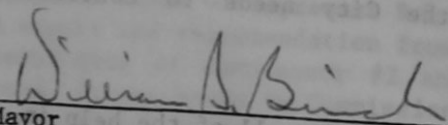
Commissioner Sciotto said Bresnan will waive converter rental for low income seniors. He said he had a very good time at the beach cleanup and this is a very good project. He said the Township Association and OEDP meeting had been very good and it fosters good cooperation with other governmental units in the County. He noted the fall cleanup announcement and asked if leaves only would be picked up this year. Public Works Superintendent Lawry said that brush will be picked up and an announcement is forthcoming but that brush and leaves should not be mixed.

CITY MANAGER

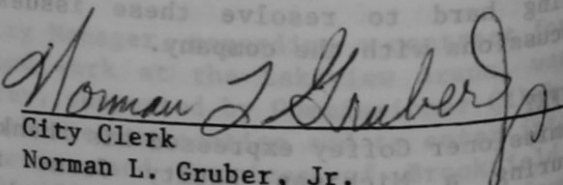
City Manager Iman offered his congratulations to local resident Dan Trotochaud who has been appointed to the Governor's Committee on Travel and Tourism.

ADJOURNMENT

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



Mayor
William G. Birch



City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Tuesday, October 15, 1991

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, October 15, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Potvin, Sciotto.

ABSENT: None.

MINUTES

It was moved by Commissioner Cihak, supported by Commissioner Glenn, and carried unanimously to approve the minutes of the September 30, 1991 meetings as presented.

BILLS

Total bills payable in the amount of \$521,706.70 were presented. It was moved by Commissioner Coffey and supported by Commissioner Sciotto to pay the bills as presented. Commissioner Potvin said the City should not have run an ad in the Black Progress Review, that the bill to Main Street Marquette for Christmas lights should have been a capital outlay item instead of an operating expense, and that the City should not pay \$95.00 to have an "N" painted on the ice at the Lakeview Arena. It was moved by Commissioner Potvin and supported by Commissioner Sciotto to exclude the payment of \$95.00 for painting an "N" on the ice at Lakeview Arena from the bills payable. The following vote was taken:

Ayes: Commissioners Cihak, Potvin, Sciotto.

Nays: Mayor Birch. Commissioners Coffey, Glenn, Pinkard.

The motion was defeated. The motion to pay the bills was then carried unanimously.

AGENDA

During the time set for announcing agenda changes, City Manager Iman asked that item 13a, a liquor license transfer at 517 N. Third Street, be added.

PROCLAMATION - Hazardous Materials Awareness Week

The City Clerk read the following proclamation:

WHEREAS, the use of chemicals in the production of consumer goods and materials that improve our standard of living is vital to modern, industrialized societies; and

WHEREAS, along with the benefits of chemicals, we need to be aware of the dangers these hazardous materials pose to our families, communities and the environment, along with the preventive measure we can take to avoid possible harm; and

WHEREAS, Michigan, which ranks among the world leaders as an industrial state, does manufacture, store, and transport large quantities of hazardous materials; and

WHEREAS, knowledge of chemical hazards, employee safety training, proper use and handling of hazardous materials, and appropriate emergency measures will help to minimize the possibility of accidents and unnecessary exposure;

NOW, THEREFORE, I, William G. Birch, Mayor of the City of Marquette, do hereby declare October 20-26, 1991 as Hazardous Materials Awareness Week in Marquette and urge all citizens to learn more about chemical safety and to assist city officials and the Local Emergency Planning Committee in their efforts to assure the City of Marquette is a safe and healthy place to live, work, and play.

RESOLUTION - Federal Property Assistance Program

The City Clerk read a resolution designating the person responsible for accepting federal surplus property. It was moved by Commissioner Coffey, supported by Commissioner Glenn, and carried unanimously to adopt the resolution as follows:

WHEREAS, the City of Marquette, State of Michigan has met all other State and Federal requirements for participation in the Federal Property Assistance Program under Public Law 94-519.

WHEREAS, it is a requirement that a resolution be adopted by the governing body specifically designating a coordinator as Surplus Property Donee and Custodian, to be responsible for the acceptance and accountability and authorized to sign for surplus property.

NOW, THEREFORE, BE IT RESOLVED,

1. That the City Commission for the City of Marquette, State of Michigan hereby designates Dale E. Iman who is the authorized coordinator as the person responsible for accepting Federal Surplus Property, with the power and full authority to sign for such surplus property.
2. The coordinator named above is to be held responsible for the accountability and will maintain the necessary records for all surplus property obtained for public purposes until relieved from accountability by State and/or Federal authorities.
3. That money is available to pay service charges for surplus property obtained.
4. That the coordinator is further hereby authorized to direct payment of service charges for surplus property to complete all transactions.

CITIZEN COMMENT

During the time set for citizens wishing to reserve time to comment on agenda items, Luanne Balding asked to speak on items 5 and 6, David Bett asked to speak on items 3 and 4, Rod Modell asked to speak on item 13a, and Jim Grundstrom asked to speak on item 10.

PUBLIC HEARING - Crescent and Front Water and Sewer Special Assessment

A report and recommendation from the City Manager, regarding the construction of water and sewer mains for various properties near the

intersection of Front and Crescent Streets, was read. David Bett addressed the Commission saying that the City should pay for part of this project because the costs were excessive. He also discussed the problems that he was having with his sewer and minor repairs that could be made to get through the winter. The hearing was closed. After a lengthy discussion of the high cost of this project and the policy, which has been discussed in the past, of limiting the amount that an individual property owner can be assessed for sewer or water service. It was moved by Commissioner Potvin and supported by Commissioner Sciotto to not proceed with the two projects at this time, but to continue to gather data which can be used for a decision in the spring. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Pinkard, Potvin, Sciotto.
Nays: Commissioners Coffey, Glenn.

The motion was carried.

It was then moved by Commissioner Coffey that the so called generic street policy be adopted by the City Commission for projects of this type. The motion died for lack of support.

CHAMBER OF COMMERCE - Park Rental Fee

A communication from the Marquette Area Chamber of Commerce, requesting waiver of the user fee for the Family Fest at the Ellwood A. Mattson Lower Harbor Park until such time as the event shows a profit, was read. Luann Balding, representing the Chamber, spoke in support of the request. She said the event had been established at the suggestion of the previous City Manager and that changes are being made in the format so that hopefully it will make a profit in the future. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to refer this request to the City Administration for a report and recommendation.

VILLAGE DEVELOPMENT COORDINATING COMMITTEE - Millage Request

A communication from the Village Development Coordinating Committee, requesting a special assessment of one mill for a one year period, was read. It was moved by Commissioner Glenn and supported by Commissioner Pinkard to set a public hearing for the October 28 City Commission meeting on an assessment of one mill for 1992, with the assessment formula to be the frontage rate plus the assessed valuation that was used for the last millage, that single family owner-occupied residences be exempt and that the assessment be for a one-year period. During discussion, Luann Balding spoke on the exclusion of one family residences. She said there were only three properties which were affected by this exclusion. It was moved by Commissioner Potvin and supported by Commissioner Cihak to amend the motion to eliminate the exclusion for single family residences. The following vote was taken:

Ayes: Commissioners Cihak, Potvin, Sciotto.

Nays: Mayor Birch. Commissioners Coffey, Glenn, Pinkard.

The amendment was defeated.

The vote on the motion to schedule the public hearing was:

Ayes: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Sciotto.

Nay: Commissioner Potvin.

The motion was carried.

PLANNING COMMISSION - Newberry Street Land Sale

A recommendation from the Planning Commission, regarding the sale of lot 5, block 8 of White's Addition on Newberry Street, was read. It was moved by Commissioner Pinkard and supported by Commissioner Cihak to support the Planning Commission's recommendation to sell this lot to the three adjoining neighbors as had been proposed by staff. After discussion of the bidding requirements in the Charter, the following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Glenn, Pinkard, Sciotto.

Nays: Commissioners Coffey, Potvin.

The motion was carried.

BRESNAN COMMUNICATIONS - Cable Television Issues

It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously to request a report and recommendation from the Public Access Committee referencing a City-wide survey to find out how the residents feel about various cable t.v. issues in the City. Bresnan General Manager Rex Buettgenbach answered questions about the company's converter rental policy. Mayor Birch said that people interested in being on the Public Access Committee should call him.

BLUFF STREET - Groundwater Problem

A report and recommendation from the City Manager, regarding resolution of a groundwater problem on Bluff Street, which resulted from the recent reconstruction of the street, was read. It was moved by Commissioner Sciotto, supported by Commissioner Pinkard, and carried unanimously that the City Commission authorize the drainage work at 733, 735, and 709 West Bluff Street and 125 Morgan Street based on the cost sharing formula outlined in the City Manager's report. During discussion, Commissioners agreed that this approval should be contingent upon agreement of the property owners to the cost sharing proposal.

SERVICE TRUCK - Bids

A report and recommendation from the City Manager, regarding bids for the purchase of two utility service trucks, was read. Jim Grundstrom said the low bids are not for new 1992 trucks as required by the bid specifications and that the lengthy bid specifications are hard to work with. Assistant Public Works Superintendent Ted Gagnon and Purchasing Director Ron Cardone answered questions about the bid specifications. Mr. Gagnon said that the specifications did allow a new non-current year truck to be bid. The Commission discussed this issue at great length. It was moved by Commissioner Pinkard and supported by Commissioner Coffey to accept the recommendation and to award the bid to Walt's Auto Sales for the purchase of two new 1990 Ford Cab Chassis with full factory warranty outfitted by Hyde Equipment Company in the total amount of \$71,906.00 being the low bid. The following vote was taken:

Ayes: Commissioners Coffey, Glenn, Pinkard, Sciotto.

Nays: Mayor Birch. Commissioners Cihak, Potvin.

The motion was carried.

NORTH MARQUETTE BALL DIAMONDS - Reconstruction

A report and recommendation from the City Manager, regarding bids for reconstruction of the North Marquette Ball Diamond, was read. It was moved by Commissioner Pinkard, supported by Commissioner Coffey, and carried unanimously to support the recommendation to award a contract to Paul Smith

Landscape Construction, Incorporated in an amount not to exceed \$27,678.00 and to negotiate with Little League for the added cost of the field reorientation. John Fawcett, representing Little League, said that they did not have money to add to their commitment of \$14,000 towards this project, but his board would consider that in the future.

SHIRAS ZOO SITE - Land Survey

A report and recommendation from the City Manager, regarding a contract for topographical survey of the Shiras Zoo site, was read. It was moved by Commissioner Coffey, supported by Commissioner Potvin, and carried unanimously to concur with the City Manager's recommendation and to enter into a contract with U.P. Engineering for the topographical survey of the Shiras Zoo site for an amount not to exceed \$4,992.00.

SNOW STORAGE SITE - Marquette General Hospital

A report and recommendation from the City Manager, regarding a lease from Marquette General Hospital for use of the Brookridge property as a snow storage site, was read. It was moved by Commissioner Sciotto, supported by Commissioner Cihak, and carried unanimously that the lease between the Marquette General Hospital and the City of Marquette for use of the Hospital's Brookridge property for a snow storage site be approved and that the Mayor and City Clerk be authorized to execute the agreement.

LIQUOR LICENSE TRANSFER - 517 North Third Street

A report and recommendation from the City Manager, regarding transfer of a liquor license for Ten O'Clock Charlie's at 517 North Third Street from Chad K. and Janis Shier Norton to Modell Foods, Ltd., was read. It was moved by Commissioner Sciotto, supported by Commissioner Pinkard, and carried unanimously to approve this liquor license transfer. Rod Modell, the new owner, answered questions about his operation of the business.

APPOINTMENTS

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

- PARKS AND RECREATION ADVISORY BOARD:** Pamela Henricksen to fill an unexpired term and also for a new term which will expire January 29, 1995.
- PUBLIC ACCESS COMMITTEE:** Joan Kent for a term expiring January 14, 1997.

CITIZEN COMMENT

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

SCIOTTO

Commissioner Sciotto asked for a status report on the fire bell. He offered suggestions as to what might be done with the bell.

POTVIN

Commissioner Potvin said the Downtown Marquette Association will be hiring a parking structure planner. He asked what the City's role will be in financing or supporting a structure and said that this should be decided before too much money is spent on planning. He said the City should lend the fire safety house to County or perhaps U.P. Area Schools. He asked for

*This was amended at the October 28, 1991 meeting to read:
"Lake Superior Village".

a report on the cost of renovations at the Island Store, said the Heritage House will never pay back it's UDAG loan even though some work has been done on the building, and said the City should not have paid the \$95.00 to have an "N" painted on the ice at the Lakeview Arena.

PINKARD

Commissioner Pinkard said that he was glad there were no properties listed on the properties causing neighborhood problems portion of the agenda tonight. He noted the receipt of a letter from Mr. Kauppila regarding a water assessment in the 1950s. City Manager Iman said that he is working on a report on this issue and that staff is having a difficult time determining the facts because it happened so long ago.

GLENN

Commissioner Glenn said all seven City Commissioners had attended the Michigan Municipal League Annual Meeting in Grand Rapids last week. She had attended sessions on property tax reduction proposals and the issues are very complicated. She said she is glad to see the construction of the paved maintenance strip on McClellan next to the new Catholic Credit Union office.

COFFEY

Commissioner Coffey asked about the fly ash stored in rail cars in the Lower Harbor rail yard. He said he had represented the Mayor at the dedication of Officer Don Park at*Whetstone Village. He said this is a very nice park and that the COPS Program seems to be working very well.

CIHAK

Commissioner Cihak said he had heard a very inspirational lecture by Paul Pearsall at the Municipal League Meeting and that Commissioner Glenn had been the moderator of a panel discussion on parliamentary procedure at that meeting. He said he and Commissioner Potvin had also attended the Officer Don Park dedication along with Commissioner Coffey. He said there is tremendous good feeling on the part of the residents of Whetstone Village and that the COPS Project should be continued. He noted that all Commissioners have received an invitation from Bresnan Communications for a dinner meeting next week. Bresnan General Manager Rex Buettgenbach spoke on the purpose of this meeting. Commissioner Cihak noted an attorney's opinion that all of the Commissioners could attend the meeting and this would not be a violation of the Open Meetings Act. He said he will attend but will pay his own way. He noted that the Police Department had made an excellent arrest on a recent violent crime and asked Police Chief Johnson how much money goes to the UPSET Team. Chief Johnson said the City supplies one man for which we receive a 50% reimbursement. Commissioner Cihak said this money might be better spent on the DARE Program.

POTVIN

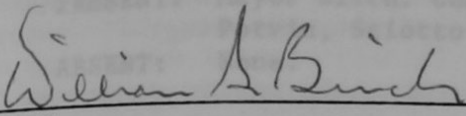
Commissioner Potvin said that the transshipping of fly ash taking place in the Lower Harbor Railyard will be moved to the L.S. & I. railyard in North Marquette which is distant from residences so that there will no longer be a dust problem. He thanked all of the people who voted for him in the County Commissioner Primary Election two weeks ago.

BIRCH

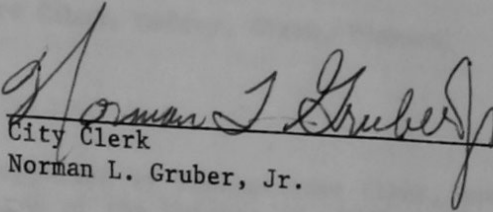
Mayor Birch said the City could continue both the DARE and UPSET Projects if we want to. He noted a pancake breakfast benefit for the DARE Program which will be held on Sunday, October 27 at the Masonic Temple. In noting several tours of City facilities by area students, he said that our facilities provide many educational opportunities for our youth.

ADJOURNMENT

The meeting was adjourned at 10:24 p.m.



Mayor
William G. Birch



City Clerk
Norman L. Gruber, Jr.

carried unanimously to approve the ...
with the correction that ...
in the discussion of the ...

ROLLS
Total bills payable in the amount of ...
moved by Commissioner Coffey, ...
carried unanimously to approve the ...

AGENDA
During the time set for ...
Coffey asked that ...
requesting an attorney ...

PUBLIC HEARING - Y.R.C.D. Operating Millage
Mayor Birch announced that this was ...
hearing on a special assessment for the ...
Village Development ...
representing the ...
supported the assessment. ...
the assessment with ...
used for things not subject to ...
opposed the assessment. ...
Commissioner ...
request for the ...
voting as he has a ...
following vote was ...

ABSTENTION
The motion was ...
It was then ...
Coffey to adopt ...
and to ...
indicated his ...

...the ... will be held on Sunday ... City facilities provide many educational opportunities for our youth.

...the ... will be held on Sunday ... City facilities provide many educational opportunities for our youth.

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...the ... will be held on Sunday ... City facilities provide many educational opportunities for our youth.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, October 28, 1991

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, October 28, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard,
Potvin, Sciotto.
ABSENT: None.

MINUTES

It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to approve the minutes of the October 15, 1991 meeting with the correction that Whetstone Village should be Lake Superior Village in the discussion of the COPS Program.

BILLS

Total bills payable in the amount of \$642,476.70 were presented. It was moved by Commissioner Coffey, supported by Commissioner Sciotto, and carried unanimously to approve the bills payable.

AGENDA

During the time set for announcing additional agenda items, Commissioner Coffey asked that item 8a, discussion of the State Police Crime Lab, and 8b, requesting an attorney opinion on dual membership on City and County Commissions, be added.

PUBLIC HEARING - V.D.C.C. Operating Millage

Mayor Birch announced that this was the time and date set for a public hearing on a special assessment for the 1992 Operating Millage for the Village Development Coordinating Committee. One letter and one petition opposing the assessment and one letter supporting the assessment were read. LuAnn Balding, representing the Village Development Coordinating Committee, supported the assessment. Holly Aldrich and Michael Fassbender supported the assessment with Mr. Fassbender saying he would like to see the money used for things not subject to vandalism. Paul Wilson and James Goodreau opposed the assessment. The hearing was closed. It was moved by Commissioner Sciotto and supported by Commissioner Potvin to deny the request for the one mill assessment and to excuse Commissioner Potvin from voting as he has a conflict of interest in this matter. During discussion, LuAnn Balding answered questions about the proposed assessment. The following vote was taken:

Ayes: Commissioners Cihak, Sciotto.

Nays: Mayor Birch. Commissioners Coffey, Glenn, Pinkard.

Abstention: Commissioner Potvin.

The motion was defeated.

It was then moved by Commissioner Glenn and supported by Commissioner Coffey to adopt the resolution determining the necessity for this project and to excuse Commissioner Potvin from voting. Commissioner Potvin indicated his wish to include single family owner occupied dwellings in the

authorize and empower the administration to renegotiate said contracts and submit them to the City Commission for approval.

MUNICIPAL SERVICES CENTER - Architectural and Engineering Agreement

A report and recommendation from the City Manager, regarding additional services in the architectural and engineering agreement for the Municipal Services Center, was read. City Manager Iman and Public Works Superintendent Lawry answered questions about the effect of the these contract amendments and the reduction in the overall cost of the project. It was moved by Commissioner Sciotto, supported by Commissioner Coffey, and carried unanimously to concur with the recommendation of the City Manager and to authorize the approval of changes to the architectural engineering contract with Sundberg, Carlson, and Associates for amounts not to exceed \$53,500.00 for site preparation bid packaging and \$8,200.00 for foundation bid package.

ELLWOOD A. MATTSON LOWER HARBOR PARK - User Fee Policy

A report and recommendation from the City Manager, regarding a user fee policy for the Ellwood A. Mattson Lower Harbor Park, was read. It was moved by Commissioner Coffey and supported by Commissioner Potvin to concur with the recommendation of the City Administration and to adopt the user fee policy for the Ellwood A. Mattson Lower Harbor Park as proposed. Following discussion, it was moved by Commissioner Coffey and supported by Commissioner Pinkard that number 4 be reworded to include the idea that this be a one time reimbursement for a financial loss and that this policy be referred to other advisory boards and committees to devise similar policies for other facilities that the City may rent. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard.

Nays: Commissioners Potvin, Sciotto.

The amendment was carried.

The amended motion was then carried unanimously.

STATE POLICE CRIME LAB - Commission Support

It was moved by Commissioner Coffey and supported by Commissioner Cihak that the City Attorney contact Representative Jacobetti and coordinate efforts to help keep the Crime Lab open in Marquette. The following vote was taken:

Ayes: Commissioners Cihak, Coffey.

Nays: Mayor Birch. Commissioners Pinkard, Potvin, Sciotto, Glenn.

The motion was defeated.

Commissioners said that they have already taken a position in support of the Crime Lab and that further activity would not be useful.

DUAL MEMBERSHIP - City and County Commissions

It was moved by Commissioner Coffey that the City Attorney be directed to give a written opinion on the conflict of interest when a person holds dual roles as a City Commissioner and a member of the County Board of Commissioners. The motion died for lack of support.

CONSENT AGENDA

The City Clerk presented the consent agenda. It was moved by Commissioner Sciotto, supported by Commissioner Cihak, and carried unanimously to adopt the consent agenda as follows:

- A. Approve the transfer of a 12 month B Hotel Resort License with Dance-Entertainment Permit from Marquette Catering Co., Inc. to H. J. Larson and Associates, Inc. (the Holiday Inn).
- B. Award a contract for construction of the Lincoln Avenue Water Pumping Station to Closner Construction Company, the low bidder, for the amount of \$230,700.00.

APPOINTMENTS

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

- PLANNING COMMISSION: Pat Murphy to the Planning Commission to fill the unexpired term of Wayne Johnson which expires February 15, 1993.
- BOARD OF CANVASSERS: Don Elzinga to fill the unexpired term of Terry Szczepanski which expires January 1, 1993.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Iman reported on 346 Harrison Street, owned by Mildred Marietta, where there have been continuing maintenance violations and 525 West Baraga, owned by Thomas Shaw, where there have been at least two noise violations.

CITIZENS

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

CIHAK

Commissioner Cihak asked about the elimination of the Camp Cusino work program. Parks and Recreation Director Turausky said that although this is apparently happening, there has been no formal announcement yet. Commissioner Cihak noted an "Ask the Experts" Program at 7:00 p.m. on November 4 at the Marquette Senior High School where parents and teens can find out about youth substance abuse. He asked the status of the City's appeal of the County Apportionment Plan. Attorney Martin said that we are preparing a brief to be filed and that the City of Ishpeming has intervened in this case. Commissioner Cihak said that many Commissioners attended a meeting with Bresnan Communications last week and that he was glad to see that the Public Access Committee will be working with Bresnan on a survey regarding cable television. He thanked the Mining Journal for reviewing the candidates for the November 5 election and urged everyone to vote.

COFFEY

Commissioner Coffey said that former Mayor Berube had referenced a survey by Dr. Kulisheck and political science students from the University. He asked if the Bresnan survey could be integrated into this survey. He then asked about the \$95.00 bill for painting on the ice at the Lakeview Arena. City Manager Iman said that this bill was for painting the words "Lakeview Arena" on the ice and that the amount was reimbursed by Northern Michigan University.

GLENN
Commissioner Glenn offered her compliments to Rita Hodgins for receiving the U.P. Gold Award from the U.P. Tourism Council. She also said Holly Aldrich and her husband have done a great deal to improve their building on North Third Street.

PINKARD
Commissioner Pinkard said he has talked to Dr. Kulisheck at the University and he is willing to do a survey in the spring. He asked City Attorney Martin if there is ever a time when we can recover the costs of defending a frivolous lawsuit. City Attorney Martin said we look at this each time we win a lawsuit. Commissioner Pinkard also asked if the City has a policy on discrimination. Personnel Director Cardone said there is a policy, and he will get copies for the Commissioners. Commissioner Pinkard urged everyone to vote on Tuesday.

POTVIN
Commissioner Potvin said the invoice for painting on the ice at the Arena was improperly worded. He offered his congratulations to retiring Meter Maid Laura Ombrello and to Jane Lawrence who is leaving the Senior Center to work at Community Mental Health. He encouraged everyone to vote on November 5 and said he has not been elected to the County Board yet. He said that will happen on November 5 and he may then take or not take that office. He referred to an opinion he has received from County Civil Counsel.

SCIOTTO
Commissioner Sciotto urged everyone to vote on November 5. He said the overall appearance of Third Street is much improved from what it used to be. He said he was impressed by the good, fast job in relocating the curb on the northwest corner of Washington and Front Street. He also said the Fire Department has had a very successful Fire Prevention Week program and that they had spoken to a record number of children.

BIRCH
Mayor Birch offered his congratulations to Laura Ombrello, who was retiring after 25 years with the City. It is estimated that she walked 66,000 miles during her employment. He said Jane Lawrence will be working for Alger-Marquette Community Mental Health and that he wishes her luck in her new job. He said he feels the City has done all that it can do to support the Crime Lab and said we should consider offering a reward where vandalism exceeds a minimum amount. He said the City Commission will meet on October 30 in work session, November 4 in a special meeting, and reminded people of the election on November 5.

CITY MANAGER IMAN
Mr. Iman announced that the students and residents of Payne Hall in conjunction with the Parks and Recreation Department, will again be sponsoring a Halloween party at the Baraga Gym from 6:00 to 8:00 p.m. on October 31. He said that at the 93rd Annual Michigan Municipal League Convention the City had received certificates of achievement for pamphlets by the Assessing Department discussing the new assessments and for the development of the Strategic Plan. He offered his congratulations to Laura Ombrello and said that there is a \$10.00 reward for the person who took the 40 pound pumpkin from his front porch.

ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

William G. Birch
Mayor
William G. Birch

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

ROLL CALL

PRESENT: Mayor Birch, Commissioners Cihak, Coffey, Glass, Poirvin, Sciotta, Poirvin, Sciotta.

ABSENT: None.

AGENDA

Commissioner Poirvin questioned the addition of a second item to the agenda. It was moved by Commissioner Glass and supported by Commissioner Coffey to accept the agenda as formed. The following vote was taken:

Ayes: Mayor Birch, Commissioners Cihak, Coffey, Glass, Poirvin, Sciotta.
Nays: Commissioner Poirvin.

The motion was not carried due to the requirement for a unanimous vote.

During discussion, City Clerk Gruber noted that although the Budget's addendum to the City Clerk contained only the one item, the second item had been added to the actual roll for the meeting which was then moved according to the requirements in the Charter. It was then acted by Commissioner Sciotta, supported by Commissioner Poirvin, and carried unanimously to accept the City Manager's recommendation that the item regarding road design engineering services for McMillan Avenue be added to the agenda.

McMILLAN AVENUE - Road Design Engineering Services

A report and recommendation from the City Manager, regarding a contract with Sundberg, Carlson and Associates, Inc. for road design for McMillan Avenue from Grove Street north to Pioneer Road, was read. Following discussion, it was moved by Commissioner Coffey, supported by Commissioner Poirvin, and carried unanimously to concur with the recommendation of the City Manager and to instruct Sundberg, Carlson, and Associates, Inc. to do the preliminary alignment study and preliminary cost estimate of a cost not to exceed \$20,000 and to solicit bids for the requisite engineering work.

WISCONSIN CENTRAL RAILROAD - Property Acquisition

It was moved by Commissioner Sciotta, supported by Commissioner Cihak, and carried unanimously to go into closed session to discuss the proposed acquisition of property from Wisconsin Central Railroad. The meeting recessed at 7:40 p.m. The Commission returned to open session at 8:25 p.m. It was moved by Commissioner Glass and supported by Commissioner Coffey to ask the City Manager to negotiate with the Wisconsin Central Railroad for the purchase of parcels A and B as discussed in the closed session. The following vote was taken:

Ayes: Mayor Birch, Commissioners Cihak, Coffey, Glass, Poirvin, Sciotta.
Nays: Commissioner Poirvin.

The motion was carried.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, November 4, 1991

A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 4, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Potvin, Sciotto.

ABSENT: None.

AGENDA

Commissioner Potvin questioned the addition of a second item to the agenda. It was moved by Commissioner Glenn and supported by Commissioner Coffey to accept the agenda as formed. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Sciotto.

Nay: Commissioner Potvin.

The motion was not carried due to the requirement for a unanimous vote.

During discussion, City Clerk Gruber noted that although the Manager's memo to the City Clerk contained only the one item, the second item had been added to the actual call for the meeting which was then issued according to the requirements in the Charter. It was then moved by Commissioner Sciotto, supported by Commissioner Pinkard, and carried unanimously to accept the City Manager's recommendation that the item regarding road design engineering services for McClellan Avenue be added to the agenda.

MCCLELLAN AVENUE - Road Design Engineering Services

A report and recommendation from the City Manager, regarding a contract with Sundberg, Carlson and Associates, Inc. for road design for McClellan Avenue from Grove Street south to Pioneer Road, was read. Following discussion, it was moved by Commissioner Coffey, supported by Commissioner Pinkard, and carried unanimously to concur with the recommendation of the City Manager and to hire Sundberg, Carlson, and Associates, Inc. to do the preliminary alignment study and preliminary cost estimate at a cost not to exceed \$20,000 and to solicit RFPs for the remaining engineering work.

WISCONSIN CENTRAL RAILROAD - Property Acquisition

It was moved by Commissioner Sciotto, supported by Commissioner Cihak, and carried unanimously to go into closed session to discuss the propose acquisition of property from Wisconsin Central Railroad. The meeting recessed at 7:40 p.m. The Commission returned to open session at 8:25 p.m. It was moved by Commissioner Glenn and supported by Commissioner Coffey to ask the City Manager to negotiate with the Wisconsin Central Railroad for the purchase of parcels A and B as discussed in the closed session. The following vote was taken:

Ayes: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard, Sciotto.

Nay: Commissioner Potvin.

The motion was carried.

Commissioner Potvin said we do not have enough information to make this decision.

Commissioner Glenn said she will bring a proposal for conceptual sketches of the use of the ore dock at a later time.

CITIZEN COMMENT

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

BIRCH

Mayor Birch noted that the County will hold a public hearing on animal control at 6:00 p.m. on Tuesday, November 5, 1991 in the Courthouse annex.

SCIOTTO

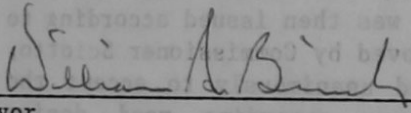
Commissioner Sciotto thanked the Moose Lodge for providing all of the fire prevention posters for Marquette County.

POTVIN

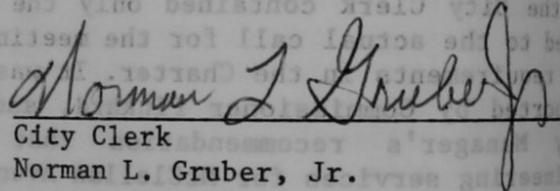
Commissioner Potvin asked that the City Manager review the use of City automobiles for non-City business.

ADJOURNMENT

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



Mayor
William G. Birch



City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Tuesday, November 12, 1991

The annual organizational meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, November 12, 1991 in Commission Chambers of City Hall.

ROLL CALL

PRESENT: Mayor Birch. Commissioners Cihak, Coffey, Glenn, Pinkard,
Potvin, Sciotto.
ABSENT: None.

COMMENTS BY DEPARTING COMMISSIONERS

Commissioner Glenn and Mayor Birch, who are leaving the Commission, made comments about the activities of the Commission during their terms of office. They then stepped down from the rostrum. Mayor Pro Tem Coffey stepped to the podium and presented Commissioner Glenn and Mayor Birch with plaques acknowledging and thanking them for their service on the City Commission.

OATH OF OFFICE - Commissioners Elect

The Commissioners elect stepped to the rostrum. City Clerk Gruber administered the oath of office to Commissioners elect Emily Coyne and M. Cameron Howes who were then seated.

ELECTION OF MAYOR

Mayor Pro Tem Coffey called for campaign comments by Commissioners interested in being elected Mayor. Commissioner Sciotto and Mayor Pro Tem Coffey each requested the Commission's support in being elected Mayor. Mayor Pro Tem Coffey then ruled, upon the advice of counsel, that Commissioner Potvin has a legal conflict of interest in voting on Commission matters in that he has been elected to the Marquette County Board of Commissioners. Commissioner Cihak asked Attorney Martin for clarification of this statement. Mr. Martin said although he has been directed by the City Commission not to prepare a separate opinion from that of the Marquette County Civil Counsel, his verbal opinion is that Commissioner Potvin has a conflict of interest in this matter and should not vote. He explained how he arrived at this position. It was moved by Commissioner Sciotto and supported by Commissioner Pinkard that Commissioner Potvin be allowed to sit on the City Commission until he takes his oath of office as a County Commissioner. Mayor Pro Tem Coffey ruled, upon advice of counsel, that Commissioner Potvin would have a conflict of interest in voting on this motion. The following vote was taken:

Ayes: Commissioners Cihak, Coyne, Howes, Pinkard, Sciotto.

Nays: Commissioner Coffey.

Abstention: Commissioner Potvin.

The motion was carried.

Mayor Pro Tem Coffey then directed the City Clerk to proceed with the election for Mayor. On the first ballot, Commissioner Sciotto was elected Mayor with four votes. City Clerk Gruber administered the oath of office to Mayor elect Sciotto who was then seated.

ELECTION OF MAYOR PRO TEM
Mayor Sciotto directed the City Clerk to proceed with the election of Mayor Pro Tem. On the first ballot, Commissioner Pinkard was elected Mayor Pro Tem with five votes. City Clerk Gruber administered the oath of office to Mayor Pro Tem Pinkard.

ROLL CALL

The roll call of the new Commission was then taken:

PRESENT: Mayor Sciotto. Commissioners Cihak, Coffey, Coyne, Howes, Pinkard, Potvin.

ABSENT: None.

The motion was carried.

SEATING ARRANGEMENTS

It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously that starting immediately the Commission change the order of seating for Commissioners with the Mayor to be seated at the left as viewed from the rostrum followed by the Mayor Pro Tem and then the remaining Commissioners in alphabetic order. The Commissioners then moved to their new seats.

MINUTES

Commissioner Coffey noted that former Commissioner Glenn had informed him that the vote on the State Police Crime Lab on page 162 of the minutes should indicate that she had voted "nay". It was moved by Commissioner Pinkard, supported by Commissioner Cihak, and carried unanimously to approve the minutes of the October 28 regular, November 4 special, and November 4 closed meetings as corrected.

BILLS

Total bills payable in the amount of \$625,943.45 were presented. It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously to pay the bills as presented.

AGENDA

During the time set for announcing additional agenda items, City Manager Iman asked that item 5a, a resignation from Shawn Beaudry from the Board of Light and Power, be added.

CITIZEN COMMENT

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

BIG TREE CONTEST AWARDS

Mayor Sciotto then stepped to the podium and presented awards for the 1991 Big Tree Contest. He said this year's tree had been Maple, and that the biggest tree is at 410 East Ridge Street, owned by Alfred and Edith McCowen. It is 13 feet 10 inches in circumference, 72 feet tall and has a crown spread of 64 feet. The prize was a Maple tree from Meister's Greenhouses. The second place tree owned by Lou Myefski at 2125 Grove Street, the third place tree owned by Darlene Gruler at 321 Spruce Street, and the fourth place tree owned by Patty Betts at 216 Blemhuber Street also received prizes.

1991 SINGLE LOT SPECIAL ASSESSMENTS

A memo from the City Assessor regarding setting a public hearing for approval of the 1991 single lot special assessment roll, was read. It was moved by Commissioner Potvin, supported by Commissioner Cihak, and carried unanimously that the City Commission schedule a public hearing on special assessment roll #519 for the December 9, 1991 meeting.

VDCC MILLAGE SPECIAL ASSESSMENT

A communication from the Village Development Coordinating Committee, regarding approval of a one mill operating special assessment, was read. It was moved by Commissioner Potvin, supported by Commissioner Howes, and carried unanimously to schedule a public hearing of confirmation on special assessment roll #524 for the Village Development Coordinating Committee one mill operating levy for the regular Commission meeting on December 9, 1991.

ASSISTANT CITY ATTORNEY - Appointment

A report from former Assistant City Attorney Ron Keefe, regarding the appointment of Kenneth J. Seavoy, to replace him as Assistant City Attorney and Counsel for the Board of Light and Power, was read. It was moved by Commissioner Cihak, supported by Commissioner Potvin, and carried unanimously to confirm Kenneth J. Seavoy as Assistant City Attorney and Counsel for the Board of Light and Power. Commissioner Cihak thanked Mr. Keefe for his many years of service as the Assistant City Attorney.

TRUCK BIDS

A report and recommendation from the City Manager, regarding bids for the purchase of a water department utility truck, was read. It was moved by Commissioner Cihak, supported by Commissioner Potvin, and carried unanimously to approve the recommendation of the City Manager and to award this bid to the best bid being that of Frei Chevrolet for a 1992 Chassis and cab in an amount not to exceed \$17,567.23. Commissioners discussed the establishment of a policy which would give preference to local bidders in cases where the bids were close. It was moved by Commissioner Howes, supported by Commissioner Potvin, and carried unanimously to authorize the administration to develop a policy to be used by the administration which would allow the recommendation of a local vendor to be accepted within 3% of the low bidder.

BOARD OF LIGHT AND POWER - Resignation of Shawn Beaudry

A resignation from Shawn Beaudry from the Board of Light and Power was presented. During two attempts at establishing motions on this resignation, Commissioner Potvin said that Mr. Beaudry was never seated on the Board and that a resignation is not the proper document. After consulting with City Attorney Martin, it was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously to accept Mr. Beaudry's communication to the effect that he will not accept the position of Board of Light and Power Member and to declare his seat vacant.

CONSENT AGENDA

City Clerk Gruber presented the consent agenda. It was moved by Commissioner Pinkard, supported by Commissioner Cihak, and carried unanimously to approve the consent agenda as follows:

- A. Award a contract for the purchase of a 1992 4 X 4 half ton pickup truck for the Fire Department to Frei Chevrolet of

Marquette, Michigan in the amount of \$18,439.00, the low bid meeting specifications.

- B. Award a contract for tires and related services to Pomp's Tire Service of Marquette, Michigan.
- C. Request the Planning Commission to develop a recommendation concerning the continued viability of pursuing the development and construction of a high-traffic capacity street parallel with Washington Street.

CITIZEN COMMENT

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

COYNE

Commissioner Coyne noted that City employees have donated at the highest level ever for the United Way Campaign. She thanked them on behalf of the United Way Board.

COFFEY

Commissioner Coffey noted that the Marquette Area Wastewater Treatment Plant had recently received very high marks from the DNR following an inspection. He commended his wife, who is in Lansing, receiving an award for being one of the three finalists in a state wide elementary math teacher competition.

CIHAK

Commissioner Cihak thanked the voters for getting out during last week's election despite the bad weather. He welcomed new Commissioners Coyne and Howes. He extended the Commission's respect and appreciation to the veterans who were acknowledged yesterday on Veteran's Day. He said that on Sunday he had reported a damaged stop sign which was repaired within a few hours. He also asked about the status of the City's appeal of the County Board reapportionment. Attorney Martin said he is not aware of when the court will rule on this matter.

PINKARD

Commissioner Pinkard said that the City's harrassment policy should apply to events and/or programs that are sponsored by City. He asked that the next agenda contain an item considering moving the Friday afternoon meetings of the City Manager and Mayor to the 12:00 to 1:30 time position and to make them work sessions so that all Commissioners could attend. He offered his congratulations to the new Commissioners, said the Commission looks like a good one for this year, and thanked Commissioners for their votes for him for Mayor Pro Tem. He wished his wife "Happy Birthday".

CITY MANAGER IMAN

Mr. Iman congratulated Commissioners Coyne and Howes on their election and Mayor Sciotto and Mayor Pro Tem Pinkard on their election. He said that it has been a pleasure working for Commissioners Birch and Glenn.

SCIOTTO

Mayor Sciotto offered his congratulations to the two new Commissioners. He thanked the Commission for their vote and said that he will do the best

possible job as Mayor. He also thanked people who have voted for him in prior elections.

MARQUETTE CITY COMMISSION
Friday, November 22, 1991

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Frank P. Sciotto
Mayor
Frank P. Sciotto

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

CITIZEN COMMENT

There were no citizens wishing to address the Commission on agenda items.
Mayor Sciotto said that this was a special meeting and that it had been properly called.

CITY COMMISSION - Organizational Rules

Mayor Sciotto announced that this was the time set for a discussion concerning the organizational rules and order of business for the next City Commission. It was moved by Commissioner Potvin, supported by Commissioners Pinkard, and carried that the new City Commission adopt a policy of holding a regularly scheduled work session on each Friday prior to a regular meeting. Commissioner Potvin discussed the reasons for this action at length. Commissioner Coyne said these meetings should not be held during the work day because this could tend to exclude some people from Commission membership. There was a lengthy discussion of when to have these meetings. It was moved by Commissioner Coyne and supported by Commissioner Howe that a work session be scheduled on 6:00 p.m. on Monday, November 25 when all Commissioners can be present or schedule a time for these work sessions to be held. The following vote was taken:

Ayes: Commissioner Coyne,
Mayor: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Clark,
Howe, Potvin.

The motion was defeated.

It was then moved by Commissioner Pinkard and supported by Commissioner Potvin to hold the work sessions on Fridays starting at 11:00 a.m. and ending no later than 1:30 p.m. The following vote was taken:

Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Clark,
Potvin.
Nays: Commissioners Coyne, Howe.

The motion was carried.

A communication from Commissioner Coffey regarding his attendance at City meeting was read. It was moved by Commissioner Potvin, supported by Commissioner Pinkard, and carried to excuse Commissioner Coffey from attendance at this meeting. In regard to Commissioner Coffey's letter which stated that no action would be taken at this meeting, Commissioner Potvin stated that no action would be taken on the items on the agenda or the agenda. City Attorney Martin stated that Commissioner Coffey's reference was to a proposed amendment to Chapter 170 of the City Code. He said this could not be done without holding a public hearing and that the action

elections. He also thanked people who have voted for him in
the past. He also thanked the Mayor and the City Council for their support.
The meeting was adjourned at 6:30 p.m.

City Clerk
Norman B. Gribble, Jr.

At the high school at Detroit where employees of the City had been working for the past few years, the Mayor and the City Council were present. The Mayor and the City Council were very pleased with the work that the employees had done.

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**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Friday, November 22, 1991

A special meeting of the Marquette City Commission was duly called and held at 12:00 noon on Friday, November 22, 1991 in Commission Chambers of City Hall.

PRESENT: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coyne, Howes, Potvin.

ABSENT: Commissioner Coffey.

CITIZEN COMMENT

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

Mayor Sciotto said that this was a special meeting and that it had been properly called.

CITY COMMISSION - Organizational Rules

Mayor Sciotto announced that this was the time set for a discussion concerning the organizational rules and order of business for the next City Commission. It was moved by Commissioner Potvin, supported by Commissioner Pinkard, and carried that the new City Commission adopt a policy of holding a regularly scheduled work session on each Friday prior to a regular meeting. Commissioner Potvin discussed the reasons for this motion at length. Commissioner Coyne said these meetings should not be held during the work day because this could tend to exclude some people from Commission membership. There was a lengthy discussion of when to have these meetings. It was moved by Commissioner Coyne and supported by Commissioner Howes that a work session be scheduled at 6:00 p.m. on Monday, November 25 when all Commissioners can be present to schedule a time for these work sessions to be held. The following vote was taken:

Ayes: Commissioner Coyne.

Nays: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak,

Howes, Potvin.

The motion was defeated.

It was then moved by Commissioner Pinkard and supported by Commissioner Potvin to hold the worksessions on Fridays starting at 12:00 noon and ending no later than 1:30 p.m. The following vote was taken:

Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Potvin.

Nays: Commissioners Coyne, Howes.

The motion was carried.

A communication from Commissioner Coffey regarding his attendance at this meeting was read. It was moved by Commissioner Potvin, supported by Commissioner Pinkard, and carried to excuse Commissioner Coffey from attendance at this meeting. In regard to Commissioner Coffey's letter which stated that no action would be taken at this meeting, Commissioner Potvin asked for a ruling saying that action could be taken on the items on the agenda. City Attorney Martin stated that Commissioner Coffey's reference was to a proposed amendment to Chapter 170 of the City Code. He said this could not be done without holding a public hearing and that the action

taken so far today was proper in that it does not have the effect of changing Chapter 170.

Mayor Sciotto opened a discussion on Chapter 170, the rules of the City Commission. After discussion, no Commissioners indicated a desire to change the provisions of this Chapter. Commissioner Potvin raised the issue of Mayors authorizing spending for items such as travel and meals. He said that this is exceeding the authority granted to the Mayor in the Charter. It was moved by Commissioner Potvin and supported by Commissioner Cihak that the Mayor and one Commissioner be authorized to expend City funds, up to the budgeted amounts, at their discretion. After a lengthy discussion regarding which budget items might be spent by the Mayor, the following vote was taken:

Ayes: Commissioners Potvin, Cihak.

Nays: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioner Coyne, Howes.

The motion was defeated.

Mayor Sciotto ruled that the Mayor will make decisions on matters such as this after consulting with one other Commissioner.

Commissioner Potvin then complained that his right of inquiry with Department Heads had been improperly restricted over the years. City Manager Iman said the reason for this is that, by Charter, department heads are responsible to the City Manager who assigns their work and that for Commissioners to make inquiries of department heads which would require significant amounts of time for response is inappropriate. Mayor Sciotto said that Commissioners should have the right of inquiry but may not give direction to staff.

It was moved by Commissioner Coyne and supported by Commissioner Cihak to adjourn the meeting and defer the remaining item to the next City Commission agenda. Mayor Sciotto noted it was still necessary to allow citizen comment. Rosemary Glenn said she objected to being accused of calumny by her attendance at the previously held Friday afternoon meetings between the Mayor and City Manager. The vote on the motion to adjourn was:

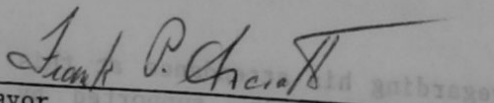
Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coffey, Howes.

Nays: Commissioner Potvin.

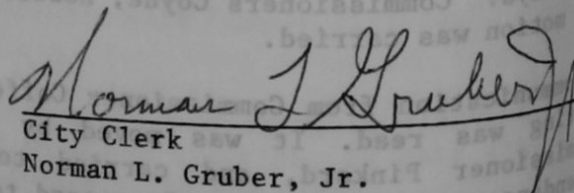
The motion was carried.

ADJOURNMENT

The meeting was adjourned at 1:20 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, November 25, 1991

A regular meeting of the Marquette City Commission was duly called and held on Monday, November 25, 1991 in Commission Chambers of City Hall.

PRESENT: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coffey, Coyne, Howes.
ABSENT: None.

MINUTES

It was moved by Commissioner Pinkard, supported by Commissioner Cihak, and carried unanimously to approve the minutes of the November 12, 1991 meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$412,244.72 were presented. It was moved by Commissioner Pinkard and supported by Commissioner Howes to pay the bills as presented. During discussion, it was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to amend the bills by withdrawing the bill for four dinners at the Holiday Inn as it was not authorized by the City Commission. The motion to pay the bills as amended was then carried unanimously.

AGENDA

It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously to accept the agenda as written.

PROCLAMATION - Christmas Seal Month

Mayor Sciotto presented the following proclamation:

WHEREAS, 1991 marks the 84th Anniversary of the Christmas Seal, the symbolic emblem of the American Lung Association - this nation's first citizen-supported voluntary group to fight lung disease.

WHEREAS, the Lung Association has continued to fight lung diseases and continues to try and make this country smoke free in an effort to reduce lung cancer deaths, and

WHEREAS, tuberculosis is staging an increase in number of cases reported due to HIV infection which weakens the immune system of infected persons and allows the tuberculosis germ to gain a foothold in the body and grow without restraint, and

WHEREAS, contributions to the Christmas Seal Campaign of the American Lung Association of Michigan are used to provide funds for education and research in the association of HIV infections and tuberculosis and other lung diseases,

NOW, THEREFORE, BE IT RESOLVED THAT I, FRANK SCIOTTO, Mayor of the City of Marquette, declare the month of December 1991 as CHRISTMAS

SEAL MONTH and urge the citizens to make a generous contribution to the campaign.

Carol Margrif, representing the American Lung Association of Michigan spoke on the history of Christmas Seals and the accomplishments of funds raised by Christmas Seals in Marquette County. She said most of this money does come back to the U.P. and is spent locally.

AMERICAN EDUCATION WEEK

A certificate of appreciation from the Marquette Area Public Schools to the City of Marquette for it's contributions to education was read by Mayor Sciotto.

COMMUNITY CHRISTMAS DINNER

Glenda McKinney addressed the Commission saying that the Third Annual Community Christmas Dinner will be at the Northwoods Restaurant. She said contributions have already been received from many companies and service clubs around the community and that the organizers can always use extra help. She said they expect to serve 300 dinners to people who would normally be alone on Christmas with an additional 150 delivered to the homes of shut-ins. The dinner will be held on Christmas Day from 12:00 noon to 4:00 p.m.

U.P. 200 SLED DOG RACE

Luann Balding along with two young trainers and Quest, a yearling sled dog, appeared before the Commission. Mrs. Balding spoke on plans for the U.P. 200 Sled Dog Race this winter and thanked the City for it's support over the last two years. Mayor Sciotto expressed the City's thanks to the organizers and Commissioner Cihak said this is a great event and asset to the City.

DON K. POTVIN - Resignation

A resignation from Commissioner Potvin was read. It was moved by Commissioner Pinkard and supported by Commissioner Cihak to accept his resignation effective 2:00 p.m. on Friday, November 22, 1991. The following vote was taken:

Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coyne, Howes.

Nay: Commissioner Coffey.

The motion was carried. Mayor Sciotto said that the Charter requires the Commission to appoint a replacement for Commissioner Potvin within 60 days. He asked for comment on how a replacement might be selected. It was moved by Commissioner Howes, supported by Commissioner Pinkard, and carried unanimously to put announcements on Channel 11 and in the newspaper requesting interested persons to send applications to the City Clerk who can accumulate the applications and present them to the City Commission, with the deadline for the applications to be December 13.

CITIZEN COMMENT

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

PLANNING COMMISSION - Sidewalk Policy

A recommendation from the Planning Commission for the adoption of a new sidewalk policy was read. It was moved by Commissioner Pinkard, supported by Commissioner Howes, and carried to schedule a work session to talk about the sidewalk policy. In addition, the Commission asked for a report from the Administration comparing the Planning Commission and Public Works Advisory Board recommendations and detailing the costs if the City were to pay for all sidewalks. Representatives from the Planning Commission, Public Works Advisory Board, and School Board are to be invited to this work session which will be held at 7:00 p.m. on Monday, January 6, 1992.

MARQ-TRAN - Term Limitation

A communication from Marq-Tran, requesting that the Commission consider amending the interlocal agreement to remove the two term limitation for Marq-Tran Board members, was read. It was moved by Commissioner Cihak and supported by Commissioner Pinkard that the City Commission not support the recommendation and continue the two term limitation. The following vote was taken:

Ayes: Mayor Pro Tem Pinkard. Commissioners Cihak, Coffey, Coyne, Howes.

Nay: Mayor Sciotto.

The motion was carried.

TRAFFIC AND PARKING ADVISORY COMMITTEE - Parade Rules

A recommendation from the Traffic and Parking Advisory Committee, regarding the establishment of restrictions on throwing objects from parade floats and vehicles and operation of small vehicles in parades, was read. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to refer this recommendation to the administration for a report and recommendation.

ORIANNA DRAINAGE DISTRICT

A report and recommendation from the City Manager, regarding a petition for the establishment of a drain in the Orianna Drainage District, was read. It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously that the City Commission approve the petition for establishing a drain in the Orianna drainage district and authorize the Mayor and City Clerk to execute the necessary documents and transmit the petition to the Drain Commissioner.

BUDGET AMENDMENT - Fiscal Year 1991-92

A report and recommendation from the City Manager, regarding an amendment to the fiscal year 1991-92 budget, was read. It was moved by Commissioner Howes, supported by Commissioner Cihak, and carried unanimously to accept the recommendation and to adopt the amended fiscal year 1991-92 General Appropriations Act as follows:

Amended General Appropriations Act

November 25, 1991

For the Fiscal Period Beginning July 1, 1991
and Ending June 30, 1992

WHEREAS, Public Act 621 of 1978 of the State of Michigan and Chapter 8 of the City Charter require City Commission adoption of a

Budget Plan for the forthcoming Fiscal Year; and
 WHEREAS, a Tentative Budget and Fee Schedule for Fiscal Year
 1991-1992 was prepared and submitted by the City Manager to the City
 Commission on April 15, 1991; and April 29, 1991; and

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

WHEREAS, a Public Hearing on the Proposed Budget and Fee Schedule
 was duly called, publicized, and held on May 13, 1991;

NOW, THEREFORE, BE IT RESOLVED, that this Commission hereby make
 and adopt the following estimates of all revenues and all expenditures
 of the several funds of the City for the Fiscal Year beginning July 1,
 1991, and for the payment of interest and indebtedness to fall due
 during the year for the following functions and purposes respectively,
 viz:

General Fund Revenue by Source:

| | | |
|--------------------------------|-------|------------------|
| Taxes | \$ | 3,759,091.00 |
| Licenses & Permits | | 8,260.00 |
| Federal Grants | | 22,185.00 |
| State Grants/Shared Revenues | | 1,923,225.00 |
| Contributions from Local Units | | 24,270.00 |
| Charges for Services | | 2,742,156.00 |
| Fines & Forfeits | | 45,000.00 |
| Interest and Rents | | 1,401,326.00 |
| Other Revenues | | 2,934,292.00 |
| Operating Transfers In | | 36,000.00 |
| Transfer From Fund Balance | | 1,658,296.00 |
| | TOTAL | \$ 14,554,101.00 |

General Fund Expenditures by Function:

| | | |
|------------------------------|-------|------------------|
| Legislative | \$ | 38,150.00 |
| General Government | | 1,376,666.00 |
| Public Safety | | 2,606,335.00 |
| Public Works | | 3,837,587.00 |
| Health & Welfare | | 144,715.00 |
| Recreation & Culture | | 1,299,941.00 |
| Other Functions | | 2,014,482.00 |
| Appropriations Transfers Out | | 3,206,088.00 |
| Contingencies | | 30,137.00 |
| | TOTAL | \$ 14,554,101.00 |

Major Street & Trunkline Fund Revenue by Source:

| | | |
|------------------------|----|--------------|
| State Grants | \$ | 830,375.00 |
| Interest | | 7,725.00 |
| Other Revenues | | 1,171,400.00 |
| Operating Transfers In | | 2,260,208.00 |

| | | | |
|---|--|----------|--------------|
| Major Street & Trunkline Fund Expenditures by Function: | | TOTAL \$ | 4,269,708.00 |
| Public Works | | | 3,919,990.00 |
| Debt Service | | | 349,718.00 |

| | | | |
|--------------------------------------|--|----------|--------------|
| Local Street Fund Revenue by Source: | | TOTAL \$ | 4,269,708.00 |
| State Grants | | | 197,810.00 |
| Interest | | | 2,866.00 |
| Other Revenues | | | 667,640.00 |
| Operating Transfers In | | | 822,600.00 |
| Fund Balance Carried Forward | | | 65,000.00 |
| TOTAL | | \$ | 1,755,916.00 |

| | | | |
|---|--|----|--------------|
| Local Street Fund Expenditures by Function: | | | |
| Public Works | | \$ | 1,684,870.00 |
| Debt Service | | | 71,046.00 |
| TOTAL | | \$ | 1,755,916.00 |

| | | | |
|---------------------------------|--|----|------------|
| Parking Fund Revenue by Source: | | | |
| Parking Fees | | \$ | 82,000.00 |
| Fines & Forfeits | | | 65,500.00 |
| Equity Transfer In | | | 39,280.00 |
| TOTAL | | \$ | 186,780.00 |

| | | | |
|--|--|----|------------|
| Parking Fund Expenditures by Function: | | | |
| Contingencies | | \$ | 106,848.00 |
| Public Works | | | 79,932.00 |
| TOTAL | | \$ | 186,780.00 |

| | | | |
|--|--|----|-----------|
| Solid Waste Management Fund Revenue by Source: | | | |
| Interest | | \$ | 18,500.00 |
| TOTAL | | \$ | 18,500.00 |

| | | | |
|---|--|----|-----------|
| Solid Waste Management Fund Expenditures by Function: | | | |
| Operating Transfer Out | | \$ | 18,000.00 |
| Contingencies | | | 500.00 |
| TOTAL | | \$ | 18,500.00 |

| | | | |
|---|--|----|------------|
| Parking Structure Fund Revenue By Source: | | | |
| Taxes | | \$ | 56,000.00 |
| Interest and Rents | | | 63,200.00 |
| Other Revenues | | | 30,360.00 |
| TOTAL | | \$ | 149,560.00 |

| | |
|--|---------------|
| Parking Structure Fund Expenditures By Function: | |
| Public Works (Parking System) | \$ 68,150.00 |
| Appropriation Transfers Out (Bldg Auth Debt) | 64,934.00 |
| Reserves | 16,476.00 |
| TOTAL | \$ 149,560.00 |

| | |
|--|-----------------|
| Community Development 3E Fund Revenue By Source: | |
| Federal Grant - UDAG | \$ 725,000.00 |
| State Grant - Small Cities | 525,000.00 |
| TOTAL | \$ 1,250,000.00 |

| | | |
|---|-------|-----------------|
| Community Development 3E Fund Expenditures: | TOTAL | \$ 1,250,000.00 |
|---|-------|-----------------|

| | |
|--|--------------|
| Infrastructure Improvement Fund Revenue by Source: | |
| Transfer from Public Works Facility | \$ 67,220.00 |
| Construction Fund | |
| TOTAL | \$ 67,220.00 |

| | |
|---|--------------|
| Infrastructure Improvement Fund Expenditures: | |
| Reserved for Capital Outlay | \$ 67,220.00 |
| TOTAL | \$ 67,220.00 |

| | |
|---------------------------------|---------------|
| Library Fund Revenue by Source: | |
| Taxes | \$ 420,628.00 |
| State & Federal Grants | 35,615.00 |
| Charges For Services | \$ 19,000.00 |
| Fines & Forfeits | 51,000.00 |
| Interest & Rents | 8,300.00 |
| Other Revenues | -0- |
| Transfer From Fund Balance | 29,592.00 |
| Transfer From General Fund | 79,000.00 |
| TOTAL | \$ 643,135.00 |

| | | |
|----------------------------|-------|---------------|
| Library Fund Expenditures: | TOTAL | \$ 643,135.00 |
|----------------------------|-------|---------------|

| | |
|---|-------------|
| Criminal Justice Training Fund Revenue By Source: | |
| State Grants | \$ 7,500.00 |
| Transfer From Fund Balance | 2,000.00 |
| TOTAL | \$ 9,500.00 |

| | | |
|--|-------|-------------|
| Criminal Justice Training Fund Expenditures: | TOTAL | \$ 9,500.00 |
|--|-------|-------------|

| | |
|--|---------------|
| 1991 Building Authority DPW Debt Fund Revenue: | |
| Transfer From Construction Fund | \$ 251,600.00 |
| TOTAL | \$ 251,600.00 |

| | |
|---|--|
| 1991 Building Authority DPW Debt Fund Expenditures: | |
|---|--|

| | | | |
|--|-------|----|------------|
| Debt Service | | \$ | 251,600.00 |
| | TOTAL | \$ | 251,600.00 |
| 1984 Special Assessment Debt Fund Revenues: | | | |
| Interest & Fees | | \$ | 28,489.00 |
| Transfer From Fund Balance | | | 30,815.00 |
| | TOTAL | \$ | 59,304.00 |
| 1984 Special Assessment Debt Fund Expenditures: | | | |
| Special Assessments | | \$ | 200.00 |
| Debt Service | | | 59,104.00 |
| | TOTAL | \$ | 59,304.00 |
| Building Authority Debt Service Fund Revenues: | | | |
| Interest | | \$ | 16,447.00 |
| Assessments Levied | | | 16,683.00 |
| Approp. Transfers In | | | 64,934.00 |
| Transfer From Fund Balance | | | 8,521.00 |
| | TOTAL | \$ | 106,585.00 |
| Building Authority Debt Service Fund Expenditures: | | | |
| Building Authority | | \$ | 100.00 |
| Principal On Bonds | | | 50,000.00 |
| Paying Agent Fees | | | 750.00 |
| Interest - Long Term Debt | | | 55,735.00 |
| | TOTAL | \$ | 106,585.00 |
| River Park Sports Complex Fund Revenues: | | | |
| State Grants | | \$ | 340,125.00 |
| Contributions | | | 60,700.00 |
| Interest | | | 8,000.00 |
| Other Revenue | | | 124,880.00 |
| | TOTAL | \$ | 533,705.00 |
| River Park Sports Complex Fund Expenditures: | | | |
| Capital Outlay | | \$ | 533,705.00 |
| Lower Harbor Marina Project Fund Revenues by Source: | | | |
| State Grants | | \$ | 375,000.00 |
| Operating Transfers-In | | | 135,000.00 |
| Fund Balance Carried Forward | | | 35,000.00 |
| | TOTAL | \$ | 545,000.00 |
| Lower Harbor Marina Project Fund Expenditures: | | | |
| Capital Outlay | | \$ | 545,000.00 |
| Lower Harbor Property Acquisition & Development Fund Revenues by Source: | | | |

| | | | |
|--|-------|----|--------------|
| Contributions | TOTAL | \$ | 5,500.00 |
| Lower Harbor Property Acquisition & Development Fund Expenditures: | | | |
| Capital Outlay | TOTAL | \$ | 5,500.00 |
| Neck of Presque Isle Fund Revenues: | | | |
| Neck of Presque Isle Fund Expenditures: | TOTAL | \$ | 30,050.00 |
| Public Works Facility Construction Fund Revenues by Source: | | | |
| State Grant | | \$ | 50,000.00 |
| Fund Balance Carried Forward | | | -0- |
| Bond Proceeds | | | 5,200,000.00 |
| Interest | | | 9,000.00 |
| | TOTAL | \$ | 5,259,000.00 |
| Public Works Facility Construction Fund Expenditures: | | | |
| Transfer to Infrastructure Improv. Fund | | \$ | 67,220.00 |
| Transfer to Debt Fund | | | 251,600.00 |
| Capital Outlay | | | 4,641,780.00 |
| Reserve for Future Debt | | | 298,400.00 |
| | TOTAL | \$ | 5,259,000.00 |
| River Park Complex Phase II Fund Revenues: | | | |
| Taxes | | \$ | 12,828.00 |
| Interest | | | 4,000.00 |
| | TOTAL | \$ | 16,828.00 |
| River Park Complex Phase II Fund Expenditures: | | | |
| Contingencies | | \$ | 5,570.00 |
| Miscellaneous | | | 11,258.00 |
| | TOTAL | \$ | 16,828.00 |
| Intermodal Transportation Terminal Fund Revenue: | | \$ | |
| | TOTAL | \$ | 151,000.00 |
| Intermodal Transportation Terminal Fund Expenditures: | | | |
| | TOTAL | \$ | 151,000.00 |
| Marquette Area Wastewater Treatment Facility Fund Revenue: | | | |
| | TOTAL | \$ | 1,212,858.00 |
| Marquette Area Wastewater Treatment Facility Fund Expenditures: | | | |
| | TOTAL | \$ | 1,212,858.00 |
| Water & Sewage Disposal System Fund Revenue: | | | |
| | TOTAL | \$ | 5,565,335.00 |
| Water & Sewage Disposal System Fund Expenditures: | | | |
| | TOTAL | \$ | 5,565,335.00 |

Marina Fund Revenue:

TOTAL \$ 287,909.00

Marina Fund Expenditures:

TOTAL \$ 287,909.00

BE IT FURTHER RESOLVED, that this Commission has estimated the revenue which will be forthcoming during Fiscal Year 1991-92, and has determined the amount necessary to balance the General Fund budget to be the sum of \$3,759,091; and has determined the amount necessary to balance the Peter White Library budget to be the sum of \$420,628; and

BE IT FURTHER RESOLVED, that in accordance with the Public Notification provisions of Act 5 of 1982 of the State of Michigan, the sum of \$3,759,091; is hereby fixed as the amount to be raised by Real and Personal Taxes for the 1991-92 Fiscal Year for the General Fund (a millage rate of 12.53 mills); and the Sum of \$420,628; is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1991-92 Fiscal Year for the Peter White Public Library (a millage rate of 1.50 mills); and

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

Mayor Pro Tem Pinkard said that the City runs a balanced budget and that it will still be balanced after the adoption of this amendment.

CITY ATTORNEY - Charter Provision

Mayor Sciotto announced that this was the time set for discussion of Section 4.11 of the City Charter regarding the City Attorney. He said former Commissioner Potvin had proposed changing this Section of the Charter to make the City Attorney responsible to the City Manager. Commissioners discussed the proposed change at great lengths. There was no action taken.

CONSENT AGENDA

City Clerk Gruber presented the consent agenda. It was moved by Mayor Pro Tem Pinkard and supported by Commissioner Cihak to approve the consent agenda. Commissioner Coyne said she had not understood how the consent agenda worked and now wished to discuss one of the items on the agenda. It was moved by Commissioner Coffey, supported by Commissioner Howes, and carried unanimously to suspend the rules and allow Commissioner Coyne to remove an item from the consent agenda. Commissioner Coyne asked that item b be removed from the consent agenda. Item b, a report and recommendation from the City Manager, regarding special assessment interest rates, was read. Following discussion regarding the repayment schedule, it was moved by Commissioner Coyne, supported by Commissioner Howes, and carried unanimously to adopt the recommended interest rates with the repayment schedule to be changed as follows:

- \$500 or less one year term
- \$501 - \$1,000 two year term
- \$1,001 - \$5,000 five year term
- \$5,000 or more ten year term

The consent agenda was then approved unanimously as follows:

- A. Award a contract for the purchase of Police Department 4 x 4 half ton pickup truck to Choice Motors in the amount of \$16,175.00 being the low bidder meeting specifications.
- C. Adopt the industrial waste policy and fee structure.

APPOINTMENTS AND RESIGNATIONS

A resignation from Ellen Sargeant from the Historic Preservation Task Force was read. Mayor Scotto made the following appointments with the Commission's concurrence:

- COMMISSION ON AGING: Reappointment of Jeanette Thomas to a new three year term expiring October 1, 1994.
- PUBLIC ACCESS COMMITTEE: Kathryn J. Weber to a term expiring January 14, 1997.
- HANDICAPPED CITIZENS ADVISORY BOARD: Dale Burkhouse to a term expiring January 1, 1993.
- MARQUETTE COUNTY TRANSIT AUTHORITY: Nominations of Lois Paquet, Patty Nemacheck, and Rosemary Glenn to be submitted to the Marquette County Board.

Mayor Pro Tem Pinkard asked about the Board of Light and Power vacancy. After considerable discussion, it was moved by Commissioner Coffey and supported by Commissioner Coyne to appoint Dr. Craig Stien to the Board of Light and Power. After further discussion, it was moved by Commissioner Coffey and supported by Commissioner Cihak to table this motion until the December 9 meeting. The following vote was taken:

- Ayes: Mayor Scotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coffey, Coyne.
- Nay: Commissioner Howes.

The motion to table was carried.

Mayor Scotto also noted the resignation of former Commissioner Glenn from the five committees on which she served. He said Commission membership is a prerequisite for service on two of the committees. He asked City Manager Iman to contact her to ask her to stay on the other committees. He asked Commissioners who are interested in serving on the OEDP or Commission on Aging to indicate by the next meeting.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

City Manager Iman identified the following properties:

- 2318 PRESQUE ISLE: Several loud party complaints owned by Garland and Barbara Lavigne with the tenant Brian Budde.
- 809 NORTH THIRD STREET: Loud party and maintenance complaints owned by David S. Klumb, the tenant is Chad Sievert.
- 204 WEST RIDGE: Several loud party complaints owned by Larry and Barbara Sterzik, tenant James Clappe.
- 1616 FITCH and 232 WEST BLUFF: Several maintenance complaints owned by Daniel J. Klumb.
- 346 HARRISON: Maintenance complaints owned by Mildred Marietta.
- 2234 PRESQUE ISLE: Maintenance complaints owned by Thomas Berutti.

CITIZEN COMMENT

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

CIHAK

Commissioner Cihak asked about the County's position on the County Reapportionment appeal. Attorney Martin said that the County Commission and Ishpeming City Commission have supported the ten member plan. Mr. Payant of the County Prosecutor's Office opposes the ten member plan on behalf of the petitioner but is purporting to represent the County Board. Commissioner Cihak wished good luck to the Negaunee Miners and Lake Linden Lakes in the High School Football finals this weekend. He said the dome is an excellent facility and a benefit to the community. He asked why the Presque Isle Avenue reconstruction has not been completed. City Manager Iman said the underground utilities could not be completed before the ground froze and this delayed completion of the street. Commissioner Cihak said that he personally has much to be thankful about this season as do we all. He urged anyone who is interested to apply for the vacant City Commission seat.

COFFEY

Commissioner Coffey asked what happens when a snow plow damages a mail box. Public Works Superintendent Lawry said that if the truck hits the box we send out a crew to fix it, however, if the box is broken by just the snow thrown by the truck we do not fix it. He said many mailboxes are in delapidated condition. Commissioner Coffey said that, in regard to Section 4.11 of the Charter, he felt the comments made by the Commission were inaccurate. He also said that he felt the meeting held last Friday was held for the purpose of excluding him and that he strongly objected to this. He said one Commissioner's views are just as valid as another's.

COYNE

Commissioner Coyne hoped that there are a lot of applications for the City Commission vacancy.

HOWES

Commissioner Howes asked what is happening to the Heritage Hotel. Mr. Iman said that the Vice President of Construction for United Development was on site recently to work on the revised plan. He said the concept is still that the hotel will become a Radisson and there is hope that the construction will begin in January. Commissioner Howes said the weekly reports from the administration are very helpful. He wished the NMU students a happy Thanksgiving and safe trips home. He said 24,000 to 25,000 people had attended the football playoff games in the dome and thanked the snow removal crews for their good job during the recent storm.

SCIOTTO

Mayor Sciotto said that he had ridden in a snow plow today and that the driver had done an outstanding despite working a very long shift. He said the many dead end streets in Marquette require the snow plows to back up and that drivers should always be careful of plows backing up. He said there are many places in town where private parking lots are being plowed onto the right of way and that this is a problem. In response to a question, Mr. Lawry said that these people could be ticketed. Mayor Sciotto asked what the policy is for people who are not residents serving on City boards. Mr. Iman said that task forces, the DDA and the VDCC do not have residency requirements but that most City boards and committees do. In regards to Commissioner Coffey, Mayor Sciotto said he does not intend to abuse the office of Mayor and that he was not trying to impune Commissioner Coffey's integrity. He said the Commissioners should all work together and

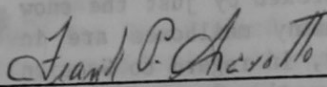
that the Friday noontime worksessions were better than the Friday afternoon meetings which have been held in previous years. He said Commissioners should try to cooperate.

CITY MANAGER

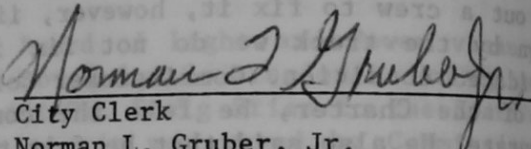
City Manager Iman said we do have a lot to be thankful for. He said City employees are participating in the TV6 Can-a-Thon and that there will be free skating during the week of December 2 - 8 if people bring canned goods for the Can-a-Thon. He said that Don Ryan of CCI had forwarded a check for \$1,000 which is the final payment on the \$25,000 grant from CCI for the Lower Harbor Park. Mayor Sciotto said that he will throw the switch on the City Christmas tree Friday at 6:00 p.m. at Harlow Park. He said this should be a great holiday season for the entire City, especially for the downtown.

ADJOURNMENT

The meeting was adjourned at 9:31 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, December 9, 1991

A regular meeting of the Marquette City Commission was duly called and held on Monday, December 9, 1991 in Commission Chambers of City Hall.

PRESENT: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coffey, Coyne, Howes.

ABSENT: None.

MINUTES

It was moved by Commissioner Coyne, supported by Commissioner Pinkard, and carried unanimously to approve the minutes of the November 25, 1991 regular Commission meeting as presented. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously to approve the minutes of the November 22 special Commission meeting as presented. Commissioner Coffey said he had been under the impression that no action was to have been taken at the November 22 meeting. City Attorney Martin said that the action taken at that meeting was appropriate in terms of the call for the special meeting.

BILLS PAYABLE

Total bills payable in the amount of \$263,452.76 were presented. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously to approve the bills as presented.

AGENDA During the time set for changing the agenda Commissioner Coffey asked that items 13a discussion of the snow removal issue be added to the agenda. Mayor Pro Tem Pinkard asked that items 14a and 14b be removed from the Consent Agenda and made items 13b and 13c. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried to temporarily suspend the rules to allow Commissioner Cihak to make an announcement.

LONGYEAR HALL - Coalition

Commissioner Cihak said that the coalition to save Longyear Hall is meeting tonight at 7:00 p.m. in the basement of the Peter White Public Library. He urge all interested persons to attend.

CITIZENS AWARD - Henry E. Lindeman

Mayor Sciotto read a statement commending Henry E. Lindeman for his assistance to the Police Department in apprehending two persons who were responsible for several breaking and enterings. He stepped to the podium and presented a certificate commemorating this citizens' award to Mr. Lindeman.

PUBLIC HEARING - Village Development Coordinating Committee Millage

Mayor Sciotto announced that this was the time set for a public hearing on the proposed special assessment for the Village Development Coordinating Committee (V.D.C.C.) millage. A communication from the V.D.C.C. supporting the millage, was read. Luann Balding, representing the V.D.C.C., also supported the millage. The hearing was closed. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Coyne, and carried unanimously to

approve the one mill operating budget and to adopt the following resolution:

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

VILLAGE DEVELOPMENT COORDINATING COMMITTEE
OPERATING BUDGET 1991-92

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

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

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

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

RESOLVED, that said special assessment roll, to wit: Special Assessment roll #524 and the respective assessments therein, are hereby confirmed;

FURTHER RESOLVED, that such assessments which are \$500 or less shall be paid in one annual installment, those which are \$501 to \$1,000 may be paid in two equal annual installments, those which are \$1,001 to \$5,000 may be paid in five equal annual installments, and those which are over \$5,001 may be paid in ten equal annual installments: that the first such installment shall be due on December 10, 1991; that all unpaid installments shall bear interest at the rate of 9.5% from February 10, 1992; and that such installments, including interest and penalties, which remain unpaid on March 1 of each year shall be reported as delinquent by the City Treasurer and shall be collected by the City Treasurer in the same manner, and with the same rights and remedies, as provided in the City Charter for the collection of taxes.

PUBLIC HEARING - Single Lot Special Assessments

Mayor Sciotto announced that this was the time set for a public hearing on the 1991 single lot special assessment roll. There being no one to address the Commission, the hearing was closed. Mayor Sciotto noted the payment of two of the assessments on the roll and the adjusted total. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to adopt the following resolution:

WHEREAS, it appears by the affidavit of the City Clerk that due publication has been made of notice, as required by City Ordinance, of

the filing with the City Clerk of the special assessment roll for the following improvement;

1991 SINGLE LOT SPECIAL ASSESSMENTS

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

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

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

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

RESOLVED, that said special assessment roll, to wit: Special Assessment roll #519 and the respective assessments therein, are hereby confirmed;

FURTHER RESOLVED, that such assessments which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in two equal annual installments, those which are \$1,000 to \$5,000 may be paid in five equal annual installments, and those which are over \$5,000 may be paid in ten equal annual installments; that the first such installment shall be due on December 10, 1991; that all unpaid installments shall bear interest at the rate of 9.5% from January 10, 1992; and that such installments, including interest and penalties, which remain unpaid on March 1 of each year shall be reported as delinquent by the City Treasurer and shall be collected by the City Treasurer in the same manner, and with the same rights and remedies, as provided in the City Charter for the collection of taxes.

CITIZENS

David Kuehl, representing Lake Shore, Inc., offered to answer questions on items six and seven.

DECEMBER 30 CITY COMMISSION MEETING

Mayor Sciotto announced that this was the time set to consider rescheduling the December 30 City Commission meeting. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously to move the regularly scheduled meeting from December 30 to December 23.

BID POLICY

A report and recommendation from the City Commission, regarding a bid policy for Marquette based firms, was read. It was moved by Commissioner Howes and supported by Commissioner Coyne to adopt the policy as proposed. The Commission discussed the implementation of this policy and the area to

which the preference should apply at great length. The following vote was taken:

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

Nays: Mayor Pro Tem Pinkard, Commissioner Cihak.

The motion was carried.

LAKE SHORE ENGINEERING - Site Reclamation Grant

A report and recommendation from the City Manager, regarding an application for a site reclamation grant and/or loan for the Lake Shore Engineering, Inc. site on Lake Shore Boulevard, was read. City Manager Iman noted the amount of the application should be changed from \$185,000 to \$425,000. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried unanimously to concur in the recommendation of the City Manager and to adopt the following resolution:

WHEREAS, The Oldenburg Group is legal owner of a parcel of land commonly known as Lakeshore Engineering, Inc. in the City of Marquette which has been identified as a site of environmental contamination under the Michigan Environmental Response Act (MERA), Public Act 307 of 1982, as amended, and;

WHEREAS, The State of Michigan has funding available from the Environmental Protection Bond, being authorized by Act 328 of the Public Acts of 1988 for Site Reclamation, and;

WHEREAS, The redevelopment of this site is consistent with local development plans;

NOW, THEREFORE, BE IT RESOLVED, That the City Manager act as the authorized project representative on an application to the Office of Site Reclamation for \$425,000 plus consulting fees under the Environmental Protection Bond Program for the purpose of identifying a remediation plan and economic reuse plan on this site.

That the City Manager act as the authorized project representative on this application.

That the City of Marquette will undertake the proposed project if a loan or grant is awarded by the State of Michigan and accepted by the City of Marquette.

LAKE SHORE ENGINEERING, INC. - Option Agreement

A report and recommendation from the City Manager, regarding an option agreement with the Oldenburg Group, Inc. for purchase of the Lake Shore, Inc. property, was read. David Kuehl, representing the Oldenburg Group, answered questions about the environmental cleanup of this site and the sale of the property to the City. It was moved by Commissioner Howes, supported by Mayor Pro Tem Pinkard, and carried unanimously to approve the option agreement incorporating the terms in the City Manager's report and to authorize the Mayor and City Clerk to sign the document.

WASHINGTON - MCCLELLAN PROPERTY - Site Reclamation Grant

A report and recommendation from the City Manager, regarding an application for a site reclamation grant and/or loan for cleanup of the City owned

property at the corner of Washington and McClellan, was read. Community Development Director Dan Smith and City Manager Iman answered questions about this property. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to authorize the City Manager to file this application and to adopt the attached resolution:

WHEREAS, The City of Marquette is legal owner of a parcel of land at the corner of McClellan Avenue and Washington Street in the City of Marquette which has been identified as a site of environmental contamination under the Michigan Environmental Response Act (MERA), Public Act 307 of 1982, as amended, and;

WHEREAS, the State of Michigan has funding available from the Environmental Protection Bond Program, being authorized by Act 328 of the Public Acts of 1988 for Site Reclamation, and;

WHEREAS, the redevelopment of this site by a commercial enterprise is consistent with local development plans;

NOW THEREFORE BE IT RESOLVED, that the City Manager act as the authorized project representative on an application to the Office of Site Reclamation for \$485,000 of funding under the Environmental Protection Bond for the purpose of identifying and remediating any contamination located on this site.

That the City Manager act as the authorized project representative on any remediation action at this property.

That the City of Marquette will undertake the proposed project if a loan or grant is awarded by the State of Michigan and accepted by the City of Marquette.

PUBLIC OPINION SURVEY

A report and recommendation from the City Manager, regarding an agreement with Northern Michigan University to conduct a public opinion survey of Marquette citizens, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously that the Commission authorize the Northern Michigan University Political Science Department to conduct the 1992 Marquette Citizens Survey.

SEVENTH STREET - Environmental Consulting Service

A report and recommendation from the City Manager, regarding proposals for environmental consulting services for land to be used for the extension of Seventh Street between Washington Street and Spring Street, was read. Commissioners asked many questions about the need for this study and the kind of contamination which might exist on this property. It was then moved by Commissioner Coyne, supported by Mayor Sciotto, and carried unanimously to concur in the recommendation and award the project to develop the contaminated soil remediation plan for 603 West Washington Street to Sundberg, Carlson, and Associates for an amount not to exceed \$9,540.00 and to authorize the Mayor and Clerk to execute any required documents.

BOARD OF LIGHT AND POWER - Appointment

It was moved by Commissioner Coyne and supported by Commissioner Howes to take the motion to appoint Dr. Stien to the Board of Light and Power from the table. After discussion, the vote on the motion was:

Ayes: Mayor Sciotto, Commissioners Coffey, Coyne.

Nays: Mayor Pro Tem Pinkard, Commissioners Cihak, Howes.

The motion was not carried. It was then moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to establish a cut off date of December 19 for further applications for the Board of Light and Power with ads to be run on the City access channel and in the newspaper.

MCCLELLAN AVENUE - Right of Way Negotiations

A report and recommendation from the City Manager, regarding negotiations with the Marquette Area Public Schools, concerning issues related to McClellan Avenue extended, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried unanimously to support the recommendation and to authorize the administration to initiate negotiations with Marquette Area Public Schools administration concerning issues including right of way acquisition, school location, street alignment, and other issues related to McClellan Avenue and the new elementary school.

RECESS

Mayor Sciotto called a five minute recess at 9:14 p.m.

MARQUETTE TRANSPORTATION CENTER - Mechanical System Agreement

A recommendation from Marqtran, regarding an agreement with Honeywell for service of the building's mechanical systems, was read. Marqtran Director Bob Niemi answered questions about the proposed agreement. It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried unanimously to concur with the recommendation and to authorize Marqtran to execute an agreement with Honeywell on behalf of the City for a five year period with an additional five year option.

SNOW REMOVAL - Baraga Avenue

It was moved by Commissioner Coffey and supported by Mayor Pro Tem Pinkard to discuss the snow removal process and to request a report and recommendation from the administration on modifications of the present rules. The Commission concurred to suspend the rules and allow Donald Neil Nystrom to address the Commission. Mr. Nystrom spoke at great length on snow removal in front of his building on Baraga Avenue. Commissioners asked questions of Mr. Nystrom and discussed his comments. The motion was then carried unanimously.

PARADE RULES

A report and recommendation from the City Manager, regarding requirements for parade permits, was read. It was moved by Commissioner Coyne and supported by Commissioner Coffey to support the recommendation of the City Manager. After a lengthy discussion, the following vote was taken:

Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Coffey, Coyne, Howes.

Nay: Commissioner Cihak.

The motion was carried.

PETER WHITE PUBLIC LIBRARY - MERS Enhancement

A report and recommendation from the City Manager, regarding the adoption of a Benefit E pension enhancement for retirees of the Library, was read. Library Director Pam Christensen answered questions and supported the approval of this enhancement. Finance Director Donna Kohut also answered questions about the MERS System. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Coyne, and carried that the City Commission adopt the attached resolution:

WHEREAS, the City of Marquette is a participating municipality of the Michigan Municipal Employees' Retirement System, established by Act No. 135, Public Acts of 1945, as amended, and

WHEREAS, Act 427, Public Acts of 1984 replaces Act No. 135, Public Acts of 1945, and Sec. 20(1), and Sec. 21(1) and Sec. 22(1) permit participating municipalities to adopt Benefit Programs E, E-1 and E-2 respectively, now

THEREFORE, BE IT RESOLVED, that the Commission of the City of Marquette does hereby elect to adopt Benefit Program E effective January 1, 1992 for those retirants from the Peter White Public Library eligible to receive said benefit, and

BE IT FURTHER RESOLVED, that the City Clerk shall file a certified copy of this resolution with the Michigan Municipal Employees' Retirement System within 10 days after its adoption.

CONSENT AGENDA

City Clerk Gruber presented the consent agenda. It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried unanimously to approve the consent agenda as follows:

- A. Schedule a public hearing for amendments to the Uniform Traffic Code for the next regular meeting.

RESIGNATIONS AND APPOINTMENTS

A resignation from Kirby Juntilla from the Parks and Recreation Advisory Board was read. With the Commission's concurrence, Mayor Sciotto reappointed Ellwood Mattson, Ray Beauchamp, and Thomas Clark to new four year terms expiring January 1, 1996 on the Downtown Development Authority. He also appointed Randy Hadas to a term expiring January 14, 1997 on the Public Access Committee.

CITIZENS

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

HOWES

Commissioner Howes asked about the status of the Coast Guard Station relocation. City Manager Iman said they are looking at their present site or the west end of Mattson Park. Commissioner Howes said that there had been an excellent conference on youth, presented by the Kellogg Foundation last week and that the downtown Christmas lights had been receiving many good comments.

COYNE

Commissioner Coyne noted a call from Parks and Recreation Advisory Board Member Laurie Weesen regarding Marquette General Hospital's decision not to fund the ice rink in the Ellwood A. Mattson Lower Harbor Park this year. She said the Advisory Board wants to try this ice rink for two or three more years. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to put discussion of this item on the agenda for this meeting. It was then moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to appropriate \$900.00 from the contingency fund to pay for an ice rink in the Ellwood A. Mattson Lower Harbor Park and to ask the administration to look into the possibility of putting in a voluntary payment box for this ice rink.

COFFEY

Commissioner Coffey said the notice which is being mailed to water customers regarding the water rate increase had been very well written. He said Public Works crews had worked twelve hour shifts with short breaks in between during the last storm in order to keep the roads plowed. He said the Christmas lights look very nice this year and asked about the proposed change to the Motor Vehicle Code. Attorney Martin said that the change will bring our Code into compliance with the State Code in regards to drunk driving laws.

CIHAK

Commissioner Cihak said the Christmas lights are especially nice this year and that Ron Wattsson should receive special thanks from all of us. He said the tree lighting ceremony had been especially good and that Mayor Sciotto had done a good job. He said the Parks and Recreation Advisory Committee's wish list includes a beach cleaner. He said this work could be done by jail inmates without the need to purchase the equipment. He said he was sorry to see Kirby Juntilla leave and that he has been a valuable help to the Parks and Recreation Advisory Board. He asked when the report from the Zoo Committee is due. City Manager Iman said it would be completed after the first of the year. Commissioner Cihak said we don't need a nature center or zoo at Presque Isle if we will have to charge admission for it. He said in regard to an editorial in the Mining Journal that Commissioner Potvin had contributed to the City Commission.

PINKARD

Mayor Pro Tem Pinkard reminded people to clear the sidewalks in front of their homes for safety. He noted the applications for the City Commission vacancy are due on December 13 and for the Board of Light and Power on December 19. He said the Christmas lights this year are fantastic.

SCIOTTO

Mayor Sciotto said the Zoo Committee is operating and invited Commissioner Cihak to the next meeting. He commended all who have worked on putting up the Christmas lights this year and said that he enjoyed presenting Santa Claus to the City at the tree lighting ceremony. He expressed his thanks to Commissioner Potvin for his service on the City Commission. He commended students from Northern Michigan University who had worked with donated food at both the Salvation Army and St. Vincent De Paul. He said the City's snow plow drivers are doing a good job this winter and asked about a sewer lateral on Ohio Street. City Manager Iman said the administration will be recommending a policy change to cover this situation.

ADJOURNMENT

The meeting was adjourned at 10:56 p.m.

Frank P. Sciotto
Mayor
Frank P. Sciotto

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

Santa Claus visited the meeting and presented gifts to each of the Commissioners and staff members who were present.

MINUTES
It was moved by Commissioner Cibak, supported by Mayor Pro-Tem Richard, and carried unanimously to approve the minutes of the December 9, 1991 regular Commission meeting as presented.

BILLS PAYABLE
Total bills payable in the amount of \$567,448.70 were presented. It was moved by Commissioner Cibak, supported by Mayor Pro Tem Richard, and carried unanimously to approve the bills as presented.

AGENDA
Commissioner Coffey said that the first item on the agenda had not been added to the agenda properly.

EXEMPLARY CITIZEN AWARDS
Mayor Sciotto presented exemplary citizen award pins to Hildegard Johnson who is a long time music teacher both in the Public Schools and privately in Marquette and to William Greene, a long time leader and activist in volunteerism in Marquette.

CIVILIAN COMMENT
Robert Nicol, representing Marq Team, asked to speak on agenda item number three.

PUBLIC HEARING - Uniform Traffic Code
Mayor Sciotto announced that this was the time and date set for a public hearing on amendments to the City's Uniform Traffic Code. The recommendation from the City Attorney was read. There being no one to speak, the hearing was closed. It was moved by Commissioner Cibak, supported by Commissioner Pinkard, and carried unanimously to adopt the amendments as follows:

AN ORDINANCE TO AMEND LYMA CH. CHAPTER 2A, SECTION 2A.02 OF THE MARQUETTE CITY CODE BY ADDING A NEW SECTION 2A.02

...a call from ...
...Marquette General Hospital's decision ...
...the Kilwood A. Mattson Lower Harbor Park ...
...this discussion of this ...
...Commissioner Coyote ...
...to appropriate \$900.00 ...
...the Kilwood A. Mattson ...
...to look into the possibility ...
...for this ice rink.

...the action which is being mailed to ...
...had been very well written ...
...with short breaks ...
...to keep the roads plowed. He ...
...the proposed ...
...the State Code in regards to ...

...the Christmas lights are especially nice this year ...
...should receive special thanks from all of us. He ...
...had been especially good and that Mayor ...
...and job. He said the Parks and Recreation Advisory ...
...could be done by ...
...the need to purchase the equipment. He said he was sorry ...
...to the Parks and Recreation Advisory Board. He asked when the report from the ...
...it would be completed after ...
...we don't need a nature center ...
...that Commissioner Petvin ...
...the City Council.

...the sidewalks in front ...
...the City Council ...
...for the Board of Light and Power ...
...the Christmas lights this year are fantastic.

...is operating and invited Commission ...
...all who have worked on putting ...
...He expressed his thanks ...
...the City Commission. He commended ...
...He said the City's ...
...asked about a ...
...the administration ...
...this situation.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, December 23, 1991

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, December 23, 1991 in Commission Chambers of City Hall.

PRESENT: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coffey, Coyne, Howes.

ABSENT: None.

Santa Claus visited the meeting and presented gifts to each of the Commissioners and staff members who were present.

MINUTES

It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously to approve the minutes of the December 9, 1991 regular Commission meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$567,446.70 were presented. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously to approve the bills as presented.

AGENDA

Commissioner Coffey said that the first item on the agenda had not been added to the agenda properly.

EXEMPLARY CITIZEN AWARDS

Mayor Sciotto presented exemplary citizen award pins to Hildegard Johnson who is a long time music teacher both in the Public Schools and privately in Marquette and to William Greene, a long time leader and activist in volunteerism in Marquette.

CITIZEN COMMENT

Robert Niemi, representing Marq Tran, asked to speak on agenda item number three.

PUBLIC HEARING - Uniform Traffic Code

Mayor Sciotto announced that this was the time and date set for a public hearing on amendments to the City's Uniform Traffic Code. The recommendation from the City Attorney was read. There being no one to speak, the hearing was closed. It was moved by Commissioner Pinkard, supported by Commissioner Cihak, and carried unanimously to adopt the amendments as follows:

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AN ORDINANCE TO AMEND TITLE IV, CHAPTER 29, SECTION 29.02 OF THE MARQUETTE CITY CODE BY ADDING A NEW SUBSECTION 29.02(D)

AND

AN ORDINANCE TO AMEND TITLE 4, CHAPTER 34, THE UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND VILLAGES IN THE STATE OF MICHIGAN AS AMENDED, BY DELETING SECTION 5.15 AND ADDING THERETO A NEW SECTION 5.15 AND BY AMENDING SECTION 5.62A(3) TO ALLOW FOR IMPOUNDMENT OF VEHICLES

HARBOR COMMITTEE - Marina Fees

A recommendation from the Harbor Committee, regarding 1992 Marina and related fees and charges, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to accept the Harbor Committee's recommendation and freeze the rates and fees at the 1991 level.

MARQ TRAN - Interlocal Agreement

A communication from the Marq Tran Board supporting an amendment to the interlocal agreement to remove term limitation for Board members, was read. Robert Niemi, Marq Tran Executive Director, answered questions and supported the removal of term limitation. Mayor Sciotto read a letter from County Board Chairman Corkin supporting the amendment. The Commission agreed to take no action on this matter.

MARQUETTE COUNTY SOLID WASTE AUTHORITY

A communication from the Marquette County Solid Waste Authority, requesting a closed meeting with the City Commission to discuss an item of pending litigation, was read. It was moved by Commissioner Coyne, supported by Commissioner Howes, and carried unanimously to schedule a closed session at the end of the agenda to discuss pending litigation.

COMMISSION CANDIDATES

Mayor Sciotto announced that this was the time set when candidates for the vacancy on the City Commission could address the Commission. The Commission discussed the selection process and agreed to select the nominee by ballot. A five-minute recess was called at 7:26 p.m. Following the recess, Brian Alsbrooks, Thomas W. Denton, Rosemary Glenn, Richard H. Leep, Robert M. Malette, Carol A. Moore, and James C. Schneider addressed the Commission supporting their candidacy. Letters were read from Scott K. Hanson, and Elleen E. Hunter, and Paula Saari spoke on behalf of Kathleen O'Hara Thompson who could not be present. Mayor Sciotto thanked all the candidates for their interest in this position. Commissioner Coffey asked questions of several of the candidates.

APPOINTMENT TO CITY COMMISSION

City Clerk Gruber distributed ballots for selection of the appointee to the City Commission. On the second ballot, James C. Schneider received four votes. Mayor Sciotto again thanked all the candidates for their interest. It was moved by Commissioner Cihak and supported by Mayor Sciotto to swear in Mr. Schneider immediately. The following vote was taken:

- Ayes: Mayor Sciotto, Commissioners Cihak, Coyne, Howes.
- Nays: Mayor Pro Tem Pinkard, Commissioner Coffey.

The motion was carried. It was moved by Commissioner Coffey, supported by Mayor Sciotto, and carried unanimously to cast a unanimous ballot for Mr. Schneider. Mayor Sciotto called a two-minute recess while the City Clerk

prepared the oath of office forms. Following the recess, City Clerk Gruber administered the oath of office to Mr. Schneider.

ROLL CALL

The roll of the new Commission was then called.

PRESENT: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Cihak, Coffey, Coyne, Howes, Schneider.

LAKESHORE BOULEVARD - Water Quality

Mayor Sciotto announced that this was the time set for a discussion of water quality and service on Lakeshore Boulevard. It was moved by Commissioner Cihak and supported by Mayor Pro Tem Pinkard that the issue of water service and drinking water quality on Lakeshore Boulevard be referred back to the City administration. Commissioners discussed this item at great length. During the discussion, Public Works Superintendent Lawry and City Manager Iman both answered questions about the water quality and prospects for improvement of the water quality on Lakeshore Boulevard north of the Dead River. Following lengthy discussion, the motion was withdrawn.

BOARD OF LIGHT AND POWER - Appointment

City Clerk Gruber informed the Commission that no candidates other than Dr. Stien had presented themselves for appointment to the Board of Light and Power. It was moved by Commissioner Cihak, supported by Commissioner Coyne, and carried unanimously to support the appointment of Dr. Craig Stien to the Board of Light and Power.

CONSENT AGENDA

City Clerk Gruber presented the consent agenda. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to approve the consent agenda as follows:

- A. Approve the 1992-93 budget development schedule.

APPOINTMENTS

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

PARKS AND RECREATION ADVISORY BOARD: Donald R. Elzinga, M.D. and Beverly J. Petros to three year terms expiring January 29, 1995 (they are filling vacancies on the Board) and the appointment of Louis Carr to a new three-year term beginning with the February meeting of the Board.

HANDICAPPED CITIZENS ADVISORY BOARD: Reappoint Colleen Walker to a new term expiring January 1, 1995.

CITIZEN COMMENT

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

PINKARD

Mayor Pro Tem Pinkard welcomed new Commissioner Schneider to the Commission. He said he supports term limitation, especially at the local level and asked if a letter could be written to the County Board supporting term limitation. This item was placed on the agenda for the next meeting. He said the Appeals Court has denied our appeal of the County's reapportionment plan and said that the County Board will go to ten members.

He feels this is too many. He noted the letter from 321 West Ohio regarding the sewer lateral being plugged by tree roots. He said in this instance, we should cut the tree down. City Manager Iman said he is working on this issue and will present a change in City policy for Commission consideration. He said it may be appropriate to move the sewer instead of removing the tree. Commissioner Pinkard asked about water filtration. City Attorney Martin discussed the issue. He said the form of variance presented by the Health Department does not meet the requirements of the Court ruling. Commissioner Pinkard encouraged all applicants for Commission appointment to run for the City Commission in the next election. He wished everyone a Merry Christmas and a Happy New Year.

CIHAK

Commissioner Cihak said he is looking forward to the budget development process. He said he attended a Zoo Committee meeting last Wednesday and is opposed to tax dollars being spent for Zoo development and is also opposed to charging admission to a Zoo. He offered his congratulations to City Treasurer Grill, who was cited by County Treasurer Sodergren for her excellent job of tax collection. He also noted compliments which have been given to Police Dispatcher Patty Koepf. He wished everyone a Merry Christmas and Happy New Year.

COFFEY

Commissioner Coffey wished everyone Merry Christmas. He welcomed Commissioner Schneider to the Commission. He said the Marq Tran agreement had originally been the product of long negotiation and hard work and that the agreement should not be changed lightly. He commended City Treasurer Grill and said that we are not supposed to state opinions or debate issues at work sessions. He said the decision to add the exemplary citizen awards should not have been made at the work session.

COYNE

Commissioner Coyne said her residence address and telephone number had been mistakenly omitted from the new phone directly by the phone company and that it was not done on purpose. She said she had received concerns from two Board of Education Members on the process of negotiating for McClellan Avenue right of way at the new elementary school site. She said she is happy to see that Peninsula Sanitation is looking at curbside recycling. She expressed her congratulations to former Mayor Birch who has been elected President of the Chamber of Commerce. She said she is happy to see formation of a Children's Museum and congratulated Miss Johnson and Mr. Greene for their exemplary citizen awards.

HOWES

Commissioner Howes said the Zoo Committee should be allowed to freely develop their recommendation. He welcomed Commissioner Schneider and said there is a great deal of volunteerism in Marquette and that this helps make it a good place to live. He reminded people that Glenda McKinney can use help in preparing the Community Christmas Dinner on Christmas Day. He wished everyone the best and safest of Holidays.

SCHNEIDER

Commissioner Schneider wished everyone Happy Holidays.

SCIOTTO

Mayor Sciotto wished everyone Happy Holidays and a Happy New Year. He said the Zoo Committee had a hard job meeting it's charge but is proceeding well. He asked Commissioners to fill out the City Manager evaluation forms and return them as soon as possible. He said the Commission had agreed to evaluate Mr. Iman after six months of service. In regard to former Commissioner Glenn, he asked the administration to contact her asking her to stay on the Committees which do not require official elected representation.

CITY MANAGER IMAN

Mr. Iman said City Treasurer Grill had commented that her staff also needs recognition for their work on tax collection. He said Senior Citizen Director Charles Richardson and his staff should be recognized for collecting 850 pounds of food for the Can-a-Thon this year. He waved to his six year old son and reminded him that he should continue to be good because Santa Claus hasn't come yet. He welcomed Commissioner Schneider to the Commission and said that he looks forward to working with the Commission in 1992.

CLOSED MEETING

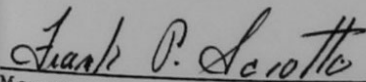
It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried unanimously to go into closed session with the Marquette County Solid Waste Authority to discuss pending litigation. The meeting was recessed at 9:37 p.m. The Commission returned to open session at 10:42 p.m.

MARQUETTE COUNTY SOLID WASTE AUTHORITY

It was moved by Commissioner Coffey, supported by Commissioner Pinkard, and carried unanimously to support the Marquette County Solid Waste Management Authority in their attempt to get binding arbitration with Braithwaite Consultants with the proviso that if binding arbitration cannot be achieved, the Commission will authorize Mr. Keranen and the Authority to enter the suit on behalf of the City.

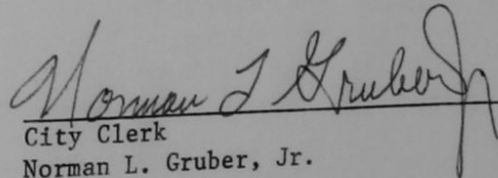
ADJOURNMENT

The meeting was adjourned at 10:54 p.m.



Mayor

Frank P. Sciotto



City Clerk

Norman L. Gruber, Jr.