



**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**
Monday, January 13, 1992

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, January 13, 1992 in Commission Chambers of City Hall.

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

ABSENT: None.

MINUTES

It was moved by Commissioner Howes, supported by Commissioner Schneider, and carried unanimously to accept the minutes of the December 23, 1991 regular Commission meeting as presented.

BILLS PAYABLE

Total bills payable in the amount of \$415,080.34 were presented. It was moved by Commissioner Pinkard, supported by Commissioner Howes, and carried unanimously to approve the bills payable as presented.

AGENDA

Commissioner Coyne asked that item 2 be moved to item 6a on the agenda so that it could be discussed after the sidewalk policy is considered. It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously to approve the agenda as modified.

PROCLAMATION - School Board Member Recognition Month

Mayor Sciotto presented the following proclamation:

In appreciation for outstanding community service and on behalf of the City of Marquette I hereby duly proclaim January, 1992 to be School Board Member Recognition Month to enhance public understanding of local control of our public schools and to honor the men and women who lead educational improvement in our school systems.

Local boards of education in Michigan make decisions that impact 1.7 million K-12 students with a total education budget of more than \$7 billion. I urge all citizens to be aware of and pay respect to any and all Board of Education Members during this period.

CITIZEN COMMENT

Sam Elder asked to speak on the City's bid policy. Rod Modell said he would answer questions on item 7a.

POLICE VEHICLES - Bids

A report and recommendation from the City Manager, regarding the purchase of two 1992 police patrol vehicles and one 1992 four wheel drive emergency vehicle, was read. It was moved by Commissioner Howes and supported by Commissioner Coyne to accept the City Manager's recommendation and award the bids for the patrol vehicles to Advantage Ford in the amount of \$31,836 being the low equalized bid meeting specifications and the bid for the emergency four wheel drive vehicle to Frei Chevrolet for \$18,075.46 being the low equalized bid, meeting specifications.

Commissioners Pinkard and Cihak spoke against the City's new bid policy.
The following vote was taken:

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

Nays: Commissioners Cihak, Pinkard.

The motion was carried.

PRESIDING OFFICER SELECTION

Mayor Sciotto announced that both he and Mayor Pro Tem Pinkard would be absent from the next regular City Commission meeting, and that he had, therefore, scheduled this time to discuss the method for selecting the presiding officer at that meeting. City Attorney Martin discussed the Charter provisions which apply to this situation. It was moved by Commissioner Schneider and supported by Commissioner Pinkard to appoint Commissioner Cihak to be the designated acting Mayor for the January 27, 1992 meeting and only that meeting. Commissioner Coffey called a point of order saying that this could not be done until both Mayor Sciotto and Mayor Pro Tem Pinkard are absent from that meeting. After asking the Attorney's opinion on this point of order, Mayor Sciotto did not accept the point of order. The vote on the motion to appoint Commissioner Cihak as Mayor for that meeting was:

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

Nays: Commissioner Coffey.

The motion was carried.

TERM LIMITATION

Mayor Sciotto announced that this was the time set to discuss term limitation. Commissioner Pinkard said that the City Commission had rejected the request to support the County in removal of term limitation provisions in the Marq Tran agreement based upon the City Charter's term limitation requirements. He asked if this should be changed. It was the consensus of the Commission that the term limitation provisions were appropriate. No action was taken.

SIDEWALK POLICY

A report and recommendation from the City Manager, regarding proposed guidelines for use in establishing an amended sidewalk ordinance, was read. It was moved by Commissioner Pinkard and supported by Commissioner Howes to approve this recommendation and to direct the City Administration to develop an amended sidewalk ordinance which encompasses the criteria and priorities outlined in the attached policy guidelines. During lengthy discussion, City Attorney Martin, City Manager Iman, and Public Works Director Lawry answered questions about the proposed policy. The motion was then carried unanimously.

PESOLA'S SUBDIVISION - Preliminary Plat

A recommendation from the Planning Commission for approval of the preliminary plat of Pesola's subdivision was read. It was moved by Commissioner Coyne, supported by Commissioner Cihak, and carried unanimously to accept the recommendation of the Planning Commission and to approve the preliminary plat as presented. During discussion, City Planner Gruber and Engineer Haapala answered questions about the proposed plat.

CONSENT AGENDA

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

A. Approve a change order for the contract with Sundberg, Carlson, and Associates, Inc. for salt storage design and licensing fee.

B. Approve the request from Modell Foods, Ltd. for transfer ownership of 1991 Class C licensed business located at 111 S. Third St. from Remillard's, Inc. with new entertainment permit (without dressing rooms).

C. Approve the following resolution:

The Janzen House, Inc. is seeking grant moneys to cover the cost of providing six additional emergency beds to serve the homeless in Marquette. The grant money will be used to pay for utilities, insurance, client services and building modifications. The amount of the grant request will be \$16,076.00. In addition, this money will be used to offset an expected shortfall of income for 1992.

D. Award a contract for the purchase of computer equipment to E.A. Gibbs, Inc. in the amount of \$15,183.00 being the low bid meeting specifications.

APPOINTMENTS

Mayor Sciotto with the Commission's concurrence nominated Russell D. Eckloff and Richard P. Klahn for positions on the Marquette County Transit Authority. He said the Commission has already nominated Rosemary Glenn and Lois Paquette. He appointed Commissioner James Cihak to the County Commission on Aging and to the Zoo Improvement Committee and Commissioner James Schneider to the Marquette County OEDP Committee. He appointed Tony Kizer to a three-year term on the Water and Sewer Utility Advisory Board ending December 1, 1994.

PROPERTIES CAUSING NEIGHBORHOOD PROBLEMS

Commissioner Schneider objected to this item being on the agenda. It was moved by Commissioner Schneider and supported by Commissioner Coffey to discontinue the policy of having properties causing neighborhood problems as an agenda item. After lengthy discussion, it was moved by Commissioner Pinkard and supported by Commissioner Coffey to table this item until the next meeting and to ask for background material. The following vote was taken:

Ayes: Mayor Sciotto. Commissioners Pinkard, Coffey.

Nays: Commissioners Cihak, Coyne, Howes, Schneider.

The motion was defeated.

After further discussion, the vote on the motion to remove this as an agenda item each week was:

Ayes: Mayor Sciotto. Commissioners Cihak, Coffey, Howes, Schneider.

Nays: Commissioners Pinkard, Coyne.

The motion was carried.

CITIZEN COMMENT

Sam Elder spoke in opposition to the City's recently enacted bid policy. Mr. Elder and City Attorney Martin answered questions about this policy. The Commission discussed appointing an advisory group to recommend an amendment to this policy.

* This was amended at the January 27, 1992 meeting to read: February 18

SCHNEIDER

Commissioner Schneider said that in addition to the bid policy, that group should be charged to look at a City income tax. He suggested that citizens be allowed to sign up before the meeting to address agenda items and that the first citizen comment portion of the agenda would not need to be held then. He asked if the start for the U.P. 200 Sled Dog Race could be held in the Lower Harbor Park this year instead of the 100 block of Washington Street. He said that would avoid the problems of blocking Washington Street and hauling in snow for the sleds.

HOWES

Commissioner Howes said the traffic on Third Street south of Washington Street backs up in the right turn lane and suggested changing the configuration of the intersection. He said he had received a phone call asking if the bike path on Lakeshore Boulevard could be plowed so that it would be available for joggers throughout the winter. He asked why garbage pickup is done in residential areas at night. City Manager Iman said that our contract with Peninsula Sanitation permits this. He said night pickup has proven to be much more productive than daytime. Commissioner Howes said a service club has commented that they have to pay for an Arena reservation long in advance of the date when they need it. Parks and Recreation Director Turausky said this policy is two years old and that it was implemented because when only a small deposit was required, people would reserve the Arena and then cancel on short notice.

COYNE

Commissioner Coyne said the Commission should draw up one year objectives, as a guideline for the administration, at the special meeting on Wednesday night. She said the Mayor will be indisposed for some time and asked if there could be a closed session on the 15th or the 20th to conduct the City Manager's evaluations. Mayor Sciotto said not all of the evaluations have been returned yet and the meeting should not be scheduled until they are returned. Commissioner Coyne also suggested rescheduling the budget work session scheduled for December 18 so that Commissioners could attend the Michigan Municipal League legislative session in Lansing.

COFFEY

Commissioner Coffey asked the City Attorney what could be done in closed session regarding the City Manager's salary. City Attorney Martin said that only evaluation of the Manager could be done in closed session and that the salary setting would have to be done in open meeting.

CIHAK

Commissioner Cihak said that he would like to receive evaluation forms from former Commissioners Birch, Glenn, and Potvin as well as the present Commissioners. Attorney Martin said this decision was up to the Commission. Mayor Sciotto ordered that all written comments on the Manager's performance be accepted.

PINKARD

Mayor Pro Tem Pinkard said the NMU dome is getting events that used to be held in the Arena and asked if this would affect the Arena budget. City Manager Iman said we are trying to get joint participation in promoting the entire area and all facilities and should not become involved in disputes

between the facilities. Mayor Pro Tem Pinkard also thanked the Commissioners for their input on term limitation. He said we should consider establishing a committee whose goal would be to look at the City's tax status to see if the taxes could be lowered through restructuring.

HOWES

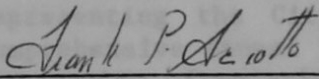
Commissioner Howes wished Mayor Sciotto well in his upcoming surgery.

SCIOTTO

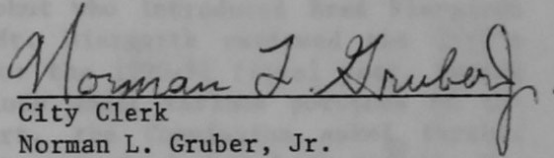
Mayor Sciotto said that the Commission can select a presiding officer at the meeting on the 15th. He said only four Commissioners will be present that evening. He also asked about the meeting on the 20th. Attorney Martin noted that the 20th is a legal holiday and this cannot be a special meeting. Commissioners agreed to conduct the business from that meeting at a special meeting to be held at 7:00 p.m. on February 3.

ADJOURNMENT

The meeting was adjourned at 10:20 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

PRIORITIES AND OBJECTIVES

Acting Mayor Coffey called a five-minute recess at 9:45 p.m. Following the recess, City Manager Inan presented communications on setting priorities and objectives. In addition to a memorandum about priorities and objectives, summaries of the goals and objectives from the strategic plan and of proposed objectives for the 1992-93 fiscal year were presented. The Commission reviewed through Item 10 of the agenda the objectives for the Environment and agreed to continue this review at the next Commission meeting.

CITIZEN COMMENT

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

ADJOURNMENT

The meeting was adjourned at 10:25 p.m.



Acting Mayor
Charles Coffey



City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION**

Wednesday, January 15, 1992

A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Wednesday, January 15, 1992 in Commission Chambers of City Hall.

PRESENT: Commissioners Cihak, Coffey, Coyne, Howes.

ABSENT: Mayor Sciotto, Commissioners Pinkard, Schneider.

In the absence of the Mayor and Mayor Pro Tem, City Clerk Gruber called the meeting to order and instructed the Commission that in the absence of the Mayor and Mayor Pro Tem, they are to choose a presiding officer. It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried that Commissioner Coffey lead the meeting this evening. Acting Mayor Coffey reviewed the procedures for holding special meetings and for voting when there are a limited number of Commissioners present.

REVIEW CITY AUDIT

He introduced Finance Director Donna Kohut who introduced Brad Niergarth representing the City's audit firm. Mr. Niergarth reviewed the City's Comprehensive Annual Financial Report for the 1990-91 fiscal year. During his review, Commissioners asked questions about various portions of the report. Following review of the report, the Commission asked further questions and discussed some of the issues which had been raised. Mr. Niergarth said the City has a good financial system with good internal checks and balances.

PRIORITIES AND OBJECTIVES

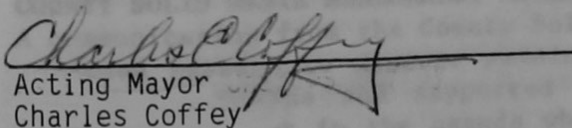
Acting Mayor Coffey called a five-minute recess at 9:08 p.m. Following the recess, City Manager Iman presented communications on setting priorities and objectives. In addition to a memorandum about priorities and objectives, summaries of the goals and objectives from the strategic plan and of proposed objectives for the 1992-93 fiscal year were presented. The Commission reviewed through item 10 of the 1992-93 Objectives for the Environment and agreed to continue this review at the next Commission work session.

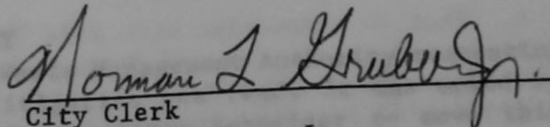
CITIZEN COMMENT

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

ADJOURNMENT

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


Acting Mayor
Charles Coffey


City Clerk
Norman L. Gruber, Jr.

January 15, 1992

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A special meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Wednesday, January 15, 1992 in Commission Chambers of City Hall.

PRESENT: Commissioners Cihak, Coffey, Coyne, Hosen.
ABSENT: Mayor Schlotz, Commissioners Pliskard, Schneider.

In the absence of the Mayor and Mayor Pro Tem, City Clerk Gruber called the meeting to order and instructed the Commission that in the absence of the Mayor and Mayor Pro Tem, they are to choose a presiding officer. It was moved by Commissioner Cihak, supported by Commissioner Hosen, and carried that Commissioner Coffey lead the meeting this evening. Acting Mayor Coffey reviewed the procedures for holding special meetings and for voting when there are a limited number of Commissioners present.

REVIEW CITY AUDIT

He introduced Finance Director Donna Kohn who introduced Brad Niergarth representing the City's audit firm. Mr. Niergarth reviewed the City's Comprehensive Annual Financial Report for the 1990-91 fiscal year. During his review, Commissioners asked questions about various portions of the report. Following review of the report, the Commission asked further questions and discussed some of the issues which had been raised. Mr. Niergarth said the City has a good financial system with good internal checks and balances.

PRIORITIES AND OBJECTIVES

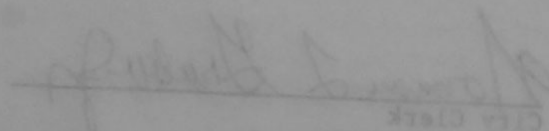
Acting Mayor Coffey called a five-minute recess at 9:08 p.m. Following the recess, City Manager Iman presented communications on setting priorities and objectives. In addition to a presentation about priorities and objectives, summaries of the goals and objectives from the strategic plan and of proposed objectives for the 1992-93 fiscal year were presented. The Commission reviewed through item 10 of the 1992-93 objectives for the Environment and agreed to continue this review at the next Commission work session.

CITIZEN COMMENT

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

ADJOURNMENT

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


City Clerk
Norman L. Gruber, Jr.


Mayor
Frank P. Schlotz

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, January 27, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, January 27, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

PRESENT: Acting Mayor Cihak. Commissioners Coffey, Coyne, Howes, Schneider.

ABSENT: Mayor Sciotto, Mayor Pro Tem Pinkard.

It was moved by Commissioner Coyne, supported by Commissioner Schneider, and carried to excuse Mayor Sciotto and Mayor Pro Tem Pinkard from this meeting.

MINUTES

Commissioner Schneider noted that the minutes of January 13 should be corrected to show that the budget work session had been rescheduled from February 18, not December 18. It was then moved by Commissioner Schneider, supported by Commissioner Howes, and carried to approve the minutes of the January 13 meeting as corrected and the minutes of the January 15 special meeting.

BILLS

Total bills payable in the amount of \$502,375.12 were presented. It was moved by Commissioner Schneider, supported by Commissioner Howes, and carried that the bills be paid as presented.

AGENDA

Commissioner Howes asked that item 6a, discussion of the City bid policy, be added to the agenda.

RED EARTH LOPPET

Acting Mayor Cihak announced this was the time set for a presentation from Dr. Don Hurst on the Red Earth Loppet. Dr. Hurst spoke on plans for this year's cross country ski race and the tremendous volunteerism in the Marquette community which makes this and many other events possible. Acting Mayor Cihak thanked Dr. Hurst for his presentation.

CITIZENS

Art Gischia, representing Sundberg, Carlson, and Associates and Jim Scullion, representing the Public Works Advisory Board, both asked to speak on item 3.

COUNTY SOLID WASTE MANAGEMENT AUTHORITY

A communication from the County Solid Waste Management Authority requesting a closed session to discuss pending litigation was read. It was moved by Commissioner Coyne and supported by Commissioner Schneider to move this item to the point in the agenda when all of the parties have arrived. The following vote was taken:

Ayes: Acting Mayor Cihak. Commissioners Coyne, Howes, Schneider.

Nay: Commissioner Coffey.

The motion was carried.

PUBLIC WORKS ADVISORY BOARD - Municipal Service Center Construction Bids

A recommendation from the Public Works Advisory Board for the award of a construction contract for the municipal service center was read. It was moved by Commissioner Coyne and supported by Commissioner Howes to accept the recommendation of the Public Works Advisory Board and to award this contract to DeVere Construction Company of Alpena, Michigan in the amount of \$4,433,200.00 being the base bid less alternates 1, 2, 3, 4 and 9. Jim Scullion, representing the Public Works Advisory Board, answered questions regarding the contract and the effect of the deductive alternates. It was moved by Commissioner Schneider to table this matter until the next meeting. The motion died for lack of support. After further discussion about the effect of this construction on the City budget, Art Gischia, representing Sundberg, Carlson, and Associates answered questions regarding the construction cost, the savings to the City from bidding in the winter, and the cost of delaying construction of the project. Jim Scullion also answered further questions. The vote on the motion to award the bid was:

Ayes: Acting Mayor Cihak. Commissioners Coffey, Coyne, Howes.

Nay: Commissioner Schneider.

The motion was carried.

COUNTY SOLID WASTE MANAGEMENT AUTHORITY - Closed Session

It was moved by Commissioner Howes, supported by Commissioner Coyne, and carried with no dissenting votes to go into closed session to discuss pending litigation. The meeting was recessed at 7:56 p.m.

The Commission returned to open meeting at 9:00 p.m. It was moved by Commissioner Howes, supported by Commissioner Coyne, and carried with no dissenting votes to adopt the following resolution:

IT IS HEREBY RESOLVED;

1. That the City of Marquette supports the Marquette County Landfill Authority in its attempt to litigate certain disputes with Braithwaite Consultants, Inc. and James F. Braithwaite, concerning the design and construction of the Marquette County Landfill;
2. That the City of Marquette wishes to join the litigation, known as Marquette County Solid Waste Management Authority v. Braithwaite Consultants, Inc. and James F. Braithwaite, Marquette County Civil Action Number 91-26394-Ck, as a party plaintiff.
3. That in connection with its joining in said litigation, the City of Marquette hereby retains Thomas M. Keranen, and the law firm of Federlein, Grylls & Keranen, P.C. to represent its interests in said litigation.
4. That in connection with said litigation, and the contracts between the parties, the City of Marquette ratifies the revocation of Article 9 of the contract for construction management services, since Article 9 provides for non-statutory, non-binding "arbitration" of disputes;
5. That the City of Marquette will agree to binding, statutory arbitration of issues arising out of the design services rendered by Braithwaite in accordance with the provisions of the design contract dated April 30, 1987, should the Court in the above referenced

litigation determine that the dispute should be arbitrated, or if negotiations lead to an agreement to arbitrate the dispute;

6. That City of Marquette representatives, including its employees, agents, and appointed representatives to the Board of Trustees of the Authority, shall not communicate with the counsel and representatives of Braithwaite Consultants, Inc. and James F. Braithwaite, concerning the subject litigation and/or future arbitration, and the facts and circumstances relating thereto.

7. That the City's designated contact for Mr. Keranen is City Attorney Willard Martin.

HARBOR COMMITTEE - Cinder Pond Marina Grant

A communication from the Harbor Committee, regarding grants for construction of the Cinder Pond Marina, was read. Committee Chairman Tom Knauss explained that the City has been awarded one grant but that the other grant which was committed by the State will not be awarded and this changes the funding situation for Marina Construction. He proposed a work session between the City Commission and the Harbor Committee to prepare a response by the requested February 14 deadline. Acting Mayor Cihak asked City Manager Iman to contact the three former Mayors and ask them to also attend this work session which will be held at 7:00 p.m. on Wednesday, February 5, 1992.

WATER RATES - Discussion of Effective Date

Commissioner Coffey said that a citizen feels there is an ambiguity in when the new water rates will go into effect. He said this relates to the fact that there is a billing cycle and people do not all receive their bills on the same date. City Attorney Martin said that, in 1982, the District Court Judge had ruled that the City could implement a rate increase over a one-month billing cycle. After further discussion, no action was taken.

PENINSULA SANITATION - Contract Revision

A report and recommendation from the City Manager, regarding the development of a solid waste collection, transfer, disposal, and curbside recycling contract with Peninsula Sanitation, was read. It was moved by Commissioner Howes and supported by Commissioner Coyne to approve the recommendation and to authorize the City administration to develop a new solid waste contract between the City and Peninsula Sanitation incorporating the provisions as outlined in attachment one. Bill Niepoth, representing Peninsula Sanitation answered questions about the proposed agreement. The following vote was taken:

Ayes: Commissioners Coffey, Coyne, Howes, Schneider.
Nay: Acting Mayor Cihak.

The motion was carried.

CITY BID POLICY

Commissioner Howes said that he had spoken with Mayor Sciotto this evening and that he is doing very well and will be watching the meeting on television. He said he had received much comment about the City's bid policy. It was moved by Commissioner Howes, supported by Commissioner Coyne and carried to ask the City Manager to develop a broad-based ad hoc committee with the representation on such committee to be approved by the

City Commission and the charge to the committee to be reviewing the present bid policy and developing recommendations for continuing or changing it.

CONSENT AGENDA

The City Clerk presented the consent agenda. On a five to none vote the Commission approved the following item:

- A. Award a contract for the purchase of a four wheel drive rubber tired excavator to Fabco Equipment in the amount of \$120,657.00 being low bid meeting specifications.

CITIZEN COMMENT

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

COFFEY

Commissioner Coffey said that he is still disturbed that he cannot attend the Friday work session. It was moved by Commissioner Coffey and supported by Commissioner Schneider that the Friday noon work sessions be discontinued until a better time can be found. Commissioner Coffey suggested the work sessions occur on Monday with the regular meetings on Tuesday. After further discussion, it was moved by Commissioner Howes and supported by Acting Mayor Cihak to table this item until the full Commission is present for discussion.

Ayes: Acting Mayor Cihak. Commissioners Coyne, Howes, Schneider.

Nay: Commissioner Coffey.

The motion to table was carried.

COYNE

Commissioner Coyne said that she supports Commissioner Coffey's desire to be present at the Friday work sessions. She expressed her appreciation to the volunteers and sponsors of the Red Earth Loppet and to the volunteers and sponsors involved in all of the activities in Marquette. It was moved by Commissioner Coyne, supported by Commissioner Cihak, and carried to add to the agenda of the February 3 special meeting a closed session for evaluation of the City Manager.

HOWES

Commissioner Howes congratulated City Manager Iman for attracting the Michigan Municipal League's Michigan City Manager's Institute to Marquette this summer. He asked if the floor treatment in the Arena entrance had been changed because he had received complaints about people slipping. Parks and Recreation Director Turausky said the new tile in the Arena entrance was more slippery than the old tile and the staff is working on this matter. Commissioner Howes thanked the City Manager for his quick response on his proposal to plow the bike path along Lakeshore Boulevard.

SCHNEIDER

Commissioner Schneider said he had received questions from citizens about the Request For Proposals for reallocation of floor space in the City Hall. He asked if this was necessary. City Manager Iman said our goal is to use the floor space to provide optimal customer service and that a contract would not be recommended unless it was at a reasonable price. Commissioner Schneider said that when the City Manager makes a recommendation to the City Commission, he only presents the positive side. He asked if the

negative points could be presented also. He said he would like to see any items involving large amounts of money presented to the Commission well before the meeting when the decision is expected. He thanked the Public Works crews for the good snow removal during last week's storm.

IMAN

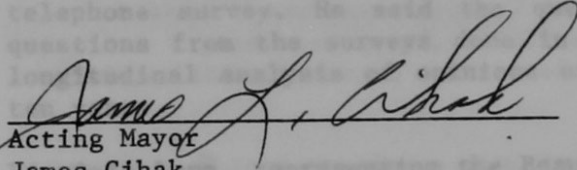
City Manager Iman said he will try to present issues fairly. He said the City Commission should continue the work sessions before the regular meetings if they are proving useful to the Commissioners. He said he will know soon if the Michigan City Manager's Institute will meet here this summer.

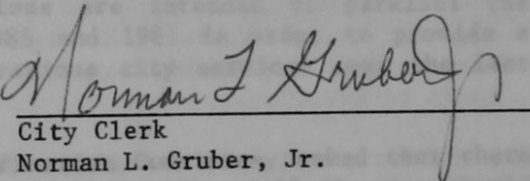
CIHAK

Acting Mayor Cihak said he had received an unsigned letter and he finds it hard to respond to letters like this. He noted good work by the Public Works crews during last week's snowfall and said that the City Clerk is also a good Planner. He wished the best of health and a speedy recovery to Mayor Sciotto. In regard to the Friday work sessions, he said he thinks it is a good idea and that it was not intended to exclude anyone. He said he would agree to any reasonable solution. It was moved by Commissioner Coffey, supported by Commissioner Schneider and carried to ask the City Manager to arrange to have future Friday work sessions video taped with the video tapes to be available to all Commissioners.

ADJOURNMENT

The meeting was adjourned at 10:29 p.m.


Acting Mayor
James Cihak


City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, February 3, 1992

A special meeting of the Marquette City Commission was duly called and held on Monday, February 3, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: Mayor Sciotto.

It was moved by Commissioner Cihak, supported by Commissioner Schneider, and carried to excuse Mayor Sciotto.

CITIZEN COMMENT

Virginia Long asked to speak on the public opinion survey and Christine Johnson Martin said she was available to answer questions regarding the Arts and Culture Committee grant application.

PUBLIC OPINION SURVEY

Dr. Larry Sykes and Dr. Dean Caldwell gave an overview of the proposed public opinion survey which would be done for the City. Dr. Sykes indicated that the questionnaire needs to be finalized by February 11 in order for the survey to be completed by April 1. He requested that the City send a letter to the selected respondents to prepare them to respond to the telephone survey. He said the questions are intended to parallel the questions from the surveys done in 1985 and 1981 in order to provide a longitudinal analysis of opinions of various city services over the last ten years.

Virginia Long, representing the Beautification Committee, asked that there be more detailed questions about a proposed zoo. She said the zoo should not be on Presque Isle. Mayor Pro Tem Pinkard opened the discussion on the questionnaire. The Commission discussed the questions about curbside recycling and solid waste collection. Possible questions regarding City Commission meetings on different nights, advisory committee meetings at different times, citizen response to a suggested income tax and location of the zoo were discussed. It was agreed to remove the question about the zoo location with Commissioner Cihak and Coffey dissenting. Commissioner Cihak posed other questions about the Heritage House Radisson Hotel proposal, about conflicts between the Arena and the dome, and about the proposed homeless shelter at the corner of Fourth and Rock. It was determined on a five to one vote with Commissioner Cihak opposed to not include questions about the Heritage House or the Dome Arena conflict and on a three to three vote with Commissioners Cihak, Coffey and Schneider dissenting to not include a question about the homeless shelter. Commissioner Coyne asked about the McClellan Avenue extension. City Manager Iman and Attorney Martin noted that the McClellan Avenue plans are part of the City's Master Plan and the Strategic Plan. It was agreed to delete the question about McClellan Avenue. Commissioner Coyne suggested that questions about cable t.v. moved to a different location in the survey so that respondents do not get the impression the City has control over the cable t.v. system franchise.

Dr. Sykes and Caldwell said they will bring the revised questionnaire back to the Commission at the February 10 meeting for review and final approval. It was moved by Commissioner Howes, supported by Commissioner Schneider, and carried to consider agenda item 3 at this time.

ARTS AND CULTURE COMMITTEE - Grant Application

A recommendation from the Arts and Culture Committee for approval of a grant application and certification of local match was read. It was moved by Commissioner Coyne and supported by Commissioner Howes to support this request with the \$500 local match to be taken from the Arts Council Funding if they approve and if not, to come from the contingency fund. Christine Johnson Martin answered questions about the events calendar which would be published with the money from this grant. The following vote was taken:

Ayes: Mayor Pro Tem Pinkard, Commissioners Coffey, Coyne, Schneider.

Nays: Commissioners Cihak, Howes.

The motion was carried.

FEE SCHEDULE

Mayor Pro Tem announced that this was the time set to review the proposed fiscal year 1992-93 fee schedule. City Manager Iman reviewed the fee schedule on a page by page basis. During the review, the following motions making changes in the proposed schedule were approved:

Page 1: It was agreed on a 5-1 vote with Commissioner Cihak opposed to raise the price of duplicating machine copies to \$.25 per copy.

Page 2: It was moved by Commissioner Coffey and supported by Commissioner Cihak to raise the cost of a computer label or a printed computer page to \$.10 approved 5-1 with Commissioner Howes opposed.

Page 10: It was moved by Commissioner Coffey, supported by Commissioner Coyne, and carried to raise the price for filling air tanks to \$10.00.

During the review, Mayor Pro Tem Pinkard called a recess at 9:01 p.m. After the recess, the following motions were made:

Page 18: It was moved by Commissioner Coyne, supported by Commissioner Cihak, and carried to eliminate the \$1.00 charge for senior citizens at the Shiras Pool.

City Manager Iman noted changes in the recommended fees on page 21.

Page 22: It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried to raise the zoning compliance after the fact fee to \$100.00.

Page 23: Raise the charge for a bad check to \$20.00. City Manager Iman said he needs to review the parking and police fees further and will have comments on them for the next City Commission meeting.

SCHEDULE WORK SESSION

City Manager Iman noted that former Mayor Berube could not attend the work session on the Cinder Pond Marina on Wednesday night. It was agreed to hold this meeting at 7:00 p.m. on Thursday, February 6.

CITY MANAGER EVALUATION

It was moved by Commissioner Cihak, supported by Commissioner Coffey, and carried with no dissenting votes to go into closed session to discuss the City Manager's evaluation.

RECESS

The meeting was recessed at 10:04 p.m.

The Commission returned to open session at 11:20 p.m.

It was moved by Commissioner Howes and supported by Commissioner Coffey to approve an increase in the City Manager's salary of \$1,200 for the remainder of the fiscal year retroactive to January 1, 1992 and to pay the City Manager \$1,800 additional compensation for moving, car, and pension expenses. After discussing the motion, it was moved by Commissioner Schneider and supported by Commissioner Cihak to table the motion until the February 10, 1991 Commission meeting. The following vote was taken:

Ayes: Mayor Pro Tem Pinkard. Commissioners Cihak, Schneider.

Nays: Commissioners Coffey, Coyne, Howes.

The motion was not carried.

Following further discussion, it was moved by Commissioner Schneider to call the question. The motion died for lack of support. The Commission discussed the item further. The vote on the motion was:

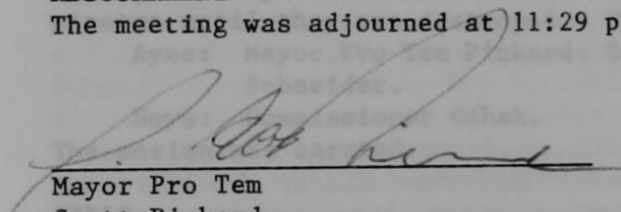
Ayes: Mayor Pro Tem Pinkard. Commissioners Coffey, Coyne, Howes.

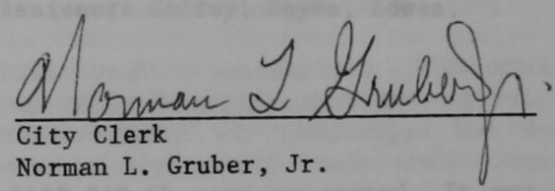
Nays: Commissioners Cihak, Schneider.

The motion was carried.

ADJOURNMENT

The meeting was adjourned at 11:29 p.m.


Mayor Pro Tem
Scott Pinkard


City Clerk
Norman L. Gruber, Jr.

AGENDA

During the time set for announcing changes in the agenda, Commissioner Coffey added item 30a, going into closed session to discuss the Black Caucus. Mayor Pro Tem Pinkard said there were representatives from Brathwaite who would meet with the Commission regarding the Solid Waste Authority lawsuit. If the Commission desires, no action was taken. Commissioner Cihak added item 10b, discussion of the Municipal Service Center. On a point of order by Commissioner Coffey, City Attorney Martin said a motion to reconsider is not necessary to receive information on these Municipal Service Center.

PROCLAMATION - U.S. Olympic Education Center Month
Mayor Pro Tem Pinkard made the following proclamation:

WHEREAS, on February 18, 1989, the United States Olympic Committee designated Northern Michigan University as our nation's only United States Olympic Education Center; and
WHEREAS, the Olympic Education Center was created to provide student athletes with the facilities and programs that allow simultaneous pursuit of physical and academic excellence; and

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, February 10, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, February 10, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: Mayor Sciotto.

It was moved by Commissioner Cihak, supported by Commissioner Schneider, and carried to excuse Mayor Sciotto.

MINUTES

It was moved by Commissioner Howes and supported by Commissioner Coyne to approve the minutes of the January 27 regular and closed meeting and the February 3 special and closed meeting. Commissioner Cihak said there was an inaccuracy in the minutes of the closed meeting of February 3. City Attorney Martin said that Mr. Cihak should send the City Clerk a memo noting his objection and that the memo would be kept sealed with the closed minutes until they are destroyed. The following vote was taken:

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

Nays: Commissioner Cihak.

The motion was carried.

BILLS

Total bills payable in the amount of \$428,248.69 were presented. It was moved by Commissioner Coyne, supported by Commissioner Schneider, and carried to approve the bills payable.

AGENDA

During the time set for announcing changes in the agenda, Commissioner Coffey added item 10a, going into closed session to discuss the Mick Braithwaite lawsuit. Mayor Pro Tem Pinkard said there were representatives from Braithwaite who would meet with the Commission regarding the Solid Waste Authority lawsuit if the Commission desires. No action was taken. Commissioner Cihak added item 10b, discussion of the Municipal Service Center. On a point of order by Commissioner Coffey, City Attorney Martin said a motion to reconsider is not necessary to receive information on the Municipal Service Center.

PROCLAMATION - U.S. Olympic Education Center Month
Mayor Pro Tem Pinkard made the following proclamation:

WHEREAS, on February 10, 1989, the United States Olympic Committee designated Northern Michigan University as our nation's only United States Olympic Education Center; and

WHEREAS, the Olympic Education Center was created to provide amateur athletes with the facilities and programs that allow simultaneous pursuit of physical and academic excellence; and

WHEREAS, since the inception of the Olympic Training Center in 1985 and the Olympic Education Center in 1989, over 14,000 athletes from across the nation and many foreign countries have traveled to Marquette, Michigan to utilize the training and educational facilities and programs housed at Northern Michigan University; and

WHEREAS, during the 1992 Winter Olympic Games in Albertville, France, the United States Olympic Team will include over 80 athletes and staff who have utilized the Olympic Education Center at Northern Michigan University; and

WHEREAS, the Citizens of Marquette and the entire State of Michigan are very proud of our contribution to the United States Olympic Team;

NOW, THEREFORE, BE IT RESOLVED, THAT I, SCOTT PINKARD, MAYOR PRO TEM OF THE CITY OF MARQUETTE, do hereby proclaim and designate the Month of February as UNITED STATES OLYMPIC EDUCATION CENTER MONTH IN THE CITY OF MARQUETTE and do urge all of the Citizens of Marquette to join me in thanking the Olympic Education Center and Northern Michigan University for their role in keeping the Olympic dream alive; and

BE IT FURTHER RESOLVED THAT THE CITY OF MARQUETTE wishes all of our Olympic athletes well as they compete in Albertville, France in the 1992 Winter Olympic Games being held February 8-23, 1992.

GLEND A MOCK - Certificate of Appreciation

Mayor Pro Tem Pinkard presented a certificate of appreciation to Glenda Mock for organizing the Marquette Community Christmas Dinner for three years. This year 384 people, who otherwise would have had to have Christmas Dinner alone, were served. Mrs. Mock accepted the certificate and expressed her appreciation to Tom Denton for his support over the last three years.

CITIZENS

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

PUBLIC OPINION SURVEY

A report and recommendation from the City Manager, regarding approval of the survey document for the public opinion, was read. It was moved by Commissioner Coyne and supported by Commissioner Howes to approve the survey document. Dr. Larry Sykes and Dr. Dean Caldwell answered questions about the survey document. The following vote was taken:

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

Nay: Commissioner Cihak.

HANDICAPPED PARKING - Volunteer Enforcement Program

A report and recommendation from the City Attorney, regarding establishment of a volunteer handicap parking enforcement program, was read. It was moved by Commissioner Cihak, supported by Commissioner Coyne, and carried to

schedule a public hearing for the February 24, 1992 Commission meeting on the establishment of this program.

IMPACTED SOILS - Disposal Contract

A report and recommendation from the City Manager, regarding the award of a contract for hauling fuel impacted soils and disposal at the Michigan Environs Landfill in Menominee, was read. It was moved by Commissioner Schneider, supported by Commissioner Howes, and carried to accept the City Manager's recommendation and to award the bid for loading and hauling the fuel impacted soil to Oberstar Excavating at the bid price of \$7.10 per ton being the low bid and meeting specifications and to waive the bidding requirements pursuant to Section 12.1 of the City Charter and authorize the fuel impacted soils to be disposed of at the Michigan Environs Landfill for the amount of \$40.45 per ton, in that no advantage would result from competitive bidding since only one landfill is available.

BID POLICY - Task Force

A report and recommendation from the City Manager, regarding the establishment of a task force to review the City's bid policy, was read. It was moved by Commissioner Howes, supported by Commissioner Schneider, and carried to concur with the City Manager's recommendation, to request representation from the identified categories of persons on a task force to study bid policy alternatives, and to direct that the task force develop and present its alternatives, findings, and justifications to the City Commission on or before May 1, 1992. The Commission discussed this motion at great length including whether the representatives were to represent themselves or their membership. It was moved by Commissioner Schneider and supported by Commissioner Cihak that the current bid policy be deferred until the task force report is received. After discussion, the following vote was taken:

Ayes: Commissioners Cihak, Schneider.

Nays: Mayor Pro Tem Pinkard. Commissioners Coffey, Coyne, Howes.

The motion was defeated.

Mayor Pro Tem Pinkard asked the Commissioners to submit names for the three Commission appointments to the task force.

FEE SCHEDULE

A report and recommendation from the City Manager, regarding the proposed 1992-93 Fiscal Year fee schedule, was read. It was moved by Commissioner Cihak and supported by Commissioner Schneider to give preliminary approval to the proposed 1992-93 fee schedule. During discussion, Commissioner Coyne suggested removing the 24-hour liquor license fee. There was no support. It was moved by Commissioner Howes and supported by Commissioner Coffey to charge \$25.00 for a 24-hour liquor license as opposed to the \$30.00 proposed. The following vote was taken:

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

Nay: Commissioner Schneider.

The motion was carried.

Following further discussion, the original motion to give preliminary approval to the fee schedule was carried with no dissenting votes.

SOLID WASTE CONTRACT

A report and recommendation from the City Manager, regarding an agreement between the City of Marquette and Peninsula Sanitation for the collection, transfer, disposal, and recycling of solid waste, was read. It was moved by Commissioner Coyne and supported by Commissioner Howes to approve the contract. The Commission discussed the costs of the contract over the next several years and the amount of subsidy for solid waste collection. Bill Niepoth, representing Peninsula Sanitation, and City Manager Iman answered questions about the contract. The following vote was taken:

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

Nay: Commissioner Cihak.

The motion was carried.

Mayor Pro Tem Pinkard called a five-minute recess at 8:53 p.m.

CINDER POND MARINA GRANT

A report and recommendation from the City Manager, regarding grant applications for construction of the Cinder Pond Marina, was read. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried to support the concept presented in the City Manager's recommendation. Commissioners discussed the commitment of the City to the Marina project and the cost of the project given different decisions on DNR grant funding. City Manager Iman discussed at length the cost of construction of the Cinder Pond Marina and the projected revenue which could be used to repay the grant. It was moved by Commissioner Cihak and supported by Commissioner Schneider to table this motion. The following vote was taken:

Ayes: Commissioners Cihak, Schneider.

Nays: Mayor Pro Tem Pinkard. Commissioners Coffey, Coyne, Howes.

The motion was defeated.

After further discussion, the motion to support the concept presented in the City Manager's report was carried with no dissenting votes.

CITY MANAGER - Auto Allowance

It was moved by Commissioner Coyne and supported by Commissioner Howes that we pay City Manager Iman a reimbursable mileage allowance of up to \$3,000 per year. The following vote was taken:

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

Nays: Commissioners Cihak, Schneider.

The motion was carried.

MICK POND LAWSUIT

Commissioner Coffey asked for a report from the City Attorney on the mediation proposal in this lawsuit. He said that the City Commission should take definite action in regard to this proposal. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried with no dissenting votes to go into closed session at the end of the agenda to discuss this lawsuit.

MUNICIPAL SERVICE CENTER

It was moved by Commissioner Cihak and supported by Commissioner Schneider that the administration prepare a report as soon as possible to show the costs involved if the City Commission voted to stop construction of the municipal service center including the cost to upgrade the present public works facility to meet OSHA standards. The following vote was taken:

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

Nay: Commissioner Coffey.

The motion was carried.

City Manager Iman said that this and other Commission priorities should be discussed in the goal setting work session which was postponed from February 18. Commissioners agreed to hold this meeting on Thursday, February 20 at 7:00 p.m.

CONSENT AGENDA

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

A. Approve the final Preliminary Plat for Pesola's Subdivision.

B. Approve the following resolution authorizing the issuance of fuel supply notes as requested by the Board of Light and Power:

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

WHEREAS, the Board has estimated that the cost of the necessary fuel requires borrowing the sum of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000), and has recommended that it be permitted to borrow the sum of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) and to issue its notes therefor, in accordance with and subject to the provisions of Act 182, Public Acts of Michigan, 1971, as amended ("Act 182"), and in accordance with the provisions of this resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Commission of the City does hereby determine that it is necessary for the public health, safety and welfare of the City for the Board of purchase fuel and borrow therefor the sum of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000).
2. Notes to be designated 1992 ELECTRIC UTILITY SYSTEM REVENUE NOTES (FUEL SUPPLY) (the "Notes"), be issued in the aggregate principal sum of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) in accordance with and subject to the provisions of Act 182 and this resolution for the purpose of paying the cost of purchasing fuel for the System. The denominations and form of said Notes shall be determined by the Board, but in any event shall be in multiples of \$5,000 each issued in one or more series, dated, numbered and maturing not later than June 30, 1993 at such time or times and with such right of prior redemption as shall be determined by the Board.
3. The Notes shall bear interest at a rate or rates to be determined upon the sale thereof, payable on such dates and in such manner as shall be determined by the Board. Both principal of and interest on the Notes shall be payable at a bank or trust company qualified to act

as paying agent under the laws of the State of Michigan to be designated by the original purchaser of the Notes and approved by the Board or, if the Notes are issued in fully-registered or book entry form, through a transfer agent and note registrar or depository designated by the Board.

4. The Notes shall be executed on behalf of the City by the Board through the manual or facsimile signatures of its Chairman and Secretary and authenticated in such manner as the Board may provide. The Notes, when executed, shall be delivered to the Secretary of the Board and delivered by the Secretary to the purchaser thereof upon payment of the purchase price therefor, in accordance with the proposal for the purchase thereof, as submitted and hereinafter provided.

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

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

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

There shall be established with a bank designated by the Board, a separate account to be designated 1992 FUEL SUPPLY NOTE REDEMPTION FUND ("Note Redemption Fund"). There shall be deposited in the Note Redemption Fund from the unencumbered revenues of the System from time to time, after meeting all requirements of the outstanding bonds and notes and any additional obligations hereinafter issued, such sums as shall be sufficient to pay the interest and principal on the Notes as they become due. The Board may, by resolution, provide for specific deposits as fuel is used or on a particular schedule to provide for complete payment of the Notes. Moneys in the Note Redemption Fund shall be used solely and only to pay the principal of and interest on the Notes as the same become due or to redeem the Notes or any part thereof prior to maturity as herein provided, except to the extent that it may be necessary to use such moneys to pay the principal of and interest on the above described outstanding revenue bonds and notes or any additional bonds and notes that may hereinafter be issued, or to meet other requirements therefor as provided in Ordinance No. 314 of the City.

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

C. Approve a Liquor License Transfer at 145 W. Washington Street (Muggszy's) from McNabb Marketing & Management, Inc. to MFC First National Bank.

APPOINTMENTS

Mayor Pro Tem Pinkard made the following appointments with the Commission's concurrence:

PLANNING COMMISSION: Reappointment of Glenn VanNeste, Bruce Tiseo and Lynn Swadley to new terms expiring February 15, 1995.

ARTS AND CULTURE COMMITTEE: Rosemary Glenn to a term expiring July 1, 1992.

PUBLIC ACCESS COMMITTEE: Reappointment of Rita Hodgins to a new term expiring January 14, 1996.

TREE COMMITTEE: Lois Prusock to a term expiring December 30, 1992.

SCHNEIDER

Commissioner Schneider said that at the next meeting, the Commission should consider a policy of deferring big ticket items for one meeting after presentation. He said he had received a complaint about the sidewalk snow plows filling in driveways.

HOWES

Commissioner Howes said he works with the dome at Northern Michigan University and it is intended to be complimentary, not conflicting, with the Lakeview Arena. He said the proposal to hire a shared time promoter for these facilities is an example of this. He said if all of the Arena's shows move to the dome, the net loss in revenue would only be \$12,000 to \$14,000 over the long run because the dome will need to rent equipment from the Arena. He said the two facilities together can attract more business than either one separately. He agreed with Commissioner Schneider that recommendations for major expenditures should be accepted at one meeting and acted on at a later meeting. He said the ceremony for 197 DARE graduates last Tuesday had been great. He said the fit strip ski trails are in good condition and there is room for both skating and diagonal skiing. He said the participants in the common ground seminar had suggested that the Commission set aside time at each meeting for discussing items of community pride. He offered his congratulations to Wendel Suckow who achieved twelfth place in the Olympic individual Luge competition.

COYNE

Commissioner Coyne also congratulated Wendel Suckow and his family for their support which allows his participation. It was moved by Commissioner Coyne, supported by Mayor Pro Tem Pinkard, and carried to put approval of the minutes and bills payable on the consent agenda.

COFFEY

Commissioner Coffey offered his congratulations to Officer St. John saying he does an excellent job on the DARE Program. He noted that some of the Olympic trainees in Marquette are high school students and that they attend Marquette Senior High School. He said it is a pleasure to have these students in class and to watch them compete in the Olympics. He said he had received calls complaining about sidewalk snow removal. Public Works Superintendent Steve Lawry said there were some troubles during the snow storm last weekend but they should have all been corrected by now. It was moved by Commissioner Coffey and supported by Commissioner Schneider to remove the item on eliminating Friday afternoon work sessions from the table. After discussion, the following vote was taken:

Ayes: Commissioner Coffey.

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

The motion was defeated.

Commissioner Coffey said setting meetings so that an elected Commissioner cannot attend them is reprehensible and should not be allowed to continue.

CIHAK

Commissioner Cihak wished the best of health to Mayor Sciotto and an early return and speedy recovery. He said, as a member of the County Commission on Aging, he is aware of a health screening program for all women forty and over. He said the cost of the program is based upon ability to pay. He said he is delighted by the DARE Program and Dr. Jamison did a fine job in leading the graduation ceremony. He said he would like to see Presque Isle Park handled in one of two ways; a preservation committee to review all proposals for development in the park, or sending a new charge to the Parks and Recreation Advisory Board to refer development proposals to the City Commission. It was moved by Commissioner Cihak and supported by Commissioner Schneider and carried that a new charge be added to the Parks and Recreation Advisory Board that they be directed to report back to the City Commission all proposals for development on Presque Isle.

PINKARD

Mayor Pro Tem Pinkard said City Treasurer Elizabeth Grill had suggested the items of community pride idea following the seminar last week. He asked City Manager Iman for a report on how to implement this.

IMAN

City Manager Iman reminded the Commission that we will be offering curbside recycling starting the first week in March. He said over 50 Olympians from the Olympic Education Center at Northern Michigan University were participating in the Olympics. He said seven of the eight short track speed skaters were from Northern.

RECESS

The meeting recessed to closed session at 10:31 p.m.

The Commission returned to open session at 10:59 p.m.

It was moved by Commissioner Coffey, supported by Commissioner Schneider, and carried to reject the mediation recommendation in the Mick Pond lawsuit.

ADJOURNMENT

The meeting was adjourned at 11:00 p.m.

Mayor Pro Tem
Scott Pinkard

City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, February 24, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, February 24, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: None.

AGENDA

During the time set for announcing changes in the agenda, Mayor Pro Tem Pinkard asked that item 7a, a report and recommendation from the City Manager on the Cinder Pond Marina, be added. Commissioner Schneider asked that item 7b, a change in the policy on large expenditure agenda items, be added. Commissioner Cihak asked that item 8d be removed from the consent agenda and made item 7c. Commissioner Coffey asked that a closed meeting to discuss the landfill litigation be added. Mayor Pro Tem Pinkard said that the closed meeting to discuss McClellan Avenue right of way acquisition should be done at the end of the agenda and City Attorney Martin said that item 7f, the tabled motion to eliminate Friday noon work sessions should be taken from the table because all Commissioners are present.

VOLUNTEER HANDICAP PARKING ENFORCEMENT PROGRAM - Public Hearing

Mayor Sciotto said that this was the time set for a public hearing on the proposed volunteer handicap parking enforcement program. Letters of support from the National Multiple Sclerosis Society and the Kenny R.E.H.A.B. Foundation supporting this program were read. There were no citizens to address the Commission and the hearing was closed. It was moved by Commissioner Howes, supported by Commissioner Schneider, and carried unanimously to accept the communication and authorize the implementation of the Volunteer Handicap Parking Enforcement Program in accordance with the standards in the training and equipment guidelines. During discussion on the motion, Mike Angeli, representing the Marquette Police Department answered questions about handicapped parking enforcement.

CITIZEN COMMENT

George Ruuska asked to speak on agenda item 3. Elizabeth Ellis and Louis DePetro asked to speak on agenda item 4.

ZONING AND FENCE ORDINANCE AMENDMENTS

A recommendation from the Planning Commission, regarding proposed amendments to the zoning and fence ordinances, was read. It was moved by Commissioner Howes, supported by Commissioner Schneider, and carried unanimously to schedule public hearings on these proposed ordinance amendments for the next regular meeting.

FAIR AVENUE RECONSTRUCTION

A recommendation from the Planning Commission, regarding the reconstruction of Fair Avenue between Presque Isle Avenue and Russell Street, was read. It was moved by Mayor Pro Tem Pinkard and supported by Commissioner Coyne to

accept the recommendation of the Planning Commission to have the street pavement be 47 feet in width. George Ruuska supported reconstruction of the street but said he is concerned that the sidewalk is proposed to be moved closer to the houses. He said the sidewalk should be left in it's present location or moved to the north to be farther from the homes. City Engineer Robert Haapala answered several questions about sidewalk location and street width. City Manager Iman answered questions about federal grants to help pay for this project. In response to a question from Mayor Sciotto, Ray Berglund said he did not want the sidewalk moved any closer to his house. During discussion, the Commission determined that the sidewalk location has not been definitely set yet and that City Engineer Haapala will work with the residents on this issue. The motion was then carried unanimously.

PRESQUE ISLE AVENUE RECONSTRUCTION

A recommendation from the Planning Commission, regarding the reconstruction of Presque Isle Avenue between Fair Avenue and Wright Street, was read. It was moved by Commissioner Coyne and supported by Commissioner Howes to accept the recommendation of the Planning Commission to make the pavement width 54 feet wide and to leave the sidewalk in it's present location. Louis DePetro addressed the Commission about the sign at his business on the northwest corner of Wright and Presque Isle. He said this sign was installed in 1936 and he was just notified it has to moved at his expense because it is on the City right of way. Mayor Sciotto asked City Attorney Martin about the legality of this. Mr. Martin said that any encroachment on the right of way is required to be removed or, if we allow it to stay, a lease is executed which provides for moving it at the owner's expense.

Elizabeth Ellis said she represents the residents in the 1500 to 1800 blocks. She read a statement opposing the 54 foot street width and supporting the 48 foot width. She said traffic on Presque Isle Avenue should be routed elsewhere. She said a left turn lane would not make the street any safer. City Engineer Robert Haapala answered many questions about the street width, the configuration of the traffic and parking lanes, and the sidewalk location. It was moved by Commissioner Cihak and supported by Mayor Pro Tem Pinkard to table this motion. Commissioner Coffey called a point of order saying that tabling is not the appropriate action to delay a motion to another meeting. Attorney Martin recommended ruling this motion out of order. The motion was withdrawn. It was then moved by Commissioner Coyne, supported by Commissioner Cihak, and carried unanimously to postpone this issue for two meetings. Before the vote, Commissioners discussed information they would like to receive before this item comes back to the Commission. It was moved by Mayor Pro Tem Pinkard and supported by Commissioner Cihak to refer Mr. DePetro's letter to the Planning Commission for their review. On a point of order from Commissioner Coffey, Mayor Sciotto ruled the motion out of order at this time.

HERITAGE PRESERVATION COMMITTEE

A recommendation from the Historic Preservation Task Force, for the establishment of a Heritage Preservation Committee, was read. It was moved by Commissioner Cihak, supported by Commissioner Schneider, and carried unanimously to concur with the recommendation as stated. During discussion on the motion, City Planner Gruber and City Manager Iman answered questions.

M.F.C. FIRST NATIONAL BANK - Utility Easements

A report and recommendation from the City Manager, regarding an exchange of easements between the M.F.C. First National Bank and the City to give the bank an easement for the location of a transformer and auxiliary power supply in return for an easement from the Bank for a sanitary sewer running from the Jackson Cut to Main Street, was read. It was moved by Commissioner Howes, supported by Commissioner Pinkard, and carried unanimously to accept the recommendation from the City Manager and to grant a permanent easement to M.F.C. First National Bank permitting the construction of a power transformer and a backup power plant in the Jackson Cut alley, to accept an easement from M.F.C. First National Bank for an eight-inch sanitary sewer line, and to authorize the Mayor and Clerk to execute any necessary documents. During discussion, the Commission considered if a land exchange instead of an exchange of easements might be more appropriate.

MCCLELLAN AVENUE - Right of Way Acquisition

A report and recommendation from the City Manager, regarding the extension of McClellan Avenue and construction of a new elementary school on the Bothwell School site, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to go into closed session at the end of the agenda to discuss this property acquisition.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY - Lawsuit

It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to go into closed session at the end of the agenda to discuss the lawsuit in which the City and the Marquette County Solid Waste Management Authority are suing Braithwaite Consultants.

RECESS

Mayor Sciotto called a five-minute recess at 8:57 p.m.

CINDER POND MARINA

A report and recommendation from the City Manager, regarding local share commitment for DNR Grants for the Cinder Pond Marina, was read. It was moved by Commissioner Pinkard and supported by Commissioner Coyne to support this recommendation and commit to the total local share of \$1,072,500 for both the DNR Recreation Division and the DNR Waterways Fund Grants. During lengthy discussion of the financing of the Marina, City Manager Iman and Harbor Committee Chairman Tom Knauss answered questions about the project. After discussion, the motion was carried unanimously.

LARGE EXPENDITURE AGENDA ITEMS - Policy

Commissioner Schneider said agenda items requiring large expenditures should be presented at one meeting with action to take place at the subsequent meeting. This would allow Commissioners to consider and gather input on these items. Commissioner Howes supported this concept saying that it would eliminate the need for the Friday noon work sessions. It was moved by Commissioner Howes and supported by Commissioner Coffey to adopt a procedure whereby agenda items would be presented and discussed at one meeting with final action to be taken at the next meeting and to eliminate the Friday noon work sessions. After lengthy discussion, the following vote was taken:

Ayes: Commissioners Coffey, Coyne, Howes.

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

Schneider.
The motion was defeated.
After further discussion, it was moved by Commissioner Coffey and supported by Commissioner Howes to adopt a procedure whereby agenda items would be presented and discussed at one meeting with final action to be taken at the next meeting, to eliminate the Friday noon work sessions, and to attempt this procedure for a trial period of five City Commission meetings. The following vote was taken:

Ayes: Commissioners Coffey, Coyne, Howes, Schneider.

Nays: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioner Cihak.

The motion was carried.

TREE PLANTING BIDS

Commissioner Cihak said he had asked that this item be removed from the consent agenda so he could suggest use of Northern Michigan University's tree spade by City crews instead of contracting this work. City Manager Iman and Public Works Superintendent Lawry answered questions about the tree planting. Mr. Lawry said the City has used the University's tree spade in the past where it was possible but it would not fit into our nursery because it is so large. It was moved by Commissioner Cihak, supported by Commissioner Schneider and carried unanimously to award the bid for tree planting services to Coryell Nursery of Munising, Michigan being the low bid and meeting all specifications.

CONSENT AGENDA

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

- A. Approve the minutes of the February 3 special and the February 10 regular City Commission meetings.
- B. Approve the total bills payable in the amount of \$313,672.75.
- C. Award a contract for the purchase of a fork-lift truck to Champion, Inc. of Iron Mountain, Michigan for \$20,775.50, the only bid and meeting specifications.

CITIZEN COMMENT

Louis DePetro asked what the decision on his sign was. Mayor Sciotto said there would be a motion during the Commissioner comment section of the meeting.

SCHNEIDER

Commissioner Schneider said he has received several calls asking when recycling would start. City Manager Iman said Peninsula Sanitation has prepared a letter on curbside recycling which will be distributed in the utility bills starting this week. Commissioner Schneider asked Mr. Lawry about the priority for sidewalk snowplowing saying he has received complaints from the south part of town that the north side of town gets done first. Mr. Lawry said there are more routes than there are pieces of equipment so they cannot all be done at the same time. Mr. Lawry also said usually the sidewalks are not plowed until the street plowing has been completed so that the windrows at the corners will be removed. Commissioner Schneider asked if the snow removal problem on Baraga Avenue has been addressed. Mr. Iman said he has met with the property owners and that they will be charged each time the City hauls snow from the right of way.

HOWES

Commissioner Howes said the recent proclamation on the U.S. Olympic Education Center was very appropriate. He offered his congratulations to the Olympic athletes from the center, especially those who brought back medals from the winter games. He said this will help bring recognition for the Olympic Education Center. Commissioner Howes also offered his congratulations to all the people who worked on the U.P. 200 Sled Dog Race.

COYNE

Commissioner Coyne noted that Olympic gold medal winner Kathy Turner had also obtained a degree from Northern Michigan University during her training and that is the purpose for the Olympic Education Center. She said spring is coming and that is indicated by the fact that it was daylight when she left to come to this meeting.

COFFEY

Commissioner Coffey said the sled dog races were really something. He noted participation by the mushers in the local elementary school programs and that this was very well received. He said the expanded sled dog race coverage by Bresnan Communications had also been very good. He said he hopes the medals won by athletes training at the Olympic Education Center would help continue support for the center. He spoke on Robert's Rules of Order as they pertain to tabling or postponing motions.

CIHAK

Commissioner Cihak concurred with the other Commissioners that the Olympians had done an excellent job. He asked who paid for the snow which was placed and then removed from Washington Street for the start of the sled dog race. Mr. Iman said the City pays that cost and Mr. Lawry said it cost about \$7,500 this year. Commissioner Cihak asked who will set the City Commission agendas under the new policy. Mayor Sciotto said the City Manager would continue to set the agenda with input from the Mayor as needed. Commissioner Cihak asked if there will continue to be Friday afternoon meetings between the Mayor and Manager.

PINKARD

Mayor Pro Tem Pinkard said it was phenomenal that the Olympic Education Center people did so well at the Winter Olympics. He thanked Commissioner Howes for letting his children ride behind Commissioner Howes dog during the kiddie race. He said there have been 200 dollars in donations received at the fit strip trail this winter and asked about the donation boxes for the ice rinks. Mr. Iman said the Parks and Recreation Department is in the process of manufacturing the fee boxes for the outdoor ice rinks. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to refer Louis DePetro's letter on his sign to the Planning Commission for review. Mayor Pro Tem Pinkard said the Crescent Street reconstruction is proposed to have underground wiring. He said we cannot afford this, especially just for one short street. City Engineer Robert Haapala answered questions about the design for the street. It was requested that this item be on the agenda for the next meeting. Mayor Pro Tem Pinkard asked the administration to look for background material on the feasibility of combining with Negaunee and Ishpeming in a joint water authority to use the City's source of water from Lake Superior to meet their needs.

SCIOTTO

Mayor Sciotto thanked the Commissioners, especially Mayor Pro Tem Pinkard and Commissioner Schneider for filling in for him while he was recovering from surgery. He offered his congratulations to the Olympians who won medals and to the Olympic Education Center. He also congratulated all the people involved in the U.P. 200. He said he needs names for an appointment to the Bid Policy Task Force. He said he does not intend to meet with the City Manager or anyone else on Friday afternoon to discuss the agenda packets.

IMAN

City Manager Iman said everyone involved with the U.P. 200 deserves a pat on the back and it had been an excellent event.

RECESS

The Commission recessed to closed session at 10:45 p.m.

The Commission returned to open session at 11:45 p.m.

MCCLELLAN AVENUE RIGHT OF WAY

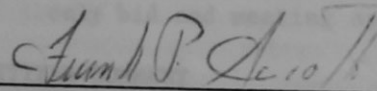
It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Schneider, and carried unanimously to accept the City Manager's recommendation and send a proposal for purchase of McClellan Avenue right of way to the Marquette Public School Board of Education.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY - Lawsuit

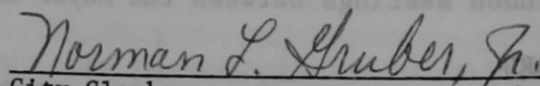
It was moved by Commissioner Schneider, supported by Mayor Pro Tem Pinkard and carried unanimously to concur with the Solid Waste Management Authority decision to reject the settlement proposal from Braithwaite.

ADJOURNMENT

The meeting was adjourned at 11:46 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, March 9, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, March 9, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: Commissioner Coyne.

It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried to excuse Commissioner Coyne as she is out of the City.

PROCLAMATION - Girl Scout Week

Mayor Sciotto made the following proclamation:

WHEREAS, March 12, 1992 is the 80th anniversary of the founding of Girl Scouts of the U.S.A., the largest voluntary organization for girls in the world;

WHEREAS, Girl Scouting is a vital organization for girls who are growing up, enabling them to develop self-esteem and leadership skills, and providing an atmosphere of warm and true fellowship;

WHEREAS, the Girl Scout program not only reflects the enduring values and standards that have been part of the organization since 1912, but also lends itself to the special and unique situation of girls in the 1990's;

WHEREAS, Girl Scouts of all ages have made important contributions to the life of this, our own community,

NOW, THEREFORE, I, Frank P. Sciotto, by virtue of the authority vested in me as Mayor of Marquette, hereby proclaim March 8 - 14, 1992, Girl Scout Week in the City of Marquette and thus, do urge the citizens of the City of Marquette to support in every way the activities and endeavors of Girl Scouts.

PROCLAMATION - Recognition of 1992 Winter Olympic Games Participants

Mayor Sciotto then made the following proclamation:

WHEREAS, the 1992 Winter Olympic Games, which were held in Albertville, France from February 8 through February 23, 1992, have recently come to a close; and

WHEREAS, the U.S. Olympic Education Center at Northern Michigan University has played a special role in this year's games, since over 80 members of the United States Olympic Team, including athletes and staff, have utilized the Center to promote both physical and academic excellence in preparation for the competition; and

WHEREAS, the United States Olympic Team also included two longtime Marquette residents, Wendel Suckow and Chris Thorpe, who represented the United States as members of the Luge Team; and

WHEREAS, four of the athletes who have trained in Marquette - Darcie Dohnal, Amy Peterson, Cathy Turner and Nicole Ziegelmeier - proved their excellence in world competition by winning the Silver Medal in the Women's 3000 Meter Short Track Speed Skating Relay; and in the 500 Meter Short Track Speed Skating Event, Cathy Turner exhibited a superlative performance by bringing back a gold medal to the United States;

NOW, THEREFORE, BE IT RESOLVED, that I, Frank P. Sciotto, Mayor of the City of Marquette, do hereby express, on behalf of all of the Citizens of the City of Marquette, our sincere gratitude and congratulations to all of the athletes who have lived, worked, and trained in the City of Marquette and who have successfully competed among the best athletes in the world at the 1992 Winter Olympic Games.

MARQUETTE COUNTY BOARD OF COMMISSIONERS - Nursing Home Beds

A communication from the Marquette County Board of Commissioners, regarding a resolution supporting the availability of nursing home beds in Marquette County, was read. It was moved by Commissioner Howes and supported by Commissioner Pinkard to adopt a resolution supporting more nursing home beds for the County. The following vote was taken:

Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioner Howes.

Nays: Commissioners Cihak, Coffey, Schneider.

The motion was not carried. It was then moved by Commissioner Cihak and supported by Commissioner Schneider that the administration contact the Marquette County Clerk and ask for more information on this matter. The following vote was taken:

Ayes: Commissioners Cihak, Coffey, Howes, Schneider.

Nays: Mayor Sciotto, Mayor Pro Tem Pinkard.

The motion was carried.

PUBLIC HEARING - Zoning and Fence Ordinance Amendments

Mayor Sciotto announced that this was the time and date set for a public hearing on amendments to the zoning and fence ordinance. The recommendation from the Planning Commission was read. Don Paulosky, representing the Home Builders Association of Superiorland, described his association and asked that consideration of these amendments be tabled until they can be reviewed in more depth. Jorma Lankinen, President of the Association, said that he was opposed, particularly to sections 80.62.4(a) and (b). He submitted a letter supporting his position. Loren Ameen, a member of the Board of Zoning Appeals, said these amendments should be tabled. He said there are a surveyor and a member of the Home Builders Association on the Planning Commission and they should have been aware of these proposals. He said in a new subdivision of 20 lots where half have been built on, half of the homes are in the wrong location. He said this problem must be resolved and there should not be a need to move \$100,000 homes. Gary Dahlke, a member of the Board of Zoning Appeals, said they are getting more and more problem cases. He said the Board has worked with the Planning Commission to try to amend the ordinance to resolve these problems. He suggested if there are concerns about the ordinance amendments, the City Commission should meet in a work session with the Planning Commission and Board of Zoning Appeals. Colleen Walker, a member of the Board of Zoning Appeals, said the problems with zoning are snowballing and changes are needed. The hearing was closed. It was moved by Commissioner Pinkard and supported by Commissioner Howes to

approve the ordinance as submitted with the exclusion of sections 11 and 12. During discussion, Commissioners asked questions of Planning Commission member Glenn VanNeste who is also a surveyor. Commissioner Schneider asked about the CBD parking regulations and Mayor Pro Tem Pinkard asked Board of Zoning Appeals members if they had any problems with deleting sections 11 or 12. The motion was then carried on a six to none vote. It was moved by Commissioner Howes, supported by Commissioner Coffey, and carried that the Board of Zoning Appeals, Planning Commission, City Administration, and Home Builders Association of Superiorland meet to work out appropriate language for sections 11 and 12 by the first meeting in April and to continue the hearing until then. The following ordinances were adopted:

#434

AN ORDINANCE TO AMEND CHAPTER 80 (THE ZONING ORDINANCE) TITLE XII OF THE MARQUETTE CITY CODE BY CHANGING REQUIREMENTS FOR SOME CONDITIONAL USES IN THE MULTIPLE FAMILY ZONING DISTRICT, CHANGING PARKING REQUIREMENTS FOR SOME CONDITIONAL USES IN THE CENTRAL BUSINESS DISTRICT, CHANGING THE SETBACKS FOR SWIMMING POOLS, ESTABLISHING SITE PLAN REVIEW FEES, REQUIRING SITE PLANS FOR SINGLE FAMILY HOMES, REQUIRING SITE PLANS TO BE REFERENCED TO CITY ELEVATION DATUM, CHANGING PARKING DESIGN STANDARDS FOR ONE AND TWO FAMILY HOMES, ESTABLISHING PROCEDURES FOR PRELIMINARY AND FINAL ZONING COMPLIANCE, AND PROVIDING FOR THE EXPIRATION OF PERMITS WHERE WORK IS NOT COMPLETED.

AND

#435

AN ORDINANCE TO AMEND CHAPTER 86 (THE FENCE ORDINANCE) TITLE XII OF THE MARQUETTE CITY CODE BY ADDING AN EXPIRATION DATE FOR PERMITS, AND ADDING PROVISIONS FOR PROTECTIVE MEASURES FENCES AROUND SWIMMING POOLS.

CITIZEN COMMENT

Janet Parkes, representing Parkes and Associates, offered to answer questions on item 5f. Wally Pellissier asked to speak on item 5a.

ADAMS STREET RECONSTRUCTION

A report and recommendation from the City Manager, regarding scheduling public hearings of necessity for special assessments on the Adams Street reconstruction project, was read. Wally Pellissier said that he is opposed to sidewalks being included in this project. It was moved by Mayor Pro Tem Pinkard, supported by Mayor Sciotto, and carried to schedule two hearings for the March 30 meeting to determine the necessity for the following proposed special assessment projects:

SIDEWALK AND CURB RECONSTRUCTION ON ADAMS STREET
and

WATERMAIN RECONSTRUCTION ON ADAMS STREET

SIDEWALK ORDINANCE

A report and recommendation from the City Attorney, regarding a public hearing on the proposed sidewalk ordinance, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried to schedule a

public hearing on the proposed sidewalk ordinance for the March 30 City Commission meeting.

CRESCENT STREET UNDERGROUND WIRING

A recommendation from the Planning Commission, regarding that underground wiring not be installed in the Crescent Street reconstruction project, was read. Commissioners agreed that no action was necessary on this recommendation.

MARINA RATES

A recommendation from the Harbor Committee, regarding a DNR proposal to increase the rate for 24-foot marina slips, was read. Commissioners asked questions about the request for a rate increase and about a proposal to request a rate variance for the 24-foot slip rate. This item was deferred for second reading at the next meeting.

LOGO CONTEST

A report and recommendation from the City Manager, regarding a City logo design contest, was read. It was moved by Commissioner Cihak, supported by Commissioner Coffey, and carried to suspend the rules regarding the second reading for this matter. City Manager Iman answered questions about the proposed contest. It was moved by Commissioner Pinkard, supported by Commissioner Howes, and carried to accept the recommendation of the City Manager with the following exceptions:

1. The contest rules state that the logo should be in two colors, and
2. The prizes should be: 1st - \$150.00, 2nd - \$100.00 and 3rd - \$50.00.

CITY HALL DESIGN SPACE STUDY

A report and recommendation from the City Manager, regarding a contract for a City Hall design space study, was read. During discussion, Janet Parkes, Mark Clute, and City Manager Iman answered questions about the proposed study. This item will be placed on the next agenda for second reading.

LINCOLN AVENUE PUMP STATION - Change Order

A report and recommendation from the City Manager, regarding a change order for the contract for reconstruction of the Lincoln Avenue pump station, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried to suspend the rules and to consider this on the first reading. After discussion, it was moved by Mayor Pro Tem Pinkard, supported by Commissioner Schneider, and carried to authorize the City Administration to expend the money for this change order from the water and sewer contingency fund. During discussion, City Engineer Robert Haapala answered questions about the change order. He said staff will attempt to negotiate a lower price for this work.

PRESQUE ISLE MARINA AND MATTSON PARK BATHROOM PARTITIONS

A report and recommendation from the City Manager, regarding bids for the replacement of bathroom partitions and shower dividers at the Presque Isle Marina and additional bathroom doors at Mattson Park, was read. It was moved by Commissioner Schneider and supported by Mayor Pro Tem Pinkard to suspend the rules and to authorize the City Administration to make this expenditure. The following vote was taken:

Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Coffey,

Howes, Schneider.
Nay: Commissioner Cihak.
The motion was carried.

CONSENT AGENDA

The City Clerk presented the consent agenda. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried that the City Commission suspend the rules and approve the following on the first reading:

- A. Approve the minutes of the February 24 regular and closed meetings.
- B. Approve the total bills payable in the amount of \$437,194.31.
- C. Authorize an application to the DNR for the Small Business Administration, Natural Resource Development Program Urban and Rural Tree Planting Initiative.

APPOINTMENTS

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

BOARD OF ZONING APPEALS: Reappointment of William Rigby and Loren Ameen to new three year terms expiring February 15, 1995.

BOARD OF REVIEW: Reappointment of Dave Clark to a three year term expiring February 1, 1995 and the appointment of Elizabeth DeRosie to a three year term expiring February 1, 1995.

PINKARD

Mayor Pro Tem Pinkard asked if we are pursuing flood elevations studies on Huntington Street in relation to the flood insurance program. He said the lights went out at the Arena during a hockey tournament last week and that the emergency lighting did not go on. He said this should be checked and there should be a regular test program. He said he liked the new agenda format with the first reading and second reading.

CIHAK

Commissioner Cihak said that recycling has started and that he likes the program. He noted that Tovel Peterson and Randy Arvey who had worked for the City at Peninsula Sanitation collecting disposal tickets and assisting people disposing of items had been good City employees. He said he feels that too much tax money was spent in support of the U.P. 200 and this race should start in the Lower Harbor Park in order to keep expenses down. He asked about the dispute over the Peninsula Sanitation leafvac and noted an article in the Michigan Municipal League Newsletter regarding a voluntary adopt-a-driveway program in Cheeny, Washington. He asked if we could establish this program here. He said there is a free continental breakfast for senior citizens at the Marquette Mall on the first Tuesday of each month. He said he intends to prepare material for a Charter amendment to elect the Mayor at large and he would like this on the ballot for November. He said the cable television issue is still around and he has talked with Bresnan Manager Rex Beuttgenbach regarding changes in service. He said they now cost \$20.00 where some of them had been \$100.00. He feels they are trying to address the issues. He noted that the Beautification Committee is conducting a fundraiser for Petunia Pandemonium by selling T-shirts and sweatshirts.

COFFEY

Commissioner Coffey said Commissioners have received information from Robert's Rules of Order on tabling and postponing motions. He said if the agenda had been followed more closely, the Commission could be home by now. He also suggested that some of the lights in this room could be turned off to save energy.

HOWES

Commissioner Howes said he agrees with Commissioner Coffey that the agenda could go faster. He said he also met with Bresnan and they agreed to charge just materials for changes in service, and not to charge for labor. He said occasionally, the materials will be more than \$20.00. He asked if recycling could be done in regular containers. City Manager Iman said, yes, they could, and clear plastic bags could be used also. He encouraged everyone to participate in recycling. Commissioner Howes noted that parking had been a problem at the Builders Show at the Dome last weekend due to the weather. He said it will be better next year. He asked about progress on the bid policy task force. City Manager Iman said some appointments to this Task Force are still pending but they need to meet soon. Commissioner Howes expressed his thanks to Public Works Superintendent Steve Lawry and the Public Works crews. He said they are doing an excellent job in the current snowstorm.

SCHNEIDER

Commissioner Schneider said there had been a parking problem at the Arena two weekends ago and asked if this could be followed up on. He was especially concerned about a verbal accosting by a City employee.

SCIOTTO

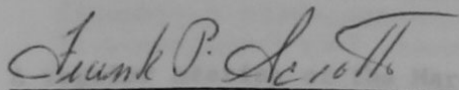
Mayor Sciotto said the McClellan Review Committee needs two appointees from the Commission. He asked interested Commissioners to speak with him. He said he has met with the four candidates for President at Northern Michigan University and that in these meetings he sought information on their plans for cooperation with the City. He said he had received good responses from all four. He said he had read the proclamation to the Olympic participants at the celebration at the fieldhouse and offered his congratulations to all involved. He noted Anita Meyland's 95th birthday and congratulated her on her long history of activity in the arts in Marquette. He said that the emergency lighting is tested at the Lakeview Arena but some of it has become inoperative since it was tested. He said we should work on shorter meetings by limiting the number of comments from Commissioners to one or two per item.

CITY MANAGER IMAN

Mr. Iman said the administration is working on addressing the Arena lighting problems and that there will be a solution by the Pigs-n-Heat hockey game this Wednesday. In regard to Commissioner Schneider's report, he said the person involved should file a written report as we do not act on hearsay. He said there is a recycling notice on Channel 11 which contains all current information on recycling. Mayor Sciotto urged all people to attend the Pigs-n-Heat hockey game on Wednesday at the Lakeview Arena.

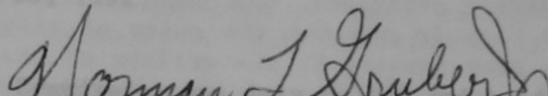
ADJOURNMENT

The meeting was adjourned at 10:09 p.m.



Mayor

Frank P. Sciotto



City Clerk

Norman L. Gruber, Jr.

AGENDA CHANGES

Commissioner Coyne asked that a proclamation regarding the Marquette Choral Society Day be added before item 1. Mayor Sciotto said he had received a proclamation regarding Longyear Hall for the agenda. It was agreed this could be done at the next meeting. Commissioner Piskoff asked that item 1 be removed from the consent agenda and made item 5. Commissioner Schneider said he would like to go into closed session at the end of the agenda to hear a complaint about a City employee. It was moved by Commissioner Schneider and supported by Commissioner Cihak to go into closed session at the end of the meeting to discuss this complaint. City Attorney Martin said that under the Open Meetings Act this could not be done unless the employee whom the complaint is lodged against so requests. Commissioner Schneider said the complaint was against the City Manager. In that Mr. Iann did not request a closed meeting, Mayor Sciotto ruled the motion out of order. Commissioner Cihak asked that an agenda item regarding the Arts and Culture Advisory Committee minutes be added as item 11.

PROCLAMATION - Marquette Choral Society and Dave Brubeck Day

Mayor Sciotto made the following proclamation:

WHEREAS, twenty years ago, citizens of Marquette determined that a community chorus could add to the cultural richness of the City, and asked Northern Michigan University to assist them by providing a musical director, and

WHEREAS, the cooperation between the University and the community has matured through the Marquette Choral Society over ten decades, and

WHEREAS, the lives and hearts of many have been profoundly touched by their musical offerings; and

WHEREAS, Dave Brubeck has composed a musical work titled Earth in Motion Mother in honor of the twenty year anniversary of the Marquette Choral Society; and

WHEREAS, this new work will be given its world premiere performance in Marquette on April 11, 1992 by the Dave Brubeck Quartet and the Marquette Choral Society; therefore

I, Frank Sciotto, Mayor of the City of Marquette, do declare Saturday, April 11, 1992 to be Marquette Choral Society and Dave Brubeck Day.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, March 30, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, March 30, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

AGENDA CHANGES

Commissioner Coyne asked that a proclamation regarding the Marquette Choral Society Day be added before item 1. Mayor Sciotto said he had received a proclamation regarding Longyear Hall for the agenda. It was agreed this could be done at the next meeting. Commissioner Pinkard asked that item 6c be removed from the consent agenda and made item 5h. Commissioner Schneider said he would like to go into closed session at the end of the agenda to hear a complaint about a City employee. It was moved by Commissioner Schneider and supported by Commissioner Cihak to go into closed session at the end of the meeting to discuss this complaint. City Attorney Martin said that under the Open Meetings Act this could not be done unless the employee whom the complaint is lodged against so requests. Commissioner Schneider said the complaint was against the City Manager. In that Mr. Iman did not request a closed meeting, Mayor Sciotto ruled the motion out of order. Commissioner Cihak asked that an agenda item regarding the Arts and Culture Advisory Committee minutes be added as item 5i.

PROCLAMATION - Marquette Choral Society and Dave Brubeck Day

Mayor Sciotto made the following proclamation:

WHEREAS, twenty years ago, citizens of Marquette determined that a community chorus would add to the cultural richness of the City, and asked Northern Michigan University to assist them by providing a music director, and

WHEREAS, the cooperation between the University and the community has matured through the Marquette Choral Society over two decades, and

WHEREAS, the lives and hearts of many have been profoundly touched by their musical offerings, and

WHEREAS, Dave Brubeck has composed a musical work titled Earth is Our Mother in honor of the twenty year anniversary of the Marquette Choral Society, and

WHEREAS, this new work will be given its world premiere performance in Marquette on April 11, 1992 by the Dave Brubeck Quartet and the Marquette Choral Society, therefore

I, Frank Sciotto, Mayor of the City of Marquette, do declare Saturday, April 11, 1992 to be Marquette Choral Society and Dave Brubeck Day.

PUBLIC HEARING - Sidewalk Ordinance

A recommendation from the City Attorney, regarding an amendment to the sidewalk ordinance, was read. Mr. Martin said this ordinance provides for the City to pay for the costs of sidewalk repair except where a sidewalk has been damaged by the actions of the property owner. Tony Poggi asked if there is a plan for construction of new sidewalks. He said sidewalks should only be required on one side of the street and that the City should pay for all new sidewalks. He said these are bad economic times. Louis DePetro said that sidewalks should only be put in at homeowner's expense. Wally Pellisier said there should not be sidewalks on Adams Street. The hearing was closed. It was moved by Commissioner Coyne and supported by Commissioner Pinkard to approve the ordinance as proposed by the City Manager. After lengthy discussion by each of the Commissioners, it was moved by Commissioner Schneider and supported by Commissioner Cihak to amend the proposed ordinance by eliminating section 46.22 moving 46.23 to become 46.22 eliminating from the end of section 46.23 the wording "and assess the cost of such construction as provided in section 46.22 of this ordinance" and replacing it with "all repair, replacement, or new construction of residential sidewalks shall be at the expense of the City. Costs for the repair or replacement of public sidewalks in non-residential areas shall be assessed pursuant to Chapter 22 of this Code provided, however, that owner occupied residences in such areas shall not be assessed." After lengthy discussion of the proposed amendment, the following vote was taken:

Ayes: Mayor Sciotto. Commissioners Cihak, Schneider.

Nays: Mayor Pro Tem Pinkard. Commissioners Coffey, Coyne, Howes.

The amendment was defeated.

After further discussion, it was moved by Mayor Pro Tem Pinkard and supported by Mayor Sciotto to change 46.23 to read as is but after the phrase "health, safety, and welfare" to add "absorb the cost of such construction" to replace "and assess the cost of such construction as provided in section 46.22 of this ordinance". It was then moved by Commissioner Coffey and supported by Commissioner Schneider to continue the public hearing to the last regularly scheduled meeting in April. The following vote was taken:

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

Nay: Commissioner Cihak.

The motion was carried.

PUBLIC HEARING - Adams Street Special Assessment Districts

Mayor Sciotto announced that this was the time set for public hearings on two special assessment districts. The first, for the construction of curbing and sidewalk on Adams Street and the second, for the construction of watermain on Adams Street. Dennis Havican, Wally Pellisier, Tim Gwynn, Sally Menapace, and Scott Swenor all spoke in opposition to sidewalk assessments on this street. Tim Gwynn supported paving and curbing. Joan Shelby said the watermain needs fixing. Mary Malloy and Sally Menapace opposed the proposed water assessment. The hearing was closed. Following discussion, it was moved by Commissioner Coffey, supported by Mayor Pro Tem Pinkard, and carried unanimously to approve the resolution determining the necessity for curbing. The following resolution was adopted:

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

NEW CURB AND SIDEWALK FOR LOT 58, LOTS 59-60, AND LOT 61 OF CAROLINE BURT'S ADDITION NO. 1 AND LOTS 151-152 AND LOT 200 OF BLEMHUBER ADDITION NO. 1 AND LOT 1 AND LOT 24 OF BLOCK 13 OF WHITE'S ADDITION.

AND NEW SIDEWALK FOR THE E 73' OF LOT 57 OF CAROLINE BURT'S ADDITION NO. 1 AND LOTS 18-19 OF PENNY & VAUGHN'S ADDITION AND FRAZER REPLAT.

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

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

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

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

ADAMS STREET CURB AND SIDEWALK SPECIAL ASSESSMENT DISTRICT:

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

PROPERTY - \$19,144.88	CITY - \$19,293.00
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FURTHER RESOLVED, that the report of the City Manager, the report of the City Engineer, and the preliminary plans, specifications, and cost estimates are hereby approved; that said special assessments which are \$500 or less shall be paid in one annual installment, those which are \$500 to \$1,000 may be paid in five equal annual installments; and those which are \$1,000 to \$5,000 may be paid in eight equal annual installments and those which are over \$5,000 may be paid in ten equal annual installments; all such installments to be due at the time fixed for the payment of regular City taxes, together with interest on such installment at the rate of 10% per annum from the date of confirmation of such special assessment rolls.

It was then moved by Commissioner Coffey, supported by Commissioner Pinkard, and carried unanimously to deny the necessity for sidewalks in this assessment district. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried unanimously to adopt the resolution determining the need for watermain construction on Adams Street. The following resolution was adopted:

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

NEW WATERMAIN FOR LOT 19, LOT 20, LOT 21, LOT 58 AND LOTS 59 & 60
CAROLINE BURT'S ADDITION NO. 1 AND THE S. 42' OF LOT 16 OF PENNY
& VAUGHN'S ADDITION AND FRAZER REPLAT.

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

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

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

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

ADAMS STREET WATERMAIN ASSESSMENT DISTRICT

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

PROPERTY - \$11,893.20 CITY - \$0.00

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

Mayor Sciotto asked for a report from the City Administration on applying Section 8, Housing and Urban Development Standards for Repayment of Special Assessments by Low Income Property Owners.

CITIZEN COMMENT

Mike Beaudry asked to speak on item 5g and Louis DePetro on item 5c. It was moved by Commissioner Howes, supported by Commissioner Schneider, and carried unanimously to suspend the rules and allow these people to speak on these items now.

SIGN ENCROACHMENT ON PRESQUE ISLE AVENUE

A recommendation from the Planning Commission, regarding the encroachment of a sign owned by Louis DePetro on the Presque Isle Avenue right-of-way, was read. It was moved by Commissioner Schneider and supported by Commissioner Pinkard to suspend the rules and consider this item at this time. The following vote was taken:

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

Nay: Commissioners Coffey, Howes.

The motion was carried.

The Commission discussed the recommendation at length. It was moved by Commissioner Schneider and supported by Commissioner Pinkard to leave the sign where it is. The following vote was taken:

Ayes: Mayor Sciotto, Commissioners Cihak, Schneider.

Nays: Mayor Pro Tem Pinkard, Commissioners Coffey, Coyne, Howes.

The motion was defeated.

After further discussion, it was moved by Commissioner Howes, supported by Mayor Pro Tem Pinkard, that the City Manager meet with Mr. DePetro to negotiate terms for removal and replacement of the sign. The following vote was taken:

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

Nay: Mayor Sciotto, Commissioners Cihak, Schneider.

The motion was carried.

U.P. SHORTLINES MODEL RAILROAD ASSOCIATION - Static Display

A report and recommendation from the City Manager, regarding a proposed static display by the U.P. Shortline Model Railroad Association, was read. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to suspend the rules and consider this item at this time. Mike Beaudry answered questions about the proposed static display. He said the steam engine is the only one of its kind in the world. It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried unanimously to concur with the City Manager's recommendation and authorize the City administration to execute a lease with the L.S. & I. Railroad for \$1.00 per year for a parcel of land located between the Merchandise Dock and the ore dock in the Upper Harbor for use as a static railroad display and to authorize the administration to negotiate an agreement with the U.P. Shortline Model Railroad Association for the development, maintenance, and preservation of this display.

SECOND READING - Nursing Home Bed Resolution

Mayor Sciotto announced that this was the time set to reconsider a resolution supporting nursing home beds in Marquette County. It was moved

by Commissioner Howes, supported by Commissioner Schneider, and carried unanimously to adopt the following resolution:

WHEREAS, the Marquette County Board of Commissioners has held a deep concern for many years on the shortage of available nursing homes beds in Marquette County; and

WHEREAS, the Marquette County Board of Commissioners has surveyed various health agencies requesting copies of their waiting list for Marquette County residents requesting placement in area nursing homes; and

WHEREAS, this survey has documented a total of 400+ (non-duplicated) citizens waiting for placement in Marquette County nursing home facilities.

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners once again go on record as supporting the availability of more nursing home beds in Marquette County.

MARINA RATES - 24-Foot Slips

A recommendation from the Harbor Committee, regarding seasonal rates for 24-foot slips in the Marina, was read. It was moved by Commissioner Coyne, supported by Commissioner Cihak, and carried unanimously to accept the recommendation of the Harbor Committee that the seasonal rate for 24-foot slips not be increased and to request a rate variance according to established City practice when determining a seasonal rate for 24-foot slips. Commissioner Pinkard suggested that a letter be written from the City to everyone ___ authority regarding lower marina rates for the Upper Peninsula.

CITY HALL DESIGN/SPACE STUDY

A report and recommendation from the City Manager, regarding a contract for a City Hall design/space study, was read. It was moved by Commissioner Cihak and supported by Commissioner Schneider to not approve the contract in the amount of \$13,860.00 as proposed. The following vote was taken:

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

Nay: Commissioner Coffey.

The motion was carried.

FIRST READING - U.P. 200 Sled Dog Race

A communication from the Mining Journal, regarding the start of the U.P. 200 Sled Dog Race in the 100 and 200 blocks of Washington Street, was read. This item was placed on the agenda for the next meeting.

DEAD RIVER PARK - Water Fountain

A communication from the Telephone Pioneers of America, requesting that a water fountain be installed in the Dead River Park on Lakeshore Boulevard at the Dead River Bridge, was read. It was agreed to pass this request to the administration for a report and recommendation at the next meeting.

CAPITAL OUTLAY BUDGET

A recommendation from the Planning Commission, regarding approval of the six year capital outlay budget, was read. No action was required on this item.

AMERICANS WITH DISABILITIES ACT - Resolution of Compliance

A report and recommendation from the City Manager, regarding the adoption of a resolution of compliance with the Americans with Disabilities Act, was read. It was moved by Commissioner Coffey, supported by Commissioner Coyne, and carried unanimously to suspend the rules and adopt the following resolution:

WHEREAS, the Americans with Disabilities Act was enacted July 26, 1990 to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities, and

WHEREAS, the Act addresses the problem of discrimination against individuals with disabilities in all areas of life including employment, housing, education, transportation, recreation, and access to all public services, and

WHEREAS, the intent of the Act is to provide people with disabilities full and equal enjoyment of goods, services, facilities, privileges, advantages and accommodations; and

WHEREAS, we recognize the diversity of abilities of our population, we appreciate the value of participation, we encourage participation by all people in our community;

NOW, THEREFORE, BE IT RESOLVED, that the City of Marquette intends to comply with the Americans with Disabilities Act by removing barriers to participation by people with disabilities by providing reasonable accommodations, adaptations and supports in our programs, facilities, and services to support individual involvement in the life of the community.

MCCLELLAN AVENUE - Design and Construction Engineering Agreement

A report and recommendation from the City Manager, regarding a contract with Sundberg, Carlson, and Associates for design and construction engineering services for the extension of McClellan Avenue from Grove Street to Pioneer Road, was read. It was moved by Commissioner Coffey, supported by Mayor Pro Tem Pinkard, and carried unanimously to suspend the rules for a second reading and approve the agreement with Sundberg, Carlson and Associates, and to authorize the Mayor and City Clerk to execute the agreement.

MISCELLANEOUS CONCRETE CONSTRUCTION CONTRACT

A report and recommendation from the City Manager, regarding bids for miscellaneous concrete construction, was read. It was moved by Mayor Pro Tem Pinkard and supported by Commissioner Cihak to accept the recommendation and award the bid to O'Dovero Development of Marquette, Michigan being the low equalized bid and meeting specifications.

Commissioners discussed the application of the bid policy in this instance. The following vote was taken:
Ayes: Mayor Sciotto, Mayor Pro Tem Pinkard, Commissioners Coffey, Coyne, Howes, Schneider.
Nay: Commissioner Cihak.
The motion was carried.

LOGO CONTEST

Commissioner Cihak asked why the City Manager had authorized an extra \$150 for first prize for the logo contest. Mr. Iman explained that the Arts and Culture Committee representatives had approached him saying that they felt we could not get a professional quality job with camera ready copy for \$150. They had requested an additional \$150 for first place making the first place prize \$300. Commissioner Cihak said that he felt Mr. Iman had exceeded his authority in that the Commission had set the first place prize at \$150.

CONSENT AGENDA

The City Clerk presented the consent agenda. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Schneider, and carried unanimously to approve the minutes of the March 9 regular City Commission meeting and to approve the total bills payable in the amount of \$598,149.54.

APPOINTMENTS

Mayor Sciotto, with the Commission's concurrence, appointed Robert Heyd to the Tree Committee to a term expiring December 30, 1994. He thanked former Tree Committee member Barbara Kelly for her more than six years of service on that Committee.

CITIZEN COMMENT

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

PINKARD

Mayor Pro Tem Pinkard noted the latex paint recycling program being done at Marquette Wallpaper and Paint. He urged citizens to participate in this program. He said he feels there could be a better attitude of cooperation between the area communities and cited the response to the proposed shared water system as an example.

CIHAK

Commissioner Cihak said the charge used \$20.00 to move between the different tiers on the cable system. He said it had cost \$100.00 to go to the lowest tier. He said he is still receiving concerns about the application of the new water rates to the billing cycle. He said the Zoo Committee should begin to put out information on the results of their design study.

COFFEY

Commissioner Coffey said that he wished he could have attended the Bid Policy Task Force Meetings which were held during the lunch hour. He said he would like to see figures on the success of the water meter changeout program and asked if the snow storage along Lakeshore Boulevard was to protect the road or is used as a last resort. Public Works Superintendent

Lawry said the snow stored along the shoreline protects the road from wave action and that the last year the snow was not stored there the road had to be closed for the entire winter. Commissioner Coffey also said there should be "no parking" signs along the bike path on Lakeshore Boulevard and that intersection lane change directions should be on overhead signs, not just on pavement paint.

COYNE

Commissioner Coyne said she has been trapped the two previous weekends by snow storms in Denver and Chicago, that she is glad to live in Marquette because we are able to handle heavy snow storms. She supports the City Manager's discretion in spending funds available to him and asked if the City Commissioners could keep the packets from the previous meetings so they don't have to be recopied. She said she would like to hear if people on Washington Street object to the U.P. 200 Sled Dog races starting there and asked if we could arrange to have the Red Earth Loppet and U.P. 200 on adjacent weekends all the time so that the week in between could be made into a winter carnival week.

HOWES

Commissioner Howes asked for information on the State's proposal to change the tax structure for mobile homes. He asked if there could be a section of the agenda for items of informational use only and said bikers and joggers using headphones can be dangerous.

SCIOTTO

Mayor Sciotto said the meetings are running too long. He said only a few Commissioners are planning to go to Novi in May for Commission Exchange. He encouraged more participation in this program. He said that, although Parks and Recreation Director John Turausky will soon become a grandfather, he and Mrs. Sciotto are already great grandparents.

IMAN

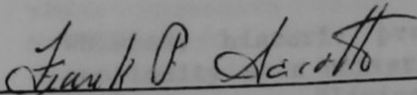
City Manager Iman said this is the last meeting for Assistant City Manager Nebel who is going to Sault Ste. Marie as the City Manager. He thanked him for all of his hard work and bid him farewell.

CITY MANAGER COMPLAINT

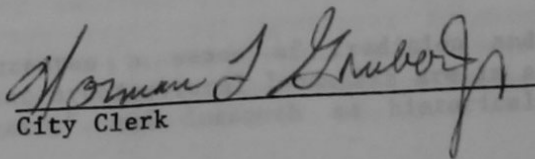
Mayor Sciotto asked about disposition of the complaint against the City Manager. City Attorney Martin said the Commission could only go into closed session to discuss this item if the City Manager requests it. Mr. Iman said he feels the City Attorney's opinion clarifies this issue. It was moved by Commissioner Howes to postpone this item to a special meeting. The motion died for lack of support.

ADJOURNMENT

It was moved by Commissioner Coffey and supported by Commissioner Pinkard to adjourn the meeting. Mayor Sciotto declared the meeting adjourned at 11:30 p.m.



Mayor



City Clerk

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 13, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, April 13, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: Commissioners Cihak, Coyne.

It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried to excuse Commissioners Cihak and Coyne as they are out of the City.

AGENDA CHANGES

During the time set for noting additional agenda items, City Clerk Gruber said that two items had been omitted from the consent agenda. He asked that item b, approval of the minutes of the March 30, 1992 City Commission meeting, and item c, approval of the bills payable, be added to the consent agenda.

PROCLAMATION - Preservation of Longyear Hall

Mayor Sciotto made the following proclamation:

WHEREAS, Longyear Hall is on the national register of historical places as a building named after Marquette entrepreneur and pioneer John M. Longyear who also donated the lands to start "Northern Normal" back in 1899; and

WHEREAS, Longyear Hall's construction in 1900 was financed in part through the Longyear family and the generosity of Marquette residents through a \$5,000 city bond issue and state appropriations, and has been a structure of pride for local citizens and college community alike and was rebuilt following a 1905 fire, again with the generosity of public funds; and

WHEREAS, Longyear Hall is a city and university landmark and should be preserved as Northern Michigan University's centennial and Marquette's sesquicentennial nears; and

WHEREAS, historical preservation gives Marquette residents an authentic experience of the diversified heritage and provides delight for future generations; and

WHEREAS, Northern Michigan University is governed by an insightful Board of Control that has the duty to further the best interest of Northern Michigan University; and

WHEREAS, the interest of Northern Michigan University may be best served by preserving and including Longyear Hall in the planning of its future building needs; and

WHEREAS, historic preservation creates a sense of tradition and continuity at a university, and that architectural landmarks are in a real sense a "living history text," and inasmuch as historical

landmarks contribute to the quality of life and sense of heritage in a community;

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission recognize the approaching observance of National Preservation Week, May 10-16, 1992, and calls upon Northern Michigan University Board of Control on May 1, 1992, to vote in favor of preserving historic Longyear Hall so it can once again serve the needs of Northern Michigan University faculty, staff, students, and alumni, as well as Marquette residents of all ages.

PROCLAMATION - Mental Health Month

Mayor Sciotto made the following proclamation:

WHEREAS, One in three adults will face a mental health or substance abuse disorder in his or her lifetime, and seven million children have a mental illness;

WHEREAS, The stigma of mental illness deprives many people of the quality mental health services they need and deserve -- only 20% of adults suffering from a diagnosable mental illness seek treatment of any sort, and only one in five children who needs mental health care receives it;

WHEREAS, Mental illnesses and substance abuse disorders have a staggering impact on our nation, costing an estimated \$273 billion in 1988;

WHEREAS, Effective treatment for mental disorders is available in the community, and treatment is 80% - 90% effective in treating many mental disorders;

WHEREAS, Mental health care has an important medical offset effect: Effective mental health services prevent mental disorders from developing into serious medical problems later, and people who receive mental health services have at least 5% -- up to 80% -- less subsequent use of medical services.

WHEREAS, Mental health care is an important investment in our nation, our families and ourselves; the cost of untreated mental health problems is far greater than the cost of providing effective, efficient and affordable mental health services;

NOW, THEREFORE, I, Frank P. Sciotto, Mayor of the City of Marquette, do hereby proclaim May, 1992 as "Mental Health Month" to be observed in Marquette, Michigan.

CITIZENS SURVEY

Mayor Sciotto announced that this was the time set for a presentation on the citizen survey. Drs. Lawrence Sych and Dean Caldwell addressed the Commission regarding the final survey results. They presented their thoughts on the survey and said it had gone very well. Commissioners asked questions and made comments about the survey results and thanked Drs. Sych and Caldwell and the NMU students for their work on the survey.

CITIZEN COMMENT

Gary Dahlke, Don Paulosky, and Jorma Lankinen asked to speak on item 5b. A Ron Wattsson and Luann Balding asked to speak on item 4a, Mike Pond asked to speak on 5c, and Dan Trotochaud on 5e.

SECOND READING

U.P. 200 Sled Dog Race

Communications from the Mining Journal, the Downtown Marquette Association, and the Downtown Development Authority, regarding the U.P. 200 Sled Dog Race, were read. It was moved by Commissioner Coffey and supported by Commissioner Pinkard to keep the start and finish of the U.P. 200 Sled Dog Race downtown where it has been. Luann Balding and Ron Wattsson answered questions from the Commission and supported the motion. City Manager Iman said the City funds spent for having the sled dog race start downtown would not necessarily be saved by having the start somewhere else. It was moved by Commissioner Howes and supported by Commissioner Pinkard to postpone this item until the next meeting. The following vote was taken:

Ayes: Mayor Pro Tem Pinkard, Commissioners Coffey, Howes, Schneider.

Nay: Mayor Sciotto.

The motion was carried.

FIRST READING

Precinct Boundaries

A recommendation from the City Election Board, regarding changes to the City's precinct boundaries, was read. It was moved by Commissioner Coffey, supported by Commissioner Howes, and carried to schedule a public hearing for the City Commission meeting on April 27 on an ordinance to approve the precinct boundary changes.

ZONING ORDINANCE AMENDMENT

A recommendation from the Planning Commission, regarding the adoption of an amendment to the Zoning Ordinance, was read. Gary Dahlke, representing the Board of Zoning Appeals and Don Paulosky and Jorma Lankinen, representing the Home Builders Association of Superiorland addressed the Commission in support of this Zoning Ordinance amendment. It was moved by Commissioner Schneider, supported by Mayor Pro Tem Pinkard, and carried to schedule a public hearing for the City Commission meeting on April 27 on the proposed ordinance.

MCCLELLAN AVENUE CONSTRUCTION

A report and recommendation from the City Manager, regarding an agreement with the Marquette Medical-Dental Center for construction of McClellan Avenue north of Fair Avenue, was read. It was moved by Commissioner Coffey, supported by Mayor Pro Tem Pinkard, and carried to suspend the rules and to concur with the City Manager's recommendation that an agreement be negotiated with the Marquette Medical-Dental Center for construction of McClellan Avenue from Fair Avenue to the Medical Center's northern property line, with the proposed agreement to be placed on the agenda for the April 27 City Commission meeting.

WASHINGTON/MCCLELLAN PARCEL

A report and recommendation from the City Manager, regarding sale and development of the City-owned property at the corner of Washington Street and McClellan Avenue, was read. Following brief discussion, this item was referred to the next meeting.

ELLWOOD A. MATTSON LOWER HARBOR PARK CONCESSION

A report and recommendation from the City Manager, regarding an amendment to the contract for food concession at the Ellwood A. Mattson Lower Harbor Park, was read. Dan Trotochaud, representing Marquette Harbor Cruises, answered questions about the contract amendment. He said the cruises had boarded over 10,000 passengers last year and, although no profit was realized, the organization feels it was a successful first season. He said they are very enthusiastic about the coming year. It was moved by Commissioner Schneider, supported by Commissioner Coffey, and carried to suspend the rules and adopt on the first reading the contract amendment between the City of Marquette, Vangos, and the Harbor Cruises for the food service concession at the Ellwood A. Mattson Lower Harbor Park.

CONSENT AGENDA

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

- A. Approve the use agreement with the Marquette Area Chamber of Commerce for the Ellwood A. Mattson Lower Harbor Park for the 1992 Family Fest.
- B. Approve the minutes of the March 30, 1992 City Commission meeting.
- C. Approve the total bills payable in the amount of \$372,540.29.

APPOINTMENTS

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

HANDICAPPED CITIZENS ADVISORY BOARD: Jerry O'Dovero for a three year term expiring January 1, 1995.

MCCLELLAN AVENUE DESIGN REVIEW COMMITTEE: Commissioner Coyne and Mayor Pro Tem Pinkard.

He also noted letters from Larry James resigning from the Water and Sewer Advisory Board, and Spencer Nebel, resigning from the Marquette Area Wastewater Treatment Advisory Board.

CITIZEN COMMENT

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

PINKARD

Mayor Pro Tem Pinkard asked about the letter from the Lamberts' attorney. City Manager Iman said the City Attorney is on vacation and he is waiting for a report from the Attorney on this letter. Mayor Pro Tem Pinkard suggested adding to the consent agenda a correspondence section. He noted damage to lawns all over town from the City's snow removal operations this winter. He said this damage will be repaired by the Public Works crews. He also said he had a call from the Arborist saying trees which were damaged will also be attended to. He noted a pamphlet about the Peter White Public

Library which has received distribution throughout the Upper Peninsula. He said this is good marketing of our community.

COFFEY

Commissioner Coffey asked if the DePetro sign issue on Presque Isle Avenue will come back to the City Commission. City Manager Iman said he is not sure because there has not been an agreement reached regarding the sign. Commissioner Coffey also asked when the microphones will be replaced. City Manager Iman said Bresnan General Manager Beuttgenbach has agreed to replace the microphones for the City Commissioners, but he does not have a schedule yet.

HOWES

Commissioner Howes asked if the citizens to address the Commission portion of the agenda could be moved up on the agenda. The Commission discussed the pros and cons of this suggestion. Commissioner Howes also said he has received several good comments on the newsletter, and he looks forward to it's continuation. He said the Marquette Choral Society concert featuring Dave Brubeck on Saturday night had been excellent.

SCHNEIDER

Commissioner Schneider offered his congratulations to Commissioner Coffey for coaching his Science Olympiad Team to a regional victory. He said the team will now go downstate to compete. He also noted that the Odyssey of the Mind Team from the Vandenberg School fourth grade had won at the regionals in Houghton.

SCIOTTO

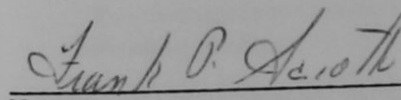
Mayor Sciotto said he will be writing the Mayor of Yokaichi soon regarding the delegation's visit here this summer.

CITY MANAGER IMAN

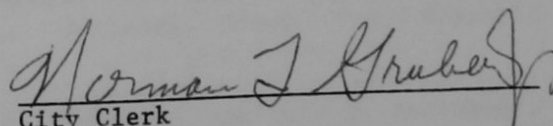
Mr. Iman urged Mayor Sciotto to proclaim an end to winter. He said the Commission had participated in fifteen hours of budget review sessions last week and there are many exciting projects planned for the coming fiscal year.

ADJOURNED

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



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 20, 1992

A special meeting of the Marquette City Commission was duly called and held on Monday, April 20, 1992 at 5:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Sciotto. Commissioners Cihak, Coffey, Howes, Cihak, Schneider.

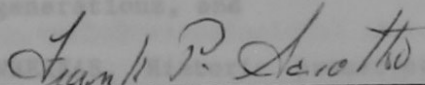
ABSENT: Mayor Pro Tem Pinkard, Commissioner Coyne.

It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried to excuse Mayor Pro Tem Pinkard and Commissioner Coyne.

PROPOSED BUDGET PRESENTATION

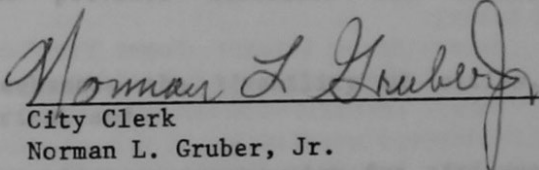
Mayor Sciotto said this meeting has been called in accordance with Section 8.2 of the City Charter which requires the City Manager to present his proposed budget to the City Commission on the third Monday in April. City Manager Iman said the budget materials have all been presented to the City Commission previously. Commissioner Cihak noted the material from the City Manager complimenting Donna Kohut, her staff, and the City Commission for their hard work on preparing the proposed budget. He said he was concerned that decisions were made during the budget work sessions held previously.

There being no citizens wishing to address the Commission, the meeting was adjourned at 5:08 p.m.



Mayor

Frank P. Sciotto



City Clerk

Norman L. Gruber, Jr.

PROCLAMATION - New House Week

Mayor Sciotto made the following proclamation:

WHEREAS, the local business and industry of our community are continuously working to provide economic stability by employing our citizens and

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 20, 1992

Special meeting of the Marquette City Commission was duly called and held
Monday, April 20, 1992 at 5:00 p.m. in Commission Chambers of City Hall.

PRESENT: Mayor Schlotto, Commissioners Cihak, Coffey, Howes,
Schneider.

ABSENT: Mayor Pro Tem Pliskard, Commissioner Coyne.
A motion was moved by Commissioner Cihak, supported by Commissioner Howes, and
seconded to excuse Mayor Pro Tem Pliskard and Commissioner Coyne.

PROPOSED BUDGET PRESENTATION

Mayor Schlotto said this meeting has been called in accordance with Section
12 of the City Charter which requires the City Manager to present his
proposed budget to the City Commission on the third Monday in April. City
Manager Iwan said the budget materials have all been presented to the City
Commission previously. Commissioner Cihak noted the material from the City
Manager complimenting Donna Kohnert, her staff, and the City Commission for
their hard work on preparing the proposed budget. He said he was concerned
that decisions were made during the budget work sessions held previously.

There being no citizens wishing to address the Commission, the meeting was
adjourned at 5:08 p.m.

Charles P. Schlotto Mayor
City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, April 27, 1992

A regular meeting of the Marquette City Commission was duly called and held on Monday, April 27, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: None.

AGENDA

During the time set for announcing additional agenda items or removing items from the consent agenda, Mayor Sciotto noted the receipt of a petition for special assessment improvements on Industrial Parkway. It was moved by Commissioner Coyne, supported by Commissioner Cihak, and carried unanimously to add this as agenda item 10a. Commissioner Coffey asked that items 12c and 12d be removed from the consent agenda; they were made items 11a and 11b. Commissioner Cihak asked that item 10b be added, discussion of the LaBonte Dead River Park proposal.

PROCLAMATION - Preservation Week

Mayor Sciotto made the following proclamation:

WHEREAS, Historic Preservation gives Americans an authentic experience of their diverse heritage and provides direction for future generations, and

WHEREAS, Historic preservation enhances the livability of cities, towns, and rural areas across America, and

WHEREAS, Preservation Week 1992 provides an opportunity for citizens of all ages and all cultures to maintain, preserve, and protect both their local community's and America's heritage at large, and

WHEREAS, The City of Marquette possesses an extraordinarily unique and treasured heritage, and has an identified National Historic District, and

WHEREAS, "Preservation Week Brings History to Life" is the theme for Preservation Week 1992, co-sponsored by the Marquette Heritage Preservation Committee and the National Trust for Historic Preservation,

NOW, THEREFORE, I, Frank P. Sciotto, Mayor of the City of Marquette, do hereby proclaim the week of May 10 - 16, 1992 as National Preservation Week in Marquette, and do call upon the people of Marquette to recognize and celebrate this special observance and Marquette's splendid heritage.

PROCLAMATION - New Homes Month

Mayor Sciotto made the following proclamation:

WHEREAS, the Home Builders of our community are continually working to provide economic stability by employing our citizens; and

WHEREAS, the building of new homes continues to support public facilities such as parks, schools, and libraries for all citizens in the community; and

WHEREAS, the building industry of America has strived to provide safe, decent and affordable housing for all Americans; and

WHEREAS, our citizens recognize the home building industry and its vitality to civic and economic progress in our community;

THEREFORE, I do hereby recognize May 1992 as NEW HOMES MONTH, dedicated to the building of better homes and quality of life for our community.

SIDEWALK ORDINANCE

Mayor Sciotto announced that this was the time set for a continued public hearing on the proposed amendment to the sidewalk ordinance. Kathy Stromolski said people should not have to pay for sidewalks. Carole Poggi asked if there was a plan for putting in sidewalks and said there should be a standard policy that the City should pay for sidewalks. The hearing was closed. It was moved by Commissioner Coyne and supported by Commissioner Coffey to adopt Section 46.21 of the proposed ordinance. During discussion it was determined that this section had not been amended at the March 30 meeting. Some Commissioners expressed the opinion that new construction could not be approved until a master plan is developed. The following vote was taken:

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

Nay: Commissioner Cihak.

The motion was carried.

It was then moved by Commissioner Schneider and supported by Mayor Pro Tem Pinkard to adopt section 46.22 as follows: "The City may require the construction of public sidewalks in any area in which the Commission shall determine it is necessary to protect the public health, safety, and welfare. All construction of residential public sidewalks except in new subdivisions shall be at the expense of the City." During discussion, the people who had commented at the hearing were asked how they feel about this proposal. Both Kathy Stromolski and Carole Poggi supported the proposal. Commissioners Coffey and Howes each said there should be a master plan for sidewalk construction. The following vote was taken:

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

Nays: Commissioners Coffey, Coyne, Howes.

The motion was carried. Ordinance # 436 was adopted as follows:

AN ORDINANCE TO AMEND TITLE VI, CHAPTER 46 BY REPEALING SECTIONS 46.21, 46.22, 46.23 AND 46.24, AND ADOPTING NEW SECTIONS 46.21 AND 46.22 OF THE CODE OF THE CITY OF MARQUETTE TO PROVIDE FOR SIDEWALK CONSTRUCTION, REPAIR, AND REPLACEMENT

ZONING ORDINANCE AMENDMENT

Mayor Sciotto announced this was the time set for a public hearing on a proposed amendment to the zoning ordinance. The recommendation from the Planning Commission was read. Don Paulosky, Director of the Home Builders

Association, and Jorma Lankinen, President of the Home Builders Association, supported the ordinance. They said it was good to work with the Planning Commission and Board of Zoning Appeals and staff on this amendment. The hearing was closed. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Howes, and carried unanimously to accept the proposed amendment to the zoning ordinance. Ordinance #437 was adopted as follows:

AN ORDINANCE TO AMEND CHAPTER 80 (THE ZONING ORDINANCE) TITLE XII OF THE MARQUETTE CITY CODE BY ADDING REQUIREMENTS FOR SURVEYS.

PRECINCT BOUNDARY CHANGES

Mayor Sciotto announced that this was the time and date set for a public hearing on an ordinance to change the boundaries of the City's voting precincts. There being no one to address the Commission, the hearing was closed. It was moved by Commissioner Howes and supported by Commissioner Schneider to adopt the precinct boundary changes. The following vote was taken:

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

Nay: Mayor Pro Tem Pinkard.

Ordinance # 438 was adopted as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 5 OF THE MARQUETTE CITY CODE ESTABLISHING NEW PRECINCT BOUNDARIES FOR THE CITY.

CITIZEN COMMENT

During the time set for citizens wishing to speak on agenda items, Ron Wattsson, Luanne Balding, Joe Constance, and Bill Hetrick asked to speak on item 7. Bill Ferns asked to speak on item 9, Sam Elder on item 8, and Mike Pond on item 6.

SECOND READING

McClellan Avenue Extension

A report and recommendation from the City Manager, regarding an agreement with the Marquette Medical-Dental Center to construct McClellan Avenue from Fair Avenue to the north boundary of the Medical-Dental Center, was read. Commissioner Coyne asked to abstain due to a conflict of interest. It was moved by Commissioner Howes, supported by Commissioner Coffey, and carried unanimously to allow Commissioner Coyne to abstain from discussion or voting on this motion. It was then moved by Mayor Pro Tem Pinkard and supported by Commissioner Howes to accept the recommendation of the City Manager, to approve the agreement, and to authorize the Mayor and City Clerk to execute the agreement on behalf of the City. The following vote was taken:

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

Nays: None.

Abstention: Commissioner Coyne.

The motion was carried.

U.P. 200 SLED DOG RACE

A communication from Main Street Marquette, supporting the start of the U.P. 200 Sled Dog Race on Washington Street, was read. Joe Constance gave a

history of the downtown's success and said it was helped by having the start of the sled dog race there. Bill Hetrick, representing the Downtown Development Authority, said this fits into other downtown activities. The Commission discussed the cost for the City to haul snow in for the start of the race and to then have it removed. It was moved by Commissioner Cihak and supported by Commissioner Schneider to amend the motion that was on the floor at the previous meeting to put the snow hauling out on private bids. The following vote was taken:

Ayes: Mayor Pro Tem Pinkard. Commissioners Cihak, Schneider.

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

The motion was defeated.

The tabled motion from the April 13 meeting to keep the start and finish of the U.P. 200 Sled Dog Race downtown where it has been was then carried unanimously.

WASHINGTON/MCCLELLAN PROPERTY - Sale

A report and recommendation from the City Manager, regarding sale of the City-owned property at the northeast corner of Washington and McClellan, was read. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to accept the City Manager's recommendation and accept the offer from McDonald's Corporation for this property.

FIRST READING

Bid Policy

A recommendation from the Bid Policy Task Force was read. It was moved by Commissioner Schneider and supported by Mayor Pro Tem Pinkard to suspend the rules and adopt the recommendation of the Bid Policy Task Force. During discussion, Commissioner Coffey raised a point of order and the motion was ruled out of order. It was moved by Commissioner Schneider and supported by Mayor Pro Tem Pinkard to suspend the rules and consider this recommendation now. The following vote was taken:

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

Nays: Commissioner Coffey.

The motion was carried.

After further discussion, it was moved by Commissioner Schneider and supported by Mayor Pro Tem Pinkard to adopt the recommendation of the Task Force to return to the City Charter bid policy. Sam Elder answered questions about the recommendation. The following vote was taken:

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

Nays: Commissioner Coffey.

The motion was carried.

LAMBERT ENCROACHMENT

A report and recommendation from the City Attorney, regarding the Lambert encroachment on the Heikkila Drive right of way, was read. Commissioners Coffey and Schneider asked questions they would like to have answered before the second reading on this matter. Mayor Sciotto called a five-minute recess at 9:06 p.m.

INDUSTRIAL PARKWAY - Special Assessment Petition

A special assessment petition for curbing, paving, and storm sewer on Industrial Parkway, was read. Mayor Sciotto referred this petition to the administration for a report and recommendation.

DEAD RIVER PARK

Commissioner Cihak asked the status of the LaBonte request for a drinking fountain at the Dead River Park. A memo from Parks and Recreation Director John Turausky to City Manager Iman was read. It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried unanimously to suspend the rules, to support Mr. Turausky's recommendation, and to authorize the administration to meet with the Telephone Pioneers to discuss shared funding for this project.

ARTS AND CULTURE - Grant Proposal

A report and recommendation from the City Manager, regarding a grant proposal by the Arts and Culture Committee, was read. It was moved by Commissioner Coyne, supported by Mayor Pro Tem Pinkard, and carried unanimously to suspend the rules, to concur with the City Manager's recommendation to approve the submission of the grant application, and to authorize the City administration to negotiate with the Arts and Culture Committee to further develop the City's role in this project. Christine Johnson-Martin answered questions about the grant application.

ENVIROLAND, INC. CONTRACT

A recommendation from the Marquette Area Wastewater Treatment Facility Advisory Board, regarding a contract extension with Enviroland, Inc. for management services, transportation, and land application of residual solids, was read. It was moved by Commissioner Coffey and supported by Commissioner Cihak that this contract be put out on bids. The Commission discussed this item at length. During discussion, City Manager Iman and City Attorney Martin answered questions about the proposed contract extension. The following vote was taken:

Ayes: Commissioner Coffey.

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

The motion was defeated. It was then moved by Commissioner Pinkard and supported by Commissioner Sciotto to accept the recommendation to extend the contract with Enviroland, Inc. for five years as presented. The following vote was taken:

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

Nay: Commissioner Coffey.

The motion was carried.

MCCLELLAN COMMERCIAL SUBDIVISION

A report and recommendation from the City Manager, requesting authorization to sign the plat of the McClellan Commercial Subdivision, was read. It was moved by Commissioner Coffey, supported by Mayor Pro Tem Pinkard, and carried unanimously to authorize the Mayor and City Clerk to sign the plat of the McClellan Commercial Subdivision on behalf of the City as a proprietor.

CONSENT AGENDA

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

- A. Approve the minutes of the April 13 regular and April 20 special meetings as presented.
- B. Approve the total bills payable in the amount of \$312,875.79 as presented.
- E. Approve an Amendment to the User Agreement with the Marquette County Solid Waste Management Authority.
- F. Accept and file the communication from the Michigan Municipal League regarding the Annual Convention.

APPOINTMENTS

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

HERITAGE PRESERVATION COMMITTEE: Appointments of Rosemary K. Glenn, Deborah L. Clark, and Joseph Bertucci to terms expiring May 1, 1993; Chris Zenti, Bruce Anderson, and Barbara H. Kelly to terms expiring May 1, 1994; Barry Polzin, Russell Magnaghi, and Martha Conley to terms expiring May 1, 1995.

PETER WHITE PUBLIC LIBRARY BOARD: Reappointment of Sarah E. Davis for a new five year term expiring May 1, 1997.

Mayor Sciotto also noted the receipt of resignations from Skip Schneider who is resigning from the Planning Commission and the Public Access Committee and Daniel Jahnke who is resigning from the Board of Zoning Appeals.

CITIZEN COMMENT

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

HOWES

Commissioner Howes said moving the public comment section up on the agenda had turned out to not be a good idea. He said it is good to see the road cleanup crews out and offered his congratulations to Board of Light and Power employee Pete Greet who is retiring after 33 years of service.

COYNE

Commissioner Coyne asked if the City has any role in setting the speed limits on U.S. 41 South. Police Chief Johnson said these speed limits are set primarily by the Department of Transportation and the State Police. Commissioner Coyne suggested that applications for City Boards and Committees be checked against the delinquent tax roll. She asked for a report and recommendation from the City Manager on this suggestion. She said she had reviewed the tape of the last meeting and was pleased to see the results of the City survey. She offered her thanks and congratulations to the former City Commissions and Mayor Sciotto and Commissioner Coffey for their work in creating this high level of satisfaction.

COFFEY

Commissioner Coffey asked whose idea it was that the U.S. 41 South speed limit should be raised. He said in view of the turning movements, the speed limit should be 45 miles per hour all the way to the City limits. He said people who want to get on the agenda should talk to their Commissioners rather than just wait and attend the meeting. He said the Subdivision Ordinance should be changed so the City pays for all sidewalk construction.

CIHAK

Commissioner Cihak said he was glad to be able to view the tape of the last meeting. He said the decision on the U.P. 200 was a good one, and he was glad the Commission had waited until all members were present to make this decision. He noted complaints from City residents on the proposed Whetstone Brook drainage project. City Manager Iman said the City supports these projects because they are necessary for the proper development of the City and they will avoid flooding as the stormwater runoff from built up areas increases. He said City staff will represent the City at the hearing to present this point of view. He said there is a hearing Tuesday on the Orianna Brook drainage project and Wednesday on the Whetstone Brook drainage project. City Engineer Robert Haapala said there have been misrepresentations about the amount of the assessments against some property owners. Mayor Pro Tem Pinkard said the public at large will benefit from these projects and that we should be kept aware of people who will be assessed but get no benefit. Commissioner Cihak also noted a letter to the editor in the newspaper that recreational boaters need more launching ramps. He advised people who support this to attend the Harbor Advisory Committee meetings. He asked questions about the bidding of subcontract work for the municipal service center. He said a local painter had lost a \$114,000 contract by \$200 and asked if we agreed to give bids to local contractors where possible. Public Works Superintendent Steve Lawry said we have no direct control over the subcontracts let by the general contractor, however, the majority of the work is being done by local contractors.

PINKARD

Mayor Pro Tem Pinkard asked about Bresnan Communications dropping the Tigers' ballgames. City Clerk Gruber said the station being carried by Bresnan had dropped the ballgames and that Bresnan was not a part of that decision. He said it would cost a great deal and be difficult for Bresnan to pick up a different station which does carry the ballgames. Mayor Pro Tem Pinkard also said Judy Wheeler has agreed to let the City's marina rates stay the same as last year. He asked about the status of the request to have the 24-foot slip rates lowered. City Manager Iman said this request has been held up temporarily. Mayor Pro Tem Pinkard said Senior Center Director Charles Richardson had a good idea about not holding City auctions but letting the new state facility sell this material. City Manager Iman said we are looking at that possibility. Mayor Pro Tem Pinkard also noted an incorrect article in the Mining Journal regarding Commissioner Coyne's talk at the Chamber of Commerce. He read a statement regarding his comments about Commissioners Cihak and Schneider. He said May 12 is the last day to file City Commission nominating petitions and extended his thanks to Skip Schneider for his work on the Planning Commission.

SCIOTTO

Mayor Sciotto urged each Commissioner to speak for himself and not for other Commissioners. He said people who are concerned about the drainage projects should attend the hearings. He commended the Commission for an expeditious meeting this evening and asked about repaving the utility excavation in the 100 block of North Front Street. Mr. Lawry said that the local asphalt plant will be open in about two weeks and the paving will be done then.

PINKARD

Mayor Pro Tem Pinkard said any excess money left over from bidding should be put in a fund to be spent at the City Commission's discretion. He asked for a report for the first reading on this matter at the next meeting.

SCIOTTO

Mayor Sciotto expressed his pleasure at speaking to the Golden K Kiwanis Club last week and at having lunch with the Beautification Committee. He said the Zoo Task Force will be addressing the City Commission soon. He noted that the Salvation Army Convention will be held in Marquette, and said May 12 is the last date for filing City Commission and Board of Light and Power petitions.

CITY MANAGER IMAN

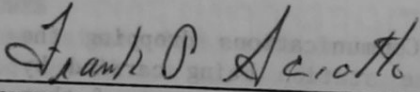
City Manager Iman thanked the Beautification Committee for their City-wide clean up on Saturday. He also thanked the City employees who volunteered for the clean up and Peninsula Sanitation for picking up the trash bags that were filled on Saturday.

SCIOTTO

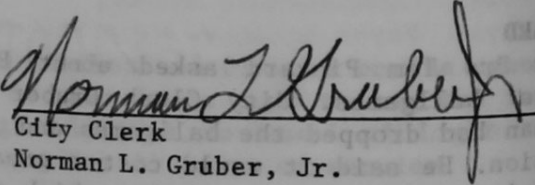
Mayor Sciotto said there will be only one collection for leaf and lawn debris this year and the collection schedule has been delayed by a week.

ADJOURNMENT

The meeting was adjourned at 10:40 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.