

Commissioner Howes said the condition of the road is not good and that tomorrow the Board of Public Works will be meeting. He said we have asked the Board of Public Works to look into the condition of the road and to report back to the Board of Public Works. He said we have asked the Board of Public Works to look into the condition of the road and to report back to the Board of Public Works. He said we have asked the Board of Public Works to look into the condition of the road and to report back to the Board of Public Works.

Mayor Pro Tem Pickard, Commissioners Coyne, Howes, Schneider, Commissioner Coffey.

The motion was carried. Commissioner Howes offered his congratulations to Officer Crowley who has been selected by the Kiwanis Club as Officer of the Year. He said an area Child Watch Program is being started. Lieutenant Henderson briefly described this program. Commissioner Howes also said generosity for Hurricane Andrew victims would be appreciated.

SCNEIDER
Commissioner Schneider asked why a meter parking enforcement person who is not a City resident had been hired. Personnel Director Ron Cardone said he and Police Chief Johnson had agreed that the person hired was the best applicant and there is no residency requirement. Commissioner Schneider said he had received a complaint that there are no speed limit signs on Presque Isle Avenue between Hawley and Wright. He asked that in the fiscal effects section of recommendations include the amount of money budgeted for expenditures as well as the bid amount. He said Mary Malloy's questions need to be answered and that he would like to know the answers also.

SCIOFFO
Mayor Sciotto said he had received a letter from the Mayor of Yokaichi thanking Marquette for the gifts presented to the delegation and to Yokaichi. They are on display in the City Hall in Yokaichi. He has responded in kind to this letter. Mayor Sciotto also noted complaints about excessive noise on Third Street. He said that in a ceremony at the Ellwood A. Mattson Lower Harbor Park this morning, four flagpoles donated and erected by the Kiwanis Club had been dedicated. He said there would be a total of twelve when the project is completed. He said if the sealant is not received soon for the concrete floor at Fire Hall 42, it should be ordered from a different vendor. He asked that the agenda for the September 14 meeting include discussion of the Heritage House and that background materials be distributed.

IRAN
City Manager Iran welcomed back the Northern Michigan University students. He announced the discontinuance of federal and state funding for the City's COPS Program and said he intends to continue the program through June of 1993. He also announced that the 1993 Michigan Municipal League state convention will be held in Marquette. He said the great hospitality offered to this convention in 1989 was a major reason they are coming back so soon.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 14, 1992

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 14, 1992 in Commission Chambers of City Hall.

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

ABSENT: None.

AGENDA

It was moved by Commissioner Coyne, supported by Commissioner Cihak, and carried unanimously that item 13a be removed from the consent agenda and placed on the next agenda.

CITIZEN COMMENT

Mayor Sciotto announced that each citizen would be limited to three minutes maximum and that a timer would be used. Michelle Butler complained about the water quality on Lakeshore Boulevard. She displayed samples of water taken from the City main, a used water filter, and laundry which was damaged by rust in the water. Mike Bissonette said the City should get back control of the Raney Creek drainage district. He said he liked the new public comment format and asked to speak on agenda items four and nine. Richard Mick complained about mud in his yard, said the loan to the Soil Conservation District should be renewed, and that the engineering fee for the Whetstone and Orianna Drainage Districts should be paid. Gary Dahlke said it was good the Whetstone Drainage District had been defeated. He said the Commission should appoint a committee to advise on future problems in the Whetstone and Orianna Creek areas. Hal Dorf complained about water quality on Lakeshore Boulevard. Julius Larsson said a filter would solve water quality problems on Lakeshore Boulevard. Linda Rekshan complained about the water quality on Lakeshore Boulevard. Mike LaPointe, representing the Soil and Water Conservation District, supported the loan extension. He said the culverts on Whetstone Creek need maintenance badly and cited problems resulting from the heavy rain early this morning. Julie Larsson said the City had responded promptly to complaints about water quality last week and had resolved the problem quickly. She said an expensive project was not needed now. Ken Lord asked to speak on item five. He said his company was the low bidder and cannot afford to become an authorized repair facility. He said this is not needed at this time. It was moved by Commissioner Cihak that the City Public Works Department consider the idea of flushing the water main on Lakeshore Boulevard every time valves are operated or the main is worked on. Commissioner Coffey called a point of order saying this item is not on the agenda. Mayor Sciotto, upon recommendation of the Attorney, said this item should be dealt with under new business by the Commissioners rather than at this time.

PROCLAMATION - Arts Week

Mayor Sciotto made the following proclamation:

WHEREAS, September 20 - 26, 1992 has been declared as National

September 14, 1992

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Arts Week, and local arts agencies across the country are encouraged to participate in the celebration; and

WHEREAS, the purpose of National Arts Week is to focus public attention on the arts and creativity in the community; and

WHEREAS, National Arts Week, '92 emphasizes "Lifelong Learning Through the Arts" at a time when communities across the United States share in restructuring of our educational system; and

WHEREAS, the arts enhance our quality of life by helping to define Marquette's identity, value and heritage, contributing to cross-cultural communication; and

WHEREAS, public investment in the arts stimulates economic growth, attracts business and corporate investment in the community, promotes downtown and neighborhood revitalization, spurs tourism, enhances the image of our community and encourages innovation and inspiration in society; and

WHEREAS, the cultural arts are a significant part of the quality of life in Marquette, and are fundamental to full human development;

NOW, THEREFORE, I, Frank Sciotto, Mayor of the City of Marquette, Michigan, do hereby declare:

September 20 - 26, 1992

as

Arts Week in Marquette,

and urge Marquette residents to join in a celebration of the Arts.

ARTS AND CULTURE ADVISORY COMMITTEE

Stan Wright, Chairman of the Arts and Culture Advisory Committee, spoke on the need for an arts facility. He asked for an appropriation of \$5,000 to help fund a study to determine the feasibility of such a facility. Christine Johnson-Martin spoke on a survey which indicates a desire on the part of the art community for a facility and the uses to which it could be put. Ray White presented a slide show on what an art center could be. Stan Wright continued the slide show and discussed the process of getting an art center. He said the need has been established and a feasibility study is appropriate now. He described what the study would accomplish and answered questions. It was moved by Commissioner Coffey, supported by Commissioner Howes, and carried unanimously to ask for a report and recommendation from the City Manager on this request.

SISTER CITY

Dr. Pryse Duerfeldt announced the preliminary plans for the 1993 delegation to visit our Sister City, Yokaichi, Japan. He encouraged interested people to fill out applications which will be available in the City Clerk's office.

STUDENT LEADER FELLOWSHIP PROGRAM

Dave Bonsall from Northern Michigan University presented a video tape

explaining the student leader fellowship program. Connie Walsh spoke on how the program works. Students James McClellan, Michelle Hawley, and Bob Hendrickson all described their activities as interns in the program. Mr. Bonsall answered questions.

SECOND READING

ELECTION OF MAYOR

Mike Bissonette addressed the Commission saying the Mayor should be elected by the people for a longer term. He said the Mayor Pro Tem should be appointed by the elected Mayor. A letter from Rosemary Glenn urging the establishment of an elected charter revision commission to review the entire charter, was read. It was moved by Commissioner Cihak and supported by Commissioner Schneider to amend the Charter as follows:

"that any current member of the Commission or any person seeking election to the Commission could have their name listed on the ballot as a mayoral candidate with the person receiving the greatest number of votes for Mayor who is also elected to the Commission to serve for a one year term and the second largest number of votes for Mayor would be deemed to be Mayor Pro Tem who is also elected to the Commission.

After a lengthy discussion, the following vote was taken:

Ayes: Mayor Sciotto. Commissioners Cihak, Schneider.

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

The motion was defeated.

It was then moved by Commissioner Howes and supported Commissioner Coffey that the administration develop the guidelines for a Charter review committee as outlined by Attorney Martin and to start to develop some of the background work in order that we can have the recommendation ready for budget time next year. The following vote was taken:

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

Nay: Commissioner Schneider.

The motion was carried.

COMPUTER EQUIPMENT

Mayor Sciotto announced this was the time set for the second reading on a report and recommendation from the City Manager regarding the purchase of computer equipment. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to accept the recommendation of the administration and to award this bid to E.A. Gibbs Company in the amount of \$43,270.00 as being in the best interest of the City, although not the lowest bidder.

RECREATION MASTER PLAN

Mayor Sciotto announced that this was the time set for a second reading on a recommendation from the Parks and Recreation Advisory Board regarding the award of a contract for a Parks and Recreation Master Plan. It was moved by Mayor Pro Tem Pinkard and supported by Commissioner Howes to support the recommendation of the Parks and Recreation Advisory Board and to award this contract to the firm of Sundberg, Carlson, and Associates in an amount not to exceed \$3,860.00. The Commission discussed the difference in bids between Sundberg, Carlson, and Associates and ECI of Ishpeming at great length. During

discussion, Parks and Recreation Board Chairwoman Laurie Weesen and Assistant Parks and Recreation Director Alan Strasser both answered questions about the bids. It was moved by Commissioner Cihak and supported by Commissioner Schneider to postpone discussion on this item to the next meeting and to invite ECI and Sundberg, Carlson, and Associates to come and answer questions about their proposals. The following vote was taken:

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

The motion was defeated.

The vote on the original motion was:

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

Nays: Commissioners Cihak, Schneider.

The motion was carried.

COMPUTER SOFTWARE

Mayor Sciotto announced that this was the time set for second reading on a report and recommendation from the City Manager, regarding the purchase of computer software. It was moved by Commissioner Coffey, supported by Mayor Sciotto, and carried unanimously to accept the recommendation of the City administration to waive the bid requirements and to purchase computer software programs "OPS10" from Macola, Incorporated for \$4,000.00 and "COMPUSKETCH" from Visatex Corporation for \$5,750.00.

FIRST READING

MUNICIPAL SERVICE CENTER - Telephones

A report and recommendation from the City Manager, regarding a proposal for the purchase of telephone equipment for the municipal service center, was read. This item was referred to the next meeting for second reading.

MCCLELLAN AVENUE - Contract Extension

A report and recommendation from the City Manager, regarding extension of the construction contract for McClellan Avenue to include the portion south of the school site to Pioneer Road and rock excavation expansion, was read. Mike Bissonette complained about the extension of McClellan Avenue. Mr. Iman said the DNR rules permit cutting trees in a wetland if no grubbing or stump removal is done. Rick Pearson from the Soil and Water Conservation District answered questions regarding their desire to see on-site stormwater retention as part of this project. City Engineer Haapala said that is a part of the design for the project. This item was referred to the next meeting for second reading. Commissioners agreed to meet at the Bothwell School track at 4:00 p.m. on Monday, September 21 to walk the route of McClellan Avenue between Grove Street and Pioneer Road.

WHETSTONE CREEK - Watershed Management Plan

A request from the Marquette County Soil and Water Conservation District, regarding extension of the loan to the Whetstone Creek watershed project, was read. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously to suspend the rules for second reading and to extend the loan of \$7,000 to the Whetstone Creek Watershed Management Project until

December 31, 1993. Rick Pearson answered questions about the project. The Commission discussed drainage issues at length.

DISCUSSION ITEMS

SIDEWALK ORDINANCE AMENDMENT

It was moved by Mayor Pro Pinkard, supported by Commissioner Cihak, and carried unanimously to move discussion of amendments to the sidewalk ordinance to the work session to be held on September 21.

HERITAGE HOUSE

A report from the City Manager, regarding the status of maintenance violations and the prospects for sale of the Heritage House, was read. Mayor Sciotto reported on his visit to the building with the Fire Department and his feeling that the building is structurally sound, although some problems must be taken care of. The Commission discussed this item at length.

CONSENT AGENDA

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

- B. Approve the total bills payable in the amount of \$919,751.31
- C. Schedule a public hearing on the revised Taxi Ordinance for the September 28 City Commission meeting.
- D. Adopt a resolution approving a contract with the Michigan Department of Transportation fixing the rights and obligations of the parties regarding Fair Avenue reconstruction, and authorize the Mayor and City Clerk to execute the necessary documents.
- E. Approve the 1993 City Commission exchange with Manistee, Michigan.
- F. Authorize reissuance of City of Marquette, Michigan Building Authority Series 1985 8.6% Due 9-1-99, Bonds #133 - 134 @ \$5,000 R/N/O CEDE & Co. with the stipulation that all reissuance costs be borne by the bond holders.
- G. Award a contract to Pomp's Tire Service, Marquette, Michigan for vehicle tires and related services.

Mayor Pro Tem Pinkard said he had received concerns about company names being placed on the agenda and asked if that could be considered free advertising. City Clerk Gruber said it is necessary for the company names to be on the consent agenda for the bids to be properly awarded, but they could be left off the agenda which appears on channel 11.

CITIZEN COMMENT

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

SCHNEIDER

Commissioner Schneider asked if the Crescent and Adams Street reconstruction projects are on schedule. City Engineer Haapala said they were. Commissioner Schneider asked if Mrs. Malloy had received an answer to her questions regarding the design of Adams Street. City Manager Iman said he did not know, but he would be sure that she did receive them. Commissioner Schneider said

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the City should use it's funds to pave the remaining gravel streets in order to eliminate maintenance costs.

HOWES

Commissioner Howes said that budget requests at non-budget times should be viewed in perspective. He expressed his concern about a misleading newspaper headline on a story about the City's support for the Marquette County Economic Development Corporation. He extended his congratulations to sponsors and participants in the Seafood Fest this weekend.

COYNE

Commissioner Coyne said she had attended an inspiring presentation by Millard Fuller of Habitat for Humanity. She said the City should support this program where possible. Commissioner Coyne also noted that the Michigan Public Service Commission will hold a consumer forum in Marquette on September 30.

COFFEY

Commissioner Coffey said people who live on gravel streets don't want them paved because they would have to pay the paving costs. He said he agrees with Commissioner Howes regarding the newspaper article on the Economic Development Corporation. He also said good schools are important to economic development as are good cultural facilities. He said the Commission supported the economic development corporation but felt that \$21,000 was a more fair share than \$30,000. Commissioner Coffey asked about the rules for political signs in the City. City Planner Gruber said the sign ordinance prohibits all signs on the street right of way including on utility poles and that signs in residential yards are limited to two square feet.

CIHAK

It was moved by Commissioner Cihak, supported by Commissioner Coffey, and carried unanimously that the Public Works Department, under administrative direction, consider flushing the Lakeshore Boulevard water line for two to three hours at the far end each time that work is done on the line. During discussion, Public Works Superintendent Lawry reported on the department's present flushing policy and the incident last week. Commissioners discussed the water quality problem on Lakeshore Boulevard at great length. Commissioner Cihak asked that a report and recommendation on connection of this water line through Marquette Township to Middle Island Point and the possibility of connecting the end of this line to the City lines in the dog pound area south of the river be prepared and that it be put on an agenda for first reading. He said the citizens on Lakeshore Boulevard should be informed if the tea colored water is safe to drink. He also asked for a first reading on a report and recommendation for the next Commission meeting on the bill for the Whetstone and Orianna drainage project engineering.

PINKARD

Mayor Pro Tem Pinkard asked about the adoption of a local historic district ordinance. City Planner Gruber said that the Heritage Preservation Committee is considering such an ordinance. Mayor Pro Tem Pinkard asked what management position is regarding the rejected logo design. City Manager Iman said it is being looked at for uses other than as the City logo. Mayor Pro Tem Pinkard asked about Mr. Mick's complaints about silt from the recent rainstorm and

asked for a report. He said he is glad to see that the City will work on cleaning up the culverts along Whetstone Brook. He said we should look long term at the proposal for an art facility and the City's cost to operate this facility.

SCIOTTO

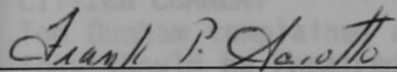
Mayor Sciotto said he had recently enjoyed addressing the State Moose Convention, the local Alzheimer's Group, and the North American Benefit Association. He said he had received five calls complaining about the loud noise on North Third Street including boom boxes, loud parties, and stereos in cars. He said something has to be done to get this neighborhood quieted down and suggested putting out plain clothes police to issue tickets. He said the Seafood Fest had been a great success and noted the resignation of Virginia Killough from the Arts and Culture Advisory Committee.

IMAN

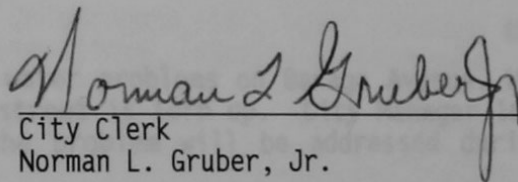
City Manager Iman said the proposal to increase speed limits on South Front Street will be restudied and that people should slow down in anticipation of this study.

ADJOURNMENT

The meeting was adjourned at 11:17 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

PROCLAMATION - American Legion Days

Mayor Sciotto made the following proclamation:

WHEREAS, The American Legion has been an active part of the community of Marquette for seventy three years; and

WHEREAS, The American Legion, Department of Michigan has chosen American Legion Post #44 of Marquette as the host for the 1992 Department Fall Conference to be held on October 2nd, 3rd, and 4th, 1992;

NOW, THEREFORE, BE IT RESOLVED, that October 2nd, 3rd and 4th be known as AMERICAN LEGION DAYS in the City of Marquette.

PROCLAMATION - Domestic Violence Awareness Month

Mayor Sciotto then made the following proclamation:

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

WHEREAS, it is imperative that people be aware of the occurrence of

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cleaning up the culverts along Whetstone Brook, as part of the city's effort to clean up the city's waterways. The city is also looking for an art facility to house the city's art collection.

STATIONER ENTERTAINMENT, a studio network and television production company, is looking for a new studio facility in the city. The company is currently located in a building on North Third Street, but it is looking for a larger facility with more space and better lighting.

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MAN
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City Clerk
Norman J. Ginder, Jr.

Mayor
Frank P. Schlotz

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, September 28, 1992

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, September 28, 1992 in Commission Chambers of City Hall.

ROLL CALL

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

ABSENT: None.

AGENDA

It was moved by Commissioner Coffey, supported by Mayor Pro Tem Pinkard, and carried unanimously to add to the consent agenda as item 8j a payment to the Michigan Department of Transportation for the Fair Avenue contract in the amount of \$121,348.50. Commissioner Schneider asked that item 8c be removed from the consent agenda and be made item 7a. Commissioner Cihak asked that item 8h be removed from the consent agenda and be made item 7b. Commissioner Cihak asked about agenda items requested at the last meeting. City Manager Iman explained why some of them were not on the agenda for tonight and when he expects to have them for the agenda.

CITIZEN COMMENT

Tom Dunham complained about storm water problems on Baraga Avenue. He said they should be repaired while the street is torn up. City Manager Iman and Engineer Haapala responded that the problem will be addressed during the current reconstruction.

PROCLAMATION - American Legion Days

Mayor Sciotto made the following proclamation:

WHEREAS, The American Legion has been an active part of the community of Marquette for seventy three years; and

WHEREAS, The American Legion, Department of Michigan has chosen American Legion Post #44 of Marquette as the host for the 1992 Department Fall Conference to be held on October 2nd, 3rd, and 4th, 1992;

NOW, THEREFORE, BE IT RESOLVED, that October 2nd, 3rd and 4th be known as AMERICAN LEGION DAYS in the City of Marquette.

PROCLAMATION - Domestic Violence Awareness Month

Mayor Sciotto then made the following proclamation:

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

WHEREAS, it is important that people be aware of the occurrence of

September 28, 1992

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domestic violence in Marquette County and the State of Michigan, because awareness of violence is essential for the prevention of violence; and

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

WHEREAS, it is important to show that we care, and that we can make a difference, and

WHEREAS, it is important that services from the public such as donations of time and money receive recognition;

NOW, THEREFORE, I, Frank P. Sciotto, Mayor of the City of Marquette do hereby proclaim the month of October, 1992 as DOMESTIC VIOLENCE AWARENESS MONTH in the City of Marquette, and urge all citizens to be aware of the help available for the people of Marquette County, and that the general public has been, and is essential in providing this help.

PROCLAMATION - Local Cable Programming Week
Mayor Sciotto made the following proclamation:

WHEREAS, local cable programming brings our community's political, educational, cultural, sports and special events to television;

WHEREAS, local cable programming is produced in conjunction with a variety of community groups, including Northern Michigan University, NorthState BMX, Marquette Senior High School and Women's Aglow;

WHEREAS, twenty hours of local programming are cablecast each week;

WHEREAS, Bresnan Communications is making it possible for this community service to be brought to Marquette;

WHEREAS, 18,000 citizens in Marquette County are served by Bresnan Communications;

WHEREAS, the partners in local programming are to be commended for their efforts to keep local citizens in Marquette informed, enlightened and entertained.

NOW, THEREFORE, BE IT RESOLVED, that I, Frank Sciotto, Mayor of Marquette, do hereby proclaim October 5-11, 1992 Local Cable Programming Week.

GERMAN-AMERICAN PARTNERSHIP PROGRAM

Peter Gareis, a high school teacher from Celle, Germany, spoke about the Marquette Senior High School German-American Partnership Program. He explained that in alternating years students from Marquette visit Celle and

students from Celle visit Marquette. They participate in the high school program where they are visiting. He said the program has been very successful over the years. He introduced high school student Errica Schubert from Celle who is with the group currently visiting Marquette. She said she was having a very good experience and really enjoying the visit as well as learning a lot. Commissioner Coffey spoke as a high school teacher saying that his experience with this program has been excellent and that the students participate well in their classes. Mayor Sciotto thanked Mr. Gareis and Ms. Schubert for their presentations.

PUBLIC HEARING - Taxi Ordinance

Mayor Sciotto announced that this was the time and date set for a public hearing on amendments to the City's taxi ordinance. There being no one to speak, the hearing was closed. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to adopt the revised taxi cab ordinance and to revise the fee schedule by adding a \$20.00 fee for a new taxi cab driver permit and a \$10.00 fee for renewal of that permit. During discussion, City Manager Iman and City Clerk Gruber answered questions about the proposed ordinance. Ordinance #441 was adopted as follows:

AN ORDINANCE TO AMEND TITLE II, CHAPTER 6, SECTION 10, TAXI COMPANIES, TAXICABS, AND TAXICAB DRIVERS

SECOND READING

MCCLELLAN AVENUE - Extension

Mayor Sciotto announced that this was the time set for second reading on a report and recommendation from the City Manager for extension of the McClellan Avenue construction contract. It was moved by Commissioner Howes, supported by Mayor Pro Tem Pinkard, and carried unanimously to accept the recommendation of the City Manager and to extend the contract with A. Lindberg and Sons to include the construction of McClellan Avenue from Pioneer Road north to the school entrance and to alter the design of the slope of the rock cut as proposed.

MUNICIPAL SERVICE CENTER - Telephones

Mayor Sciotto announced that this was the time set for a second reading on a report and recommendation from the City Manager for purchase of telephones for the Municipal Service Center. It was moved by Commissioner Coyne, supported by Commissioner Coffey, and carried unanimously to accept the recommendation of the City Manager to waive the bidding requirements of the Charter and to authorize the acquisition of a Merlin Legend phone system at a cost of \$30,220 as being in the best interest of the City.

UNDERGROUND FUEL STORAGE TANK - Removal

Commissioner Schneider said he was concerned that the tanks to be removed from the Maritime Museum site and the Wastewater Treatment Plant are both registered with the State of Michigan. He said he has been assured that they have been. It was moved by Commissioner Schneider, supported by Commissioner Howes, and carried unanimously to accept the recommendation of the City Manager and award a contract to U.P. Environmental Services of Bark River,

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Michigan in the amount of \$3,742.50 for removal of these tanks.

UPPER PENINSULA VETERAN'S HOUSING CORPORATION - Property Deed

Commissioner Cihak asked that this item be deferred until the next meeting so that staff could investigate this as the possible site for donation to the local habitat for humanity group as a building site. He asked staff to report on other possible sites also. Mayor Sciotto ordered this item deferred to the next meeting.

CONSENT AGENDA

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

- A. Approve the minutes of the August 3, Special, and the August 31 and September 14 Regular meetings.
- B. Approve the total bills payable in the amount of \$602,093.83.
- D. Award a contract for snow plow and grader blades to Paper Calmenson, St. Paul Minnesota in the amount of \$15,205.22.
- E. Award a contract for the purchase of a plasma cutting system to Interstate Valweld in the amount of \$ 4,057.75.
- F. Adopt a resolution approve the MERS contribution program P - for tax sheltered employee contributions.
- G. Adopt a resolution approving a MERS pension enhancement for the Marquette Housing Commission Executive Director.
- I. Award a contract for soil borings and environmental soil testing for the Cinder Pond Marina to Twin Ports Testing in the amount of \$7,180.00.
- J. Approve the downpayment on the Fair Avenue contract with the Michigan Department of Transportation in the amount of \$121,348.50.

The following resolutions were adopted with reference to items F and G above:

WHEREAS, the City of Marquette employees are covered for retirement pension purposes under the Michigan Municipal Employees' Retirement System Retirement Act being Act 427 of the Public Acts of 1984, as amended, and

WHEREAS, the Michigan Municipal Employees' Retirement System Act was recently amended by Act 63 of the Public Acts of 1992, to provide for tax deferment of a Michigan Municipal Employees' Retirement System member's contributions picked up as provided under Section 414 (h) (2) of the United States Internal Revenue Code and

WHEREAS, the City of Marquette employees who are members of the Michigan Municipal Employees' Retirement System desire to become covered under the tax deferment provisions as amended and the United States Internal Revenue Code

NOW, THEREFORE, BE IT RESOLVED that the City of Marquette hereby elects to pick up Michigan Municipal Employees' Retirement System members' contributions as provided by the Internal Revenue Code,

and that contributions picked up shall be remitted directly by the City of Marquette to the Michigan Municipal Employees' Retirement System. Further contributions remitted are designated as employer contributions for purposes of the Retirement System which are being paid by the City of Marquette in lieu of the employee contribution requirements and the employees will not be given the option to receive the contributed amounts directly instead of having them paid to the pension plan,

BE IT FURTHER RESOLVED that a copy of this resolution be filed with the Michigan Municipal Employees' Retirement System and the City of Marquette Payroll Clerk for the purposes of implementing this action.

and

In accordance with Act 427, P.A. of 1984, as amended, the City of Marquette adopts the following benefit for the Executive Director of the Marquette Housing Commission.

Benefit Program:

From: V-10 To: V-6

Effective Date: July 1, 1992

CITIZEN COMMENT

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

SCHNEIDER

Commissioner Schneider said he has received a call about the bike path alignment on Fair Avenue. City Manager Iman said that the Engineering Department will contact the person who phoned. Commissioner Schneider asked that two items be placed on discussion for the next agenda. The first would be the format of the City Attorney's report and the second would be section 4.11a of the City Charter.

HOWES

Commissioner Howes said he has received information on lining the inside of water pipes to prevent rust contamination such as we are experiencing on Lakeshore Boulevard. He said he feels the City Charter should be looked at for revision, not to be completely rebuilt. He said this process should not cost the estimated \$15,000. He said the pros and cons of electing the Mayor at large should be presented in the press so people can consider them and vote intelligently.

COYNE

Commissioner Coyne noted the award from Triple A of Michigan to the City for having no pedestrian fatalities in the last six years. She said the Police Department is making a good response to the Third Street noise and traffic problems. She said the Department of Natural Resources has an application for approval of an incinerator for fuel contaminated soils. She asked for a

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report on this application from the City Manager for the next meeting.

COFFEY

Commissioner Coffey said that at the Michigan Municipal League Convention there was a special session on University cities. He said we should check with the City of Kalamazoo on the ordinance which they use to arrest people causing noise problems. He said many people at the convention urged caution about zebra mussels and said we should be concerned about their spread to Lake Superior. He asked that the October 12 City Commission agenda include a discussion item about special assessment procedures and setting a date for a work session on garbage fees and trash pickup.

CIHAK

Commissioner Cihak said he has received a letter about sewer repair costs which has been passed on to the City administration for a report on the next agenda. It was moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously that the City administration prepare a report and recommendation based on a meeting with the Board of the Habitat for Humanity to discuss sale of a City-owned lot for a housing site. City Manager Iman said that a meeting has been held with the Habitat for Humanity Board and that the staff is reviewing sites and will look at the Chamberlain Street site also. It was then moved by Commissioner Cihak, supported by Mayor Pro Tem Pinkard, and carried unanimously that the City administration prepare a letter for review of the City Commission with the letter to be directed to all elected state and federal representatives explaining why the City will have to spend \$7,000,000 to \$10,000,000 for a water treatment plant with no improvement expected in the City's water quality. Commissioner Coffey said we should try to act in chorus with other cities in the same situation. Commissioner Howes said this motion should not preclude us from pursuing other courses of action. City Attorney Martin answered questions about the City's legal status on the water filtration issue. City Manager Iman said the staff is pursuing possible grants and that the City should also pursue federal funding for mandates such as this.

PINKARD

Mayor Pro Tem Pinkard asked if it would be feasible to have our Engineering Department do an update on the E.C.I. plans which were developed for the Whetstone Creek drainage district. He asked if we have received the wetlands permit for McClellan Avenue extension. Mr. Iman said, yes, it is in hand. Mayor Pro Tem Pinkard asked why Peninsula Sanitation sometimes leaves recyclables in front of homes after the normal garbage pickup. Mr. Iman said sometimes they miss this material or it is picked up with a separate truck and sometimes it is not collected at the same time. Mayor Pro Tem Pinkard also asked questions about the deer sale at Presque Isle Park. He said they were worth more money than we received. Assistant Parks and Recreation Director Alan Strasser answered questions on this item. Commissioner Coyne said she has received another unsigned note and that she does not read notes like this.

Frank P. Sciotto
Mayor
Frank P. Sciotto

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

Official Proceedings of the
Marquette City Commission
A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Tuesday, October 13, 1992 in Council Chambers of City Hall.

PRESENT: Mayor Sciotta, Mayor Pro-Tem Pinkard, Commissioners Cihak, Coffey, Coyne, Hows, Schneider.
ABSENT: None.

AGENDA

Commissioner Pinkard proposed, with the concurrence of the Commission, to remove Item 2 from the agenda. Commissioner Coyne noted that the minutes had not been received yet and that Item 12a should be removed from the current agenda and placed on the next meeting agenda.

Commissioner Schneider said he would like to discuss the Wick lawsuit in a closed session. It was moved by Commissioner Schneider, supported by Mayor Pro Tem Pinkard, and carried unanimously to go into closed session at the end of the regular meeting, prior to adjournment, to discuss the disposition of the Wick lawsuit. Commissioner Cihak asked that Item 12a be removed from the current agenda and be made Item 11a. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Schneider, and carried unanimously to approve the agenda as amended.

CITY ASSESSOR - Lowell McLaughlin

Mayor Sciotta introduced the new City Assessor, Lowell McLaughlin, and welcomed him to City employment. Mr. McLaughlin said he is a Marquette native and is very happy to be working in this area.

CITIZEN COMMENT

Tom Dunham said the information being presented on cable channel 11 is misleading. Mike Bissonette also complained about the information on Channel 11. He said the agendas were not on for the Commission meeting in September and complained about typographical errors on Commission agendas. He said he has received the information he requested from the Drain Commissioner and asked why the City has not received their information. Julie Miller, Mike James, and Tim Slancy asked to speak on Item 9. Brian Alsbrooks asked to speak on Item 5. Tim McIntosh spoke about the Detroit Red Wing oldtimers - NHL alumni hockey game on October 24 to support the DARE Program. He urged everyone to attend this game and support the DARE program. Lorella Acocks said she is here as the City's representative to the Landfill Authority and wishes to speak on Items 6 and 7. She asked that the Commission consider both of these items tonight and waive the second reading.

PROCLAMATION - Breast Cancer Awareness Month

WHEREAS, breast cancer is the second leading cause of cancer deaths in women; and

WHEREAS, one out of every nine women in the United States will

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OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Tuesday, October 13, 1992

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

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

ABSENT: None.

AGENDA

Commissioner Pinkard proposed, with the concurrence of the Commission, to remove item 2 from the agenda. Commissioner Coyne noted that the minutes had not been received yet and that item 12a should be removed from the consent agenda and placed on the next meeting agenda.

Commissioner Schneider said he would like to discuss the Mick lawsuit in a closed session. It was moved by Commissioner Schneider, supported by Mayor Pro Tem Pinkard, and carried unanimously to go into closed session at the end of the regular meeting, prior to adjournment, to discuss the disposition of the Mick lawsuit. Commissioner Cihak asked that item 12d be removed from the consent agenda and be made item 11a. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Schneider, and carried unanimously to approve the agenda as formed.

CITY ASSESSOR - Lowell McLaughlin

Mayor Sciotto introduced the new City Assessor, Lowell McLaughlin, and welcomed him to City employment. Mr. McLaughlin said he is a Marquette native and is very happy to be working in this area.

CITIZEN COMMENT

Tom Dunham said the information being presented on cable channel 11 is misleading. Mike Bissonette also complained about the information on Channel 11. He said the agendas were not on for the Commission meetings in September and complained about typographical errors on Commission agendas. He said he has received the information he requested from the Drain Commissioner and asked why the City has not received their information. Julia Riley, Nick Zambon, and Tim Clancy asked to speak on item 9. Brian Alsobrooks asked to speak on item 6. Tim McIntosh spoke about the Detroit Red Wing oldtimers - NMU alumni hockey game on October 24 to support the DARE Program. He urged everyone to attend this game and support the DARE program. Loretta Acocks said she is here as the City's representative to the Landfill Authority and wishes to speak on items 5 and 7. She asked that the Commission consider both of these items tonight and waive the second reading.

PROCLAMATION - Breast Cancer Awareness Month

WHEREAS, breast cancer is the second leading cause of cancer deaths in women; and

WHEREAS, one out of every nine women in the United States will

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develop breast cancer at some time in her life; and

WHEREAS, 44,000 women die of breast cancer in the United States each year; and

WHEREAS, in Michigan, more than 5,500 women are newly diagnosed with breast cancer every year; and

WHEREAS, more than 1,500 women in Michigan die of breast cancer each year; and

WHEREAS, early detection of breast cancer can mean successful treatment of breast cancer for 90% of women; and

WHEREAS, mammography can detect a cancerous tumor up to two years before it can be felt; and

WHEREAS, the National Cancer Institute and the American Cancer Society recommend that women have a mammogram every one to two years between the ages of 40 and 49 and yearly after age 50;

THEREFORE, BE IT PROCLAIMED that October is Breast Cancer Awareness Month in the City of Marquette.

SECOND READING

U.P. VETERANS' HOUSING CORPORATION

Mayor Sciotto announced that this was the time set for reconsideration of a request from the U.P. Veterans' Housing Corporation for return of property which had been deeded to the City. Assistant City Manager Dan Smith reported on how the city had acquired the deed for this property from the state. He said if we were not going to use the property for the intended purpose it should be returned to the state and the state would have to make the decision about whether the site could be used for a Habitat For Humanity housing project. It was moved by Commissioner Coffey, supported by Mayor Pro Tem Pinkard, and carried unanimously to concur with the request and to authorize the Mayor and City Clerk to execute the deed to return this property to the Veterans' Housing Corporation.

FIRST READING

SEWER REPAIR - 223 West College

A report and recommendation from the City Manager, regarding a bill for a sewer repair at 323 West College Avenue, was read. Commissioner Cihak asked that a copy of the letter from the property owner be available for the next agenda. Commissioner Coffey asked if this item has been considered by the Water and Sewer Utility Advisory Board. City Manager Iman said it has not. It was moved by Commissioner Coffey, supported by Commissioner Cihak, and carried unanimously to refer this item to the Water and Sewer Utility Advisory Board to see if they can resolve it and to see that they get a copy of the letter from the property owner, and if they cannot resolve it, to return the item to the City Commission.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY - Thermal Soil Remediation Processing

A report and recommendation from the City Manager, regarding an application from the Marquette County Solid Waste Management Authority to the Department of Natural Resources for approval of a thermal soil remediation processing plant, was read. Solid Waste Authority member Loretta Acocks answered questions about the proposed plant. It was moved by Commissioner Coffey and supported by Mayor Pro Tem Pinkard to waive the requirement for a second reading, to concur with the recommendation of the City Manager, and to authorize the administration to notify the Michigan Department of Natural Resources of the City's support for this processing plant through written correspondence. The following vote was taken:

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

Nays: Commissioner Cihak.

The motion was carried.

CHARTER STUDY COMMITTEE

A report from the City Clerk, regarding appointments to the proposed Charter Study Committee, was read. Mayor Scotto said that the City Charter does not specify how appointments to committees are to be made. Brian Alsobrooks said he wants to serve on this committee because he feels it is his civic duty and he has had experience revising the student charter at Northern Michigan University. Commissioner Coyne asked if Mr. Alsobrooks works for the City. He said he does. Commissioner Coffey asked if he is eligible to be appointed. City Attorney Martin said it is up to the City Commission. He noted that Mayor Scotto also wants to be appointed to the Committee and said for this reason, he should not participate in the discussion of the appointments. It was moved by Commissioner Howes and supported by Commissioner Coffey that Mayor Pro Tem Pinkard take over running the meeting so that Mayor Scotto is not required to participate in the discussion. The following vote was taken:

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

Nays: Mayor Scotto.

The motion was carried.

Mayor Pro Tem Pinkard said the Commission should discuss the number of people to be appointed to the Committee and the charge for the Committee this evening. It was moved by Commissioner Howes and supported by Commissioner Coffey to consider the number of seven members for the committee. Commissioner Schneider asked if applications were still being accepted for the Committee. City Clerk Gruber said one had been received yesterday which he had copied and distributed to the Commission this evening. The motion was withdrawn. It was then moved by Commissioner Schneider and supported by Commissioner Coyne to instruct the Clerk to stop taking applications as of Friday, October 16. The following vote was taken:

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

Nays: None.

Abstention: Mayor Scotto.

Mayor Pro Tem Pinkard said he will prepare a synopsis of recommendations from each of the Commissioners on the charge for the Committee, the number of members, and how the members will be selected. During discussion of the deadline for these comments, it was agreed that the deadline for applications should be changed. It

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was moved by Commissioner Coffey and supported by Commissioner Cihak to reconsider the previous motion. The following vote was taken:
Ayes: Mayor Pro Tem Pinkard. Commissioners Cihak, Coffey, Howes, Schneider.

Nay: Commissioner Coyne.
Abstention: Mayor Sciotto.

It was moved by Commissioner Coffey and supported by Commissioner Cihak to change the deadline in the motion to close nominations to Thursday, October 22 and to set the deadline for Commissioner comment to Mayor Pro Tem Pinkard on the other matters as Sunday, October 18. The following vote was taken:

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

Nays: None.
Abstention: Mayor Sciotto.

Mayor Sciotto resumed the chair of the Commission.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY - Intergovernmental Agreement

A recommendation from the Marquette County Solid Waste Management Authority that the City approve an amendment to the intergovernmental agreement to change the qualifications for the Authority Director, was read. Loretta Acocks urged consideration of this amendment this evening. She said it is important that the Authority hire a director soon. It was moved by Mayor Pro Tem Pinkard, supported by Commissioner Cihak, and carried unanimously to suspend the rules requiring a second reading and to approve the proposed amendment to the intergovernmental agreement.

BIKE PATH GRANT APPLICATION

A report and recommendation from the City Manager, regarding an application for a grant from the Michigan Department of Transportation to build a pedestrian - bike path from Hawley Street to Pioneer Road, was read. It was moved by Commissioner Howes, supported by Mayor Pro Tem Pinkard, and carried unanimously to suspend the rules for a second reading, to accept the recommendation of the City Manager, and to adopt the following resolution:

WHEREAS, the Michigan Department of Transportation made funding available through the Intermodal Surface Transportation Efficiency Act, and;

WHEREAS, a portion of these funds have been made available for the construction of pedestrian and bicycle paths, and;

WHEREAS, the City of Marquette has been actively pursuing the construction of a pedestrian and bicycle path running north and south in the western part of the City ;

NOW THEREFORE BE IT RESOLVED

That the City Commission at a regular meeting held on this date has reconsidered the need for a pedestrian and bicycle path in the City of Marquette and has authorized the City Manager to submit an application to the Michigan Department of Transportation for a path running north and south from Pioneer Road to Hawley Street utilizing

right of way acquired for McClellan Avenue and rail road right of way previously acquired for this purpose, and further

That the City of Marquette pledges \$114,310.00 as a local match for the construction of the project at an estimated cost of \$571,549.00, and further

That the City of Marquette pledges to maintain and preserve the path way as a part of the City's annual maintenance budget.

JET SKI REGULATIONS

A report and recommendation from the City Manager, regarding the development of local regulations governing the use of jet skis, was read. Julia Riley opposed any regulation of jet skis and asked questions about what regulations were proposed. City Manager Iman said there has been concern about operation of jet skis too close to children swimming on public beaches. Eric King said if jet skis are going to be regulated, boats should be regulated also. Nick Zambon said that jet ski operators need access to the water and a place to launch their machines. He said they can be abused as can any vehicle, but the manufacturers are working to keep the noise down. Tim Clancy said he appreciates the progress on these regulations and agreed that there is some abuse by boaters also. He said we should start to plan for regulations before it becomes a serious problem. It was moved by Commissioner Coyne, supported by Mayor Pro Tem Pinkard, and carried unanimously to suspend the rules for a second reading, to accept the recommendation of the City Manager, and to ask the Harbor Committee to study and report on this matter.

SPECIAL ASSESSMENT PROCEDURES

Mayor Sciotto announced this was the time set for a discussion on special assessment procedures. Commissioner Coffey said sometimes the Commission has voted to do things on special assessments which are contrary to the special assessment ordinance. He asked if this is proper. City Attorney Martin and Clerk Gruber answered questions both about special assessments in general and about specific assessments especially the West Ridge Street water assessment. Commissioner Coffey then proposed that the administration consider the establishment of special assessment tax credits for residential property as was done for business property in the downtown and on Third Street. City Manager Iman said the administration has assigned a team to review the entire special assessment ordinance and process and that they will begin meeting soon.

GARBAGE COLLECTION FEES

Mayor Sciotto announced this was the time set to consider volume based garbage collection fees. City Manager Iman reported on the status of his investigation into garbage fees based upon volume. He said a great deal of material has been received and review of this material indicates that it will take longer than initially anticipated to prepare such a fee structure for Marquette however this work will be worth the effort.

SNOW REMOVAL BIDS

Commissioner Cihak asked questions about snow removal from City parking lots.

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Public Works Superintendent Steve Lawry answered these questions. It was moved by Commissioner Cihak, supported by Mayor Sciotto, and carried unanimously to suspend the rules for a second reading, to concur with the recommendation of the City Manager, and to award a contract to Dave Zorza of Marquette, Michigan in the amount of \$6,327.00.

CONSENT AGENDA

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

- B. Approve the total bills payable in the amount of \$1,353,800.33.
- C. Award a contract for the purchase of 19 post-model power pedestals for marine application to U.P. Electrical Supply in the amount of \$3,451.00.
- E. Award a contract for liquid calcium chloride to Van Waters & Rogers, Appleton, Wisconsin at the unit prices bid.

APPOINTMENTS

With the concurrence of the Commission, Mayor Sciotto appointed to the Sister City Advisory Board Rudy Seppala and Arnold Aho for terms ending April 1, 1995.

CITIZEN COMMENT

Brian Alsobrooks said that although he is employed by the City as a school crossing guard, he does not feel there is a conflict of interest if Commissioners are also interested in being appointed to the Charter Study Committee.

PINKARD

Mayor Pro Tem Pinkard spoke on the excellent cooperation between the schools and the City on the development of McClellan Avenue. He said the spirit of cooperation will be good in the future.

CIHAK

Commissioner Cihak noted the receipt of a letter regarding additions to landscaping in the Park Cemetery. He asked that this be on the next agenda. He objected to the resolutions opposing the state tax cutting proposals being on the agenda this evening. He asked about the letter to elected officials on water filtration. City Manager Iman said it was mailed some time ago. Commissioner Cihak asked if the Baraga Avenue project is on schedule. Mr. Iman said it is not, but hopefully will be done by the end of the month. Commissioner Cihak said there is concern by property owners in that block of Baraga that the project is not being adequately pursued.

COFFEY

Commissioner Coffey noted his attendance at the Chamber of Commerce "Business After Hours" program yesterday. He said this is an excellent way to meet business people from the community. He said there are more problems with fraternities and sororities occurring in the houses which were moved to Van Evera Avenue. He said the City should push for the development of the proposed Greek Row on campus. He said the next agenda should contain an item regarding increasing the parking fees at the Lakeview Arena. City Manager Iman said this item should come as a

recommendation from the Arena Advisory Board. Commissioner Coffey said he did not feel the City Commission should take a stand on ballot proposals, although he noted that both the teacher's union and the Board of Education oppose them. He said people should try to be informed on all four proposals.

COYNE

Commissioner Coyne said if people are well-informed on ballot proposals the Commission does not need to tell them how to vote. She encouraged attendance at the DARE Hockey Game October 24. She then asked questions about women's health care items being placed on the City insurance coverage. Personnel Director Ron Cardone answered these questions.

HOWES

Commissioner Howes asked if the Charter Study Committee is being established to determine if there should or should not be a Charter Review Commission. Mayor Pro Tem Pinkard said yes. Commissioner Howes asked for an update on the Lakeshore Boulevard water supply, and on the Rosewood Inn and what steps the City could take there. He said the railroad display at the ore dock is now in place and thanked the railroad and the model railroad club for their efforts in this regard. He said the kid's kaleidoscope program at the superior dome last Saturday was very well attended and was an excellent program. He said ballot summaries are available from the City Clerk for people to study before going to vote. He said this material should be published in the Mining Journal.

SCHNEIDER

Commissioner Schneider asked about water service lines being installed at Presque Isle Park and at the Tourist Park. Public Works Superintendent Lawry said the Presque Isle park line should be done by the first week in November and will not present any traffic delay next spring. He also said the Tourist Park line requires some correction. Commissioner Schneider noted the receipt of a letter with a dog complaint and asked that it be placed on the next agenda.

SCIOTTO

Mayor Sciotto noted his visit to the classic hockey midget team game this weekend. He expressed his congratulations to the electrician hockey team on two wins and said the reception for the new commander at K.I. Sawyer Air Force Base had gone very well. He said he visited the Public Works building today as part of Winter Preparedness Day and said the City is doing everything possible to get ready for snow removal activities. He said the meeting of the Central Dispatch Policy Board this week will be his last and that a replacement should be appointed early in November.

CITY MANAGER IMAN

Mr. Iman welcomed Assessor Lowell McLaughlin. He commended Steve Lawry and all Public Works employees for the excellent on Winter Preparedness Day. He said the administration will report on the Rosewood in the next weekly report. He commended administrator George Johnson, Assistant Chief Joe Johnson, and firefighter Dan Dagenais for their special efforts in regard to fire prevention day.

RECESS

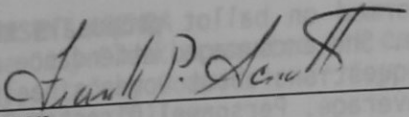
The meeting was recessed to closed session at 9:47 p.m.

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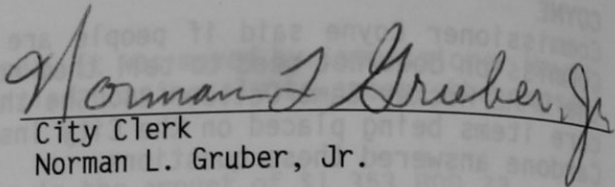
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ADJOURNMENT

The Commission returned to open session at 10:15 p.m. and adjourned immediately.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, October 26, 1992

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, October 26, 1992 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 Sciotto added item 3a, a proclamation regarding Hospice Month. City Clerk Gruber said item 13d on the consent agenda should reflect a price of \$5,158.00 as opposed to \$329,035 as indicated.

CITIZEN COMMENT

Mike Lapointe, representing the Marquette County Soil and Water Conservation District, spoke on the formation of a storm water ad hoc committee, to study storm water management issues in the Whetstone Creek watershed. He said this committee would review the proposed County storm water ordinance, establish methods for funding a revised plan based on a revised ordinance, and establish the cost and mechanism to implement this plan. Mike Bissonnette asked if the expenses for the Whetstone and Orianna Drainage Districts had been received from the County Drain Commissioner. He said Channel 11 is now much better and asked to speak on item 13c. Mayor Sciotto pulled item 13c from the consent agenda and made it item 12a. Jim Palm, representing Honda of Marquette, asked to speak on item 8. George Hagans and Steve Pelto asked to speak on item 9, Stan Wright and Christine Johnson-Martin asked to speak on item 6, Robert Mesnard asked to speak on item 10 and Brian Alsobrooks asked to speak on item 4.

ITEMS OF COMMUNITY PRIDE

A communication from Elizabeth Grill, Director of Customer Relations, regarding plans to recognize positive activities and achievements of local people and organizations, was read. Mayor Sciotto then recognized the Rotary Club of Marquette for the impact of their Adopt-a-School Program at Whitman School and students at Northern Michigan University where several student leader fellows assisted the Red Cross with 50/50 ticket sales at Northern Michigan University football games and members of Tau Kappa Epsilon participated in a bathtub push to raise money for the benefit of Marquette's Harbor House.

DONNA KOHUT - Award

Mayor Sciotto stepped to the podium and presented a plaque denoting the City's receipt of a certificate of achievement for excellent financial reporting to Finance Director Donna Kohut. He said this was the sixth year in a row the City has received this award.

1992 HOME IMPROVEMENT AWARDS

Mayor Sciotto introduced Carolyn McDonald, a member of the Committee Selecting the Home Improvement Awards, who gave background for the award program and

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described the process of selecting the winners. With her assistance, Mayor Sciotto then presented the first place awards to Gerald and Carol Pinkos in the commercial division for their property at 1025 North Third Street, to Bill and Sally Birch in the rental division for their property at 440 East Arch Street, and to Godfrey and Carrie Heitmeier in the residential division for their property at 121 East Hewitt Street. Mrs. McDonald presented the nominees in each category with certificates recognizing their nomination. She also displayed the awards that each of the three first place winners would receive.

PROCLAMATION - Hospice Month

Mayor Sciotto made the following proclamation:

Marquette citizens of all ages and economic levels are concerned about high-quality, affordable care for their terminally ill loved ones. Hospice care provides a wide range of these needed health and supported services to the terminally ill, primarily in their own homes. The concept of health care at home is the oldest and most enduring tradition of health service delivery in the United States of America.

Surveys show that most people prefer to receive medical care and related supportive services in their own homes. Hospices allow our terminally ill citizens of all ages to remain with their loved ones in surroundings that are familiar and comfortable. In so doing, hospices help preserve one of the country's most important social values, keeping families together.

With rapidly rising health care costs, hospice offers a practical means of providing health care and related services to those who desperately need them. By offering these services in the home, we can care for our terminally ill population comfortably, cost-effectively, and with high-quality, individualized health care and supportive services.

NOW, THEREFORE, I, Frank P. Sciotto, Mayor of the City of Marquette, do hereby proclaim November, 1992 as "Hospice Month" in Marquette. I urge our citizens to recognize the efforts of hospice providers, and the families and friends who provide such important services in the home.

SECOND READING

CHARTER STUDY COMMITTEE

A report and recommendation from the City Manager, regarding the appointment of a Charter Study Committee, was read. Mayor Sciotto proposed turning the gavel over to Mayor Pro Tem Pinkard based on the Commission's vote at the last meeting. Commissioner Schneider asked about conflict of interest as it pertains to Mayor Sciotto's participation in this selection process. Mayor Sciotto said he understands that conflict of interest pertains to financial benefit and that there would not be a conflict in this instance. Commissioners Schneider, Howes, Coffey, and Mayor Pro Tem Pinkard as well as Attorney Martin commented on conflict of interest. It was moved by Commissioner Howes and supported by

Commissioner Schneider to rescind the previous motion and allow Mayor Sciotto to participate in discussion and selection of the Charter Study Committee. The following vote was taken:

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

Nay: Commissioner Coffey.

Abstention: Mayor Sciotto.

The motion was carried.

A report and recommendation from the City Manager, on the appointment of the Charter Study Committee, was read. Brian Alsobrooks addressed the Commission saying he wanted to serve on this Committee. It was moved by Mayor Pro Tem Pinkard and supported by Commissioner Howes to accept the recommendation of the City Manager as submitted. After discussion, it was moved by Commissioner Schneider and supported by Commissioner Cihak to amend the motion to have all ten applicants serve on the Committee. The following vote was taken:

Ayes: Mayor Sciotto. Commissioners Cihak, Schneider.

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

The amendment was defeated.

The vote on the original motion was:

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

Nays: Commissioners Cihak, Schneider.

The motion was carried.

City Clerk Gruber said ballots have been prepared listing the names of each of the ten applicants for appointment to this Committee. Commissioners Cihak and Schneider said they had understood that the voting was to be done publicly. City Manager Iman said Mayor Pro Tem Pinkard, in collecting the Commissioners' comments on this process, had suggested that a written ballot be used. After discussion, it was moved by Commissioner Cihak and supported by Commissioner Schneider that the voting be done verbally on the record so everyone would know how the selection is proceeding. The following vote was taken:

Ayes: Commissioners Cihak, Schneider.

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

The motion was defeated.

The Commission then discussed the process for voting these ballots. Mayor Sciotto said that a ballot with more votes than allowed would be rejected. The City Clerk distributed the ballots and collected them after they were voted. Mayor Sciotto called a five-minute recess so that the ballots could be tallied. Following the recess, the City Clerk read the totals for each of the ten candidates and said the following seven people had been selected: Robert "Buzz" Berube, Joe Constance, Marilyn Gorski, Robert Kulisheck, Carolyn McDonald, Dan Mazzuchi, and Frank Sciotto. Commissioner Coyne noted that the Committee meetings would be open to the public and that anyone interested in the process could attend the meetings and make comment.

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FIRST READING

543 WEST WASHINGTON STREET - Demolition

A report and recommendation from the City Manager, regarding bids for the demolition of 543 West Washington Street, was read. This item was referred to the next meeting for second reading.

ARTS AND CULTURE COMMITTEE - Funding

A report and recommendation from the City Manager, regarding funding for the Arts and Culture Committee, was read. It was moved by Commissioner Coffey and supported by Commissioner Pinkard to waive the second reading, to concur with the recommendation of the City Manager, and to appropriate \$5,000 to the Arts and Culture Committee for an Arts and Culture Center feasibility study. Stan Wright answered questions about the proposed Arts and Culture Center and the feasibility study. Commissioner Cihak said he would prefer this item go to a second reading and the motion was withdrawn.

SEVENTH STREET RIGHT OF WAY ACQUISITION

A report and recommendation from the City Manager, regarding the acquisition of right of way from Wisconsin Central Railroad for the Seventh Street extension, was read. This item was referred to the next meeting for second reading.

SNOWMOBILE BIDS

A report and recommendation from the City Manager, regarding bids for a snowmobile for cross country ski trail grooming, was read. This item was referred to the next meeting for second reading.

RECOMMENDED FOR SUSPENSION OF RULES AND ADOPTION ON THE FIRST READING

RIVER PARK COMPLEX - Sale of Lots 7 and 8

A report and recommendation from the City Manager, regarding the sale of lots 7 and 8 in the River Park Complex to Marplex Industries, Incorporated, was read. George Hagans, President of Marplex, addressed the Commission regarding the company's growth and their interest in being in Marquette. He responded to several questions from Commissioners. During discussion, City Manager Iman also responded to several questions. It was moved by Commissioner Coffey, supported by Commissioner Howes, and carried unanimously to suspend the rules requiring a second reading, to concur with the recommendation of the City Manager, to authorize the Mayor and City Clerk to sign the purchase agreement and other documents required for the sale and the transaction, and to authorize negotiation of a lease for \$1.00 for lot 12 of River Park Complex.

DISCUSSION

U.P. ROAD BUILDERS - Lawsuit

A communication from the U.P. Road Builders Association, regarding a lawsuit against the Michigan Department of Transportation, Patrick Nowak, and Governor Engler, to oppose elimination of the local services division, was read. Robert Mesnard, representing the Marquette County Road Commission spoke on why this lawsuit had been filed. It was moved by Commissioner Cihak, supported by Commissioner Coffey, and carried unanimously that the City of Marquette join in the lawsuit as a party plaintiff.

DOG COMPLAINT

A communication from Thomas L. Twitchell, complaining of a dog leashed near the street at 1116 High Street, was read. Commissioner Schneider noted the report of the City Animal Control Officer and said this situation has been satisfactorily resolved. City Manager Iman said nothing in the City's ordinance prohibits chaining a dog in the front yard and the Commission may wish to consider amending the ordinance to prohibit that.

PARK CEMETERY IMPROVEMENTS

A communication from Ben Niessen, objecting to improvements recently made at Park Cemetery, was read. Mayor Sciotto noted receipt of many communications supporting the improvements and the new sexton, William Malandrone. Parks and Recreation Director John Turausky answered questions about the improvements and the way they were reviewed. Gordon Peterson of Swanson-Lundquist Funeral Home, spoke in support of the changes and Mr. Malandrone.

WASTEWATER TREATMENT FACILITY - Dump Truck

A report and recommendation from the City Manager, regarding purchase of a dump truck from the Wastewater Treatment Facility, was read. Mike Bissonette asked why the City is buying an old dump truck. Mayor Sciotto said it is still in very good condition. City Manager Iman said the City rents this truck from the facility at great deal each month and that the purchase price would soon be recovered. It was moved by Commissioner Pinkard, supported by Commissioner Howes, and carried unanimously to accept the City Manager's recommendation and to purchase a 1979 Ford Tandem Dump Truck from the Marquette Wastewater Treatment Facility for \$8,500 with this money to be taken from the surplus remaining after purchase of the vacuum street sweeper.

CONSENT AGENDA

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

- A. Approve the minutes of the September 28 and October 13, 1992 City Commission meetings.
- B. Approve the total bills payable in the amount of \$779,316.85.
- D. Award a contract for the purchase of an ice cube making machine for Lakeview Arena from Duquaine, Inc. in the amount of \$5,158.00.
- E. Schedule a public hearing on an application for a Community Development Block Grant from the Rebuild Michigan Initiative for November 9, 1992.

APPOINTMENTS

Mayor Sciotto, with the Commission's concurrence, appointed Pam Forsberg to replace Luann Balding on the Village Development Coordinating Committee for a term expiring July 31, 1995 and Wally Ninneman to replace Ken Palmer on the Downtown Development Authority for a term expiring January 1, 1997. He asked the Commission to proceed with an appointment to replace him on the County Central Dispatch Policy Committee at the next meeting.

CITIZEN COMMENT

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

October 26, 1992

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that purpose.

PINKARD

Mayor Pro Tem Pinkard noted a concensus that the deer from the Shiras Zoo which were sold recently were worth more than we were paid. He said City Manager Iman has written a letter to the purchaser indicating our displeasure with this.

COFFEY

Commissioner Coffey said he had attended the D.A.R.E. Hockey game between Detroit Red Wing and Northern Michigan University alumni and found it a very enjoyable game and a great program. He said after visiting Marplex Industries he feels it is a real class act and is happy to have them in the City. He said people should really look carefully at proposals A and C on the ballot and stated some concerns. He asked how much needs to be done before starting the Seventh Street connection between Washington and Spring Streets. City Manager Iman said the City's plans for this extension were based on the proposed abandonment of the railroad track by Wisconsin Central and they have now dropped this proposed abandonment. He said the high cost of the track crossings is not justifiable if these tracks are going to be abandoned in the near future. Commissioner Coffey also said the Marplex Chief Operating Officer had been very impressed with City Manager Iman and the City administration.

HOWES

Commissioner Howes extended his congratulations to Donna Kohut for the award. He noted the receipt of a letter from Club MQT and said everybody should try to attend the open house there on Friday, November 6. He said the City and students from Northern Michigan University are sponsoring the eighth annual Halloween party in the Baraga Gym on Thursday, October 29. He said people should carefully review proposals A and C because their adoption would have a major impact on City and school financing. He thanked Mayor Sciotto for his service as Mayor for the last year.

SCHNEIDER

Commissioner Schneider asked if information on the bike path on Fair Avenue had been relayed to Betty Murray. City Manager Iman said representatives of the Engineering Department have been in discussions with Ms. Murray. Commissioner Schneider also asked if the culvert cleaning on the Whetstone Brook has proceeded. Public Works Superintendent Steve Lawry said the DNR has not issued the permit for this work and indicated it may be some time in coming. Commissioner Schneider noted reports of a violation of the sign ordinance for having more than one political sign in a residential yard. He said there seemed to be many violators. City Assessor Lowell McLaughlin said only one ticket has been issued so far, but many letters requesting removal of excess signs have been sent. He said primarily his office acts on complaints and that they do their best to uniformly enforce the ordinance. City Manager Iman noted that letters had been sent to the political parties and one independent candidate several weeks ago regarding the City sign ordinance. Commissioner Schneider asked that discussion of removal of this ordinance be placed on the agenda for the second meeting in November. During discussion, City Clerk and Planner Gruber and Attorney Martin answered questions about the sign ordinance.

SCIOTTO

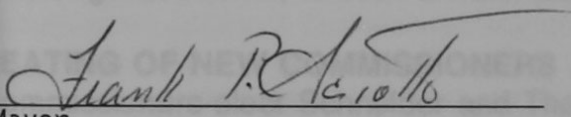
Mayor Sciotto said he had received letters from congressional candidate Bart Stupak and State Representative David Anthony responding to our letters on the water filtration issue. The City Clerk read these letters. Mayor Sciotto extended his congratulations to Donna Kohut on her award. He said he had had lunch at the Veteran's Center last week with 60 fine people and the food service had been very good. He thanked the Commissioners for selecting him to serve on the Charter Study Committee. He said people should all get out and vote next week and that one vote can make a difference. He extended his congratulations to Mrs. Sciotto on the birth of her second great granddaughter last night.

IMAN

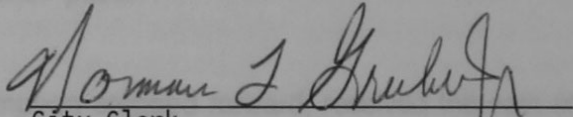
City Manager Iman congratulated Mayor Sciotto on the birth of his second great granddaughter. He said the staff must enforce the sign ordinance that is on the books and that the Commission can change the ordinance if they desire. He also congratulated Donna Kohut and said it is unusual for a City our size to get this award for six years in a row. He said information from the County Drain Commissioner had been that the invoice for Whetstone and Orianna Creek was to be issued last week but now it appears it will not be issued until Friday. He said the administration is excited about the Marplex project and this is a good outlook for the City. He commended City Engineer Robert Haapala, Parks and Recreation Director John Torausky, Public Works Superintendent Steve Lawry, Attorney Willard Martin, and Assistant Manager Dan Smith for their hard work on this project.

ADJOURNMENT

The meeting was adjourned at 10:05 p.m.



Mayor
Frank P. Sciotto



City Clerk
Norman L. Gruber, Jr.

ELECTION OF MAYOR

The City Clerk requested permission to conduct the election for Mayor. On the first ballot, Commissioner Coffey was elected with four votes. Commissioner Coffey received his oath of office from the City Clerk and was seated.

ELECTION OF MAYOR PRO TEM

The City Clerk then requested permission to conduct the election for Mayor Pro Tem. On the first ballot, Commissioner Coyne was elected with five votes. She received the oath of office from the City Clerk and was seated. The roll call of the new Commission was taken:

PRESENT: Mayor Coffey, Mayor Pro Tem Coyne, Commissioners Clark, Hovine, Pinski, Schindler.

AGENDA

Mayor Pro Tem Coyne said that the minutes of the previous meeting have not yet been

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, November 9, 1992**

The annual organizational meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, November 9, 1992 in Commission Chambers of City Hall.

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

ABSENT: None.

RETIREMENT OF MAYOR SCIOTTO

Mayor Sciotto turned the meeting over to Mayor Pro Tem Pinkard who stepped to the podium and presented Mayor Sciotto with placques commemorating his six years as a City Commissioner and his one year as Mayor. Mayor Pro Tem Pinkard also presented Mayor Sciotto with an exemplary citizen award pin which had been approved by the City Commission. He said Mayor Sciotto had done a very good job during his tenure as Mayor and as a City Commissioner. Mayor Sciotto commented on the excellent cooperation between the City Commission, Administration, and City employees. He asked that the City Commission always keep the City's strategic plan in mind. He said during his six years as a Commissioner, the City has been able to maintain services with no tax increases. He spoke on the possibility that the City will be required, by the state and federal governments, to build a water filtration plant.

SEATING OF NEW COMMISSIONERS

Commissioners-elect Schneider and Thompson stepped forward, received the oath of office from the City Clerk, and were seated.

ELECTION OF MAYOR

The City Clerk requested permission to conduct the election for Mayor. On the fourth ballot, Commissioner Coffey was elected with four votes. Commissioner Coffey received his oath of office from the City Clerk and was seated.

ELECTION OF MAYOR PRO TEM

The City Clerk then requested permission to conduct the election for Mayor Pro Tem. On the first ballot, Commissioner Coyne was elected with five votes. She received the oath of office from the City Clerk and was seated. The roll call of the new Commission was taken:

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

AGENDA

Mayor Pro Tem Coyne said that the minutes of the previous meeting have not yet been

November 9, 1992

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distributed and asked that item 8a be removed from the consent agenda. It was moved by Commissioner Howes, supported by Mayor Pro Tem Coyne, and carried unanimously that the City Commission cast a unanimous ballot for Commissioner Coffey for Mayor. Commissioner Cihak said that the first citizen comment time was listed incorrectly on the Charter. This was corrected.

PROCLAMATION - Family Caregivers Week

Mayor Coffey made the following proclamation:

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

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

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

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

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

NOW, THEREFORE, I, Charles E. Coffey, Mayor of the City of Marquette, do proclaim November 23-27 Family Caregivers Week in Marquette and urge our citizens to join me in recognizing the contributions of Caregivers to all residents in our State.

PROCLAMATION - Alzheimer's Awareness Month

Mayor Coffey then made the following proclamation:

WHEREAS, More than four million people in the United States are affected by Alzheimer's disease, a degenerative progressive disease that attacks the brain and results in impaired memory, thinking and behavior; and,

WHEREAS, Alzheimer's disease is the most common form of dementing illness, taking more than 100,000 lives in the U.S. annually, making it the fourth leading cause of death among older adults; and,

WHEREAS, Unless a cure or means of prevention is found for Alzheimer's

disease, an estimated 12 to 14 million Americans will be affected by the year 2040; and,

WHEREAS, Alzheimer's disease costs the United States more than \$90 billion dollars annually; and,

WHEREAS, An increase in public awareness about Alzheimer's disease and the Alzheimer's Association may stimulate the interest and concern of the American people, which may lead in turn, to increased research and eventually to the discovery of a cure for Alzheimer's disease; and,

WHEREAS, The Congress has resolved and the President of the United States has proclaimed the month of November to be National Alzheimer's Disease Month so as to increase the public's awareness of Alzheimer's disease, and to support the research and services being conducted by voluntary organizations such as the Alzheimer's Association.

NOW, THEREFORE, We set aside this month of November as Alzheimer's Disease Month, for the City of Marquette, Michigan.

COMMUNITY DEVELOPMENT BLOCK GRANT - Rebuild Michigan Initiative

Mayor Coffey announced this was the time set for a public hearing on a grant application for a community development block grant. He said the money would be used to do preliminary engineering for a water filtration plant. Tom Dunham addressed the Commission asking if this was a water filtration plant or a purification plant. He said the plant should be designed to add nothing to the water including flouride. The hearing was closed. During discussion, City Manager Iman answered several questions. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Thompson, and carried unanimously to accept the City Manager's recommendation, to authorize the application for this grant, and to adopt the following resolution:

WHEREAS, The Michigan Department of Commerce has identified funding through its Community Development Block Grant program "Rebuild Michigan Initiative" for the construction of infrastructure projects in the State of Michigan, and;

WHEREAS, The City Commission of the City of Marquette has identified the Marquette Water Filtration Plant as a potential project for funding under the "Rebuild Michigan Initiative, and;

WHEREAS, To the maximum extent possible, this project will benefit persons of low and moderate income, and;

WHEREAS, The purpose of making an application to the CDBG program

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is to create and retain employment opportunities primarily benefitting low and moderate income persons, and;

WHEREAS, Matching funds for the Marquette Water Filtration Plant in an amount not to exceed \$10,000,000 have not been expended and will not be expended prior to the Office of Federal Grant's authorization of the application and prior to the effective date of issuance of the environmental releases required by 24 CFR Part 58 of a grant is awarded, and;

WHEREAS, the Marquette Water Filtration Plant and this application is consistent with the local community development strategic plan,

NOW THEREFORE BE IT RESOLVED,

That the City Commission of the City of Marquette authorizes City Administration to submit an application for \$400,000.00 to the Michigan CDBG Program for the Marquette Water Filtration Plant design and construction.

AND FURTHER , That the City Manager be authorized to sign all application forms.

CITIZEN COMMENT

Christine Johnson-Martin offered to answer questions on item 5.

SECOND READING

543 WEST WASHINGTON STREET - Demolition

Mayor Coffey said this was the time set for consideration of bids for the demolition of the building at 543 West Washington Street. It was moved by Commissioner Pinkard and supported by Commissioner Cihak to support the recommendation and award the contract for demolition of 543 West Washington Street to Premeau Construction Company in an amount not to exceed \$31,743. During discussion, City Manager Iman and Public Works Superintendent Lawry answered questions. It was moved by Commissioner Cihak and supported by Commissioner Pinkard to postpone action on this matter until the option of a crusher to compact the masonry rubble can be looked into. After further discussion, this motion was withdrawn. The original motion was then carried unanimously.

ARTS AND CULTURE FUNDING

Mayor Coffey said that this was the time set for consideration of a request from the Arts and Culture Advisory Committee for financial support for a feasibility study. It was moved by Commissioner Howes, supported by Commissioner Thompson, and carried unanimously to accept the City Manager's recommendation, to reappropriate \$5,000 to the Arts and Culture Committee with \$1,500 to come from the Tourist Park, \$1,500 from Shiras Pool, and \$2,000 from lifeguards, to indicate that preference for this study should

be given to local firms, and to change the topic of the study to read "Feasibility for an Arts and Culture Center", not a performing arts center. During discussion, Christine Johnson-Martin answered questions about the feasibility study.

SEVENTH STREET RIGHT OF WAY ACQUISITION

Mayor Coffey said this was the time set for discussion of a report and recommendation from the City Manager for acquisition of right of way for Seventh Street. It was moved by Commissioner Pinkard and supported by Mayor Pro Tem Coyne to approve the purchase of the parcel from Wisconsin-Central Railroad pending a favorable phase I environmental impact study. City Manager Iman said the phase I environmental study had recommended that a phase II study be done and that this item should be postponed until the phase II study is done. It was moved by Commissioner Schneider, supported by Commissioner Pinkard, and carried unanimously to postpone this item to the November 30 Commission meeting. The Commission discussed the purchase of land with contaminated soils at great length. During the discussion, City Manager Iman and City Planner Gruber answered questions. It was moved by Commissioner Howes, supported by Commissioner Thompson, and carried unanimously to look into a phase I environmental study for the required Seventh Street right of way which remains to be acquired. During discussion, City Engineer Haapala answered questions.

SNOWMOBILE BIDS

Mayor Coffey said this was the time set for consideration of bids for the purchase of a snowmobile. It was moved by Commissioner Cihak, supported by Commissioner Pinkard, and carried unanimously to concur with the Manager's recommendation and authorize the purchase of a 1993 Ski-Doo Alpine II snowmobile from Honda of Marquette in the amount of \$7,884.00. Commissioner Pinkard asked if more could be done to provide access for snowmobilers into the City. He said this would be good for business. Parks and Recreation Director Turausky responded.

CONSENT AGENDA

The consent agenda was approved unanimously as follows:

- B. Approve the total bills payable in the amount of \$1,133,425.43.
- C. Schedule a public hearing for the Commission meeting on December 14, 1992 on an ordinance to Adopt Tax Increment Financing Plan #2 and Development Plan #2.
- D. Award a contract to Range Telecommunications for a base station console for use in the Police Department to Range Telecommunications in the amount of \$8,400.

CITIZEN COMMENT

Tom Dunham said citizens should be able to challenge Commission action at any time before or after it is taken and should not be restricted to speaking at only limited times during the meeting.

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SCHNEIDER

Commissioner Schneider said the Attorney's report indicates that the Mick lawsuit is now closed. He expressed concern that taxpayer money is being spent on the settlement without the amount being known to the public. He said the City Manager's weekly report indicates that the amount of funding for the Marquette County Economic Development Corporation was left up to the City Manager. He said the amount should be determined by the City Commission. He said the Heritage House is again open to vandalism because the boards have been torn off some of the doors, and this should be looked into.

HOWES

Commissioner Howes noted that the Marquette Housing Commission has received a commendation from the U.S. Housing and Urban Development Department for achieving national high performance status. He thanked all people who voted in the election last week saying we had achieved a record turnout in Marquette. He extended his congratulations to Mayor Pro Tem Coyne on becoming a grandmother.

COYNE

Mayor Pro Tem Coyne announced the birth of her first granddaughter in Denver, Colorado. She extended her congratulations to Mayor Coffey and thanked the Commission for her election as Mayor Pro Tem. She said the newspaper has reported a reduction in the number of drunk driving deaths in the Upper Peninsula and urged people to keep up this trend. She said the election in the City had run very well due to the efforts of the Clerk's office.

CIHAK

Commissioner Cihak extended his congratulations to Mayor Coffey and Mayor Pro Tem Coyne. He noted there would be another Little Presque Isle public forum tomorrow night and said interested people should attend. He commended the City Clerk's office for the well run election and extended his thanks to Cellular One for their contribution of a telephone at the polling place at the Armory where the phone service had been interrupted.

PINKARD

Commissioner Pinkard expressed his congratulations to Mayor Coffey and Mayor Pro Tem Coyne on their elections. He said he was glad to see that we had celebrated a very safe Halloween in the Marquette area.

THOMPSON

Commissioner Thompson expressed her congratulations to Mayor Coffey and Mayor Pro Tem Coyne. She also thanked the City Commission for their support and said she looks forward to working with them during her term.

COFFEY

Mayor Coffey said the election had gone very well. He said an 82% turnout in Marquette

was higher than the surrounding area. He said Mr. Dunham should work with the Commissioners to get his ideas in place and said he believes the City Commission should make the funding decision for the County Economic Development Corporation.

IMAN

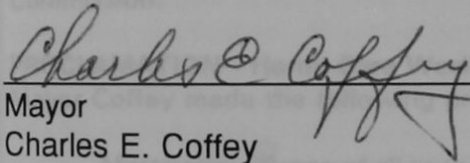
City Manager Iman said Parks and Recreation Director John Turausky is the City's representative on the Little Presque Isle Task Force. Mr. Turausky said people who wish to have reserved time at the hearing tomorrow night are requested to call the Department of Natural Resources to reserve that time. Mr. Iman said he has no problem with referring the County Economic Development Corporation funding back to the City Commission. He thanked the Payne Hall students, local businesses, and the community for their support of the Halloween party that was held at the Baraga Gym. He said in excess of 1,800 people attended this party. He expressed his congratulations to Commissioners Schneider and Thompson on their election and to Mayor Coffey and Mayor Pro Tem Coyne on their election. He said he looks forward to working with the Commission in the coming year.

COFFEY

Mayor Coffey expressed his thanks to the City Commission for their support and said he will try to do as the Commission desires in leadership.

ADJOURNMENT

The meeting was adjourned at 9:02 p.m.



Mayor

Charles E. Coffey

City Clerk

Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, November 30, 1992**

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

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

AGENDA

Mayor Pro Tem Coyne asked that item 12 be removed from the agenda. Commissioner Schneider asked that item 14e be removed from the consent agenda and be made item 13a.

CITIZEN COMMENT

Tom Dunham said citizens should be allowed to speak on each motion made by the Commission before the vote is taken. Jack Krueger, President of the First Northern National Bank offered to answer questions on item 13a. He said the County Economic Development Corporation has endorsed the bank's project, that the total investment in property and buildings would be \$650,000, that they would employ seven full time employees with an annual payroll of \$125,000. He presented plans for the proposed building, said construction would start as soon as zoning is approved, and that the bank would be open in the spring. Mike Bissonnette asked who appoints people to City committees. He complained about the method of appointment for the Little Presque Isle Advisory Committee and the Storm Water Maintenance Committee. He asked to speak on items 7, 11, and 13. He said the Seventh Street right of way acquisition should have been on the agenda tonight. Juliene Berglund said the City Commission should make the final decision on the McClellan Avenue alignment, not the Planning Commission.

PROCLAMATION - Home Care Week 1992

Mayor Coffey made the following proclamation:

Marquette citizens of all ages and economic levels are concerned about high quality, affordable, long-term health care. Home care provides a wide range of these needed health and supportive services to the ill, elderly, and disabled in their own homes. The concept of home care is the oldest and most enduring tradition of health service delivery in the United States of America.

Surveys show that most people prefer to receive medical care and related supportive services in their own homes. There is also a significant and growing body of evidence that home care services stimulate quicker and fuller recoveries and improvements that comparable services within institutions.

Home care allows our disabled and chronically ill citizens of all ages to remain with their loved ones in surroundings that are familiar and comfortable. In so doing, home care helps preserve one of the country's most important social values, keeping families together.

As our citizens require more in-home care, Marquette area home care agencies are meeting that challenge. Home care agencies are providing services ranging from assistance with personal care to high-tech intravenous drug therapies.

With rapidly rising health care costs, home care offers a practical means of providing health care and related services to those who desperately need them. By offering these services in the home, we can treat our elderly, disabled and chronically ill population comfortably, cost-effectively, and with high-quality, individualized health care and supportive services.

THEREFORE, I Charles Coffey, Mayor of the city of Marquette, do hereby proclaim November 29 through December 5, as "Home Care Week" in Marquette. I urge our Citizens to recognize the

November 30, 1992

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

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

PRESENT: Mayor Coffey, Mayor Pro Tem Coyne, Commissioners Clark, Hovick, Pridemore,
Schnieder, Thompson.
ABSENT: None.

AGENDA
Mayor Pro Tem Coyne asked that item 12 be removed from the agenda. Commissioner Schnieder stated that item 12a be removed from the consent agenda and be made item 13a.

CITIZEN COMMENT
Tom Durham said citizens should be allowed to speak on each motion made by the Commission before the vote is taken. Jack Knieger, President of the First National Bank offered to answer questions on item 13a. He said the County Economic Development Corporation has entered the bank's project, that the total investment in property and buildings would be \$250,000, that they would employ seven full time employees with an annual payroll of \$125,000. He presented plans for the proposed building, said construction would start as soon as zoning is approved, and that the bank would be open in the spring. Mike Bessonneau asked who appoints people to City Commission. He complained about the method of appointment for the Lake Superior Area Advisory Committee and the Lake Superior Water Maintenance Committee. He asked to speak on items 11, 12, and 13. He said the Seventh Street right of way acquisition should have been on the agenda tonight. Juliana Berglund said the City Commission should make the final decision on the McClellan Avenue alignment, not the Planning Commission.

PROCLAMATION - Home Care Week 1992
Mayor Coffey made the following proclamation:

Marquette citizens of all ages and economic levels are concerned about high quality, affordable, long-term health care. Home care provides a wide range of services needed health and supportive services to the elderly, disabled and frail in their own homes. The concept of home care is the oldest and most enduring tradition of health service delivery in the United States of America. Surveys show that most people prefer to receive medical care and related supportive services in their own homes. There is also a significant and growing body of evidence that home care services enhance quality and fuller recoveries and improvements that comparable services within institutions. Home care allows our disabled and chronically ill citizens all ages to remain with their loved ones in surroundings that are familiar and comfortable. In so doing, home care helps preserve one of the country's most important social values, keeping families together. As our citizens require more in-home care, Marquette and home care agencies are meeting that challenge. Home care agencies are providing services ranging from assistance with personal care to high-tech intravenous drug therapies. With rapidly rising health care costs, home care offers a practical means of providing health care and related services to those who desperately need them. By offering these services in the home, we can best care our elderly, disabled and chronically ill population comfortably, cost-effectively, and with high-quality, individualized health care and supportive services.

THEREFORE I Charles Coffey, Mayor of the City of Marquette, do hereby proclaim November 29 through December 5, as "Home Care Week" in Marquette. I urge our Citizens to recognize the

efforts of home care providers and their families and friends of the elderly and disabled, who provide such important services in their home.

IN WITNESS WHEREOF, I have signed, this (date) of (month), 1992, and affixed the Seal of the City of Marquette.

PROCLAMATION - Community Christmas Party

Mayor Coffey announced that this was the time set for presentation on the Community Christmas Party. Glenda Mock, representing the Friends of Marquette, said the party this year would be at the Holiday Inn Ridge Room. She listed local companies, institutions, and people who had been a major support in the preparation for this year's party. She said serving will be from 12:00 to 4:00 p.m. on Christmas Day and home deliveries will begin at 11:00 a.m. In addition, Marq-Tran is offering free rides for people to come to the Christmas party. It is intended for anyone who will be alone on Christmas Day. She said volunteers are still needed to assist in the Christmas party.

DEAD RIVER PARK

Mayor Coffey announced this was the time set for a presentation on the Adopt-A-Park Project at the Dead River Park. Chris Faull, representing the Telephone Pioneers of America, displayed a replica of the park which her organization has prepared. She recognized people who had been instrumental in working on maintaining the park.

SISTER CITY ADVISORY COMMITTEE

Paulette Lindberg, Sister City Advisory Committee member, spoke on the work of the Committee towards developing a relationship with a Sister City in Finland. She also spoke about preparations for the delegation to visit Yokaichi, our Japanese Sister City, in May. She introduced Committee members who were present as well as ad hoc members who have been working with the Committee, and a student from the proposed Sister City of Kajaani, Finland. Pauline Kiltinen, Chairwoman of the Sister City Advisory Committee, described the location of Kajaani in Finland and spoke on her visit there last summer. She said they are interested in becoming a sister city and noted several similarities between Marquette and Kajaani. She said the Committee has asked the NMU student from Kajaani to take the Committee's greetings back to Kajaani at Christmas time. Martin Eskelinen said he became interested in the possibility of a Finnish Sister City and has worked with the Sister City Advisory Committee. He said he visited Kajaani last summer and feels there is a good chance to start a sister city exchange. Mayor Pro Tem Coyne said the Committee should meet with City Manager Iman to discuss budgetary needs for developing a Finnish sister city.

PROJECT OH! ZONE

Christian Hansen, Director of Project Oh! Zone, described the organization and their Project Target. He said they will be getting students to clean up illegal dump sites throughout Marquette County and asked that the Commission approve an agreement to establish the relationship between Project Target and the City. Commissioner Howes asked about the liability provision in the proposed agreement. City Attorney Martin and Personnel Director Cardone answered questions about the liability provisions. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Thompson, and carried unanimously to authorize the City Manager to discuss the proposed agreement with Mr. Hansen, especially in regard to the liability coverage.

ITEMS OF COMMUNITY PRIDE

Brad Gravel, John Pederson, Al Hauptman, Judy Provost, Jim Provost, and Joe Wales were recognized for their work on the Pop Warner football program for youth aged 10 to 14. Student organizations at Northern Michigan University which have been active in community affairs included Platform Personalities, First Impressions, the Organization for Outdoor Recreation Professionals, and the Physics

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efforts of home care providers and their families and friends of the elderly and disabled, who provide such important services in their homes.
IN WITNESS WHEREOF, I have signed, this 14th day of January, 1992, and affixed the Seal of the City of Marquette.

EXPLANATION - Community Christmas Party
Mayor Coffey announced that this was the time set for presentation on the Community Christmas Party. Glenda Mook, representing the Friends of Marquette, said the party this year would be at the Holiday Inn Ridge Room. She listed local companies, institutions, and people who had been a major support in the preparation for this year's party. She said serving will be from 12:00 to 4:00 p.m. on Christmas Day and home deliveries will begin at 11:00 a.m. In addition, Mar-Tan is offering free rides for people to come to the Christmas party. It is intended for anyone who will be alone on Christmas Day. She said volunteers are still needed to assist in the Christmas party.

DEAD RIVER PARK
Mayor Coffey announced this was the time set for a presentation on the Adopt-A-Park Project at the Dead River Park. Chris Paul, representing the Telephone Friends of America, displayed a replica of the park which her organization has prepared. She recognized people who had been instrumental in working on maintaining the park.

SISTER CITY ADVISORY COMMITTEE
Richard Lindberg, Sister City Advisory Committee member, spoke on the work of the Committee towards developing a relationship with a Sister City in Finland. She also spoke about presentations for the delegation to visit Jokioinen, our Japanese Sister City, in May. She introduced Committee members who were present as well as old friends who have been working with the Committee, and a student from the proposed Sister City of Kajani, Finland, Pirkko Kuitton, Chairwoman of the Sister City Advisory Committee, described the location of Kajani in Finland and spoke on her visit there last summer. She said they are interested in becoming a sister city and noted several similarities between Marquette and Kajani. She said the Committee has asked the NMU student from Kajani to take the Committee's greetings back to Kajani at Christmas time. Martin Eskelinen said he became interested in the possibility of a Finnish Sister City and has worked with the Sister City Advisory Committee. He said he visited Kajani last summer and feels there is a good chance to start a sister city exchange. Mayor Pro Tem Coyne said the Committee should meet with City Manager Tom to discuss budgetary needs for developing a Finnish sister city.

PROJECT OIL ZONE
Christen Hansen, Director of Project Oil Zone, described the organization and their Project Target. He said they will be getting students to clean up illegal dump sites throughout Marquette County and said that the Commission approves an agreement to establish the relationship between Project Target and the City. Commissioner Howes asked about the liability protection in the proposed agreement. Attorney Martin and Personnel Director Cardone answered questions about the liability provisions. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Thompson, and carried unanimously to authorize the City Manager to discuss the proposed agreement with Mr. Hansen, especially in regard to the liability coverage.

ITEMS OF COMMUNITY PRIDE
Don Gravel, John Pederson, Al Houghton, Judy Provost, Jan Provost, and Joe Wiles were recognized for their work on the Pop Warner football program for youth aged 10 to 14. Student organizations at Marquette Michigan University which have been active in community affairs included Pi Kappa Phi, Phi Kappa Phi, the Organization for Outdoor Recreation Professionals, and the Phi Kappa Phi Honor Society. First impressions, the Organization for Outdoor Recreation Professionals, and the Phi Kappa Phi Honor Society.

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Club. In addition, the Student Leader Fellowship Program has sponsored the first Leader In Residence program.

FIRST READING

Street Reconstruction Projects

A recommendation from the Planning Commission, regarding reconstruction projects on Crescent Street, Michigan Street, and Grove Street, was read. Mike Bissonnette presented the results of a survey taken by a citizens group. He objected to a 36 foot pavement width on Grove Street saying it is not needed. After questions from Commissioners, this item was referred to the next meeting for second reading.

STREET SWEEPER FINANCING

A report and recommendation from the City Manager, regarding a financing agreement for the recently purchased street sweeper, was read. Mayor Coffey noted the memo from Finance Director Donna Kohut asking for action on this matter this evening. It was moved by Mayor Pro Tem Coyne and supported by Commissioner Howes to suspend the rules, to accept the recommendation of the City Manager, to accept the quote of the First of America Bank at the rate of 4.60%, to authorize the Mayor and City Clerk to execute the note and other pertinent documents, and to amend the fiscal year 1992-93 motor vehicle equipment budget to provide for revenue and appropriations of \$85,000. After brief discussion, it was moved by Commissioner Schneider, supported by Commissioner Pinkard, and carried unanimously to amend the motion to require that at the end of the fiscal year, if there are excess monies in the motor pool fund, they be applied toward this note. The amended motion was then carried unanimously.

FUEL DEPOT AGREEMENTS

A report and recommendation from the City Manager, regarding agreements with the Marquette Area Public Schools and Marquette County for use of the City's new fuel depot, was read. It was moved by Commissioner Schneider, supported by Commissioner Pinkard, and carried unanimously to suspend the rules for second reading, to approve these agreements now, and to authorize the Mayor and City Clerk to execute same.

TRANSPORTATION FUND BONDS

A report and recommendation from the City Manager, regarding the sale of \$1,745,000 in Michigan Department of Transportation Fund Bonds, Series 1992, was read. It was moved by Commissioner Pinkard, supported by Commissioner Howes, and carried unanimously to suspend the rules, to concur with the recommendation of the City Manager, and to adopt the following resolution:

MICHIGAN TRANSPORTATION FUND BOND RESOLUTION

WHEREAS, this City Commission hereby determines that it is necessary to make certain street improvements including construction of McClellan Avenue, Grove to Pioneer and reconstruction of portions of Fair Avenue, McClellan Avenue, Crescent Street and Adams Street (the "Improvements") in the City of Marquette (the "city"); and

WHEREAS, the cost of the Improvements is estimated to be in excess of Four Million One Hundred Thousand Dollars (\$4,100,000); and

WHEREAS, to pay a part of the cost of the Improvements the city Commission deems it necessary to borrow the sum of One Million Seven Hundred Forty-Five Thousand Dollars (\$1,745,000) and issue bonds as authorized by the provisions of Act 175, Public Acts of Michigan, 1952, as amended ("Act 175"), the balance of the cost to be paid from other funds of the city and available grants, if any; and WHEREAS, the Improvements are in accordance with the purposes enumerated in Act 51, Public Acts of Michigan, 1951 ("Act 51"); and

WHEREAS, the revenues received by the city from the Michigan Transportation Fund pursuant to Act 51, in the fiscal year preceding the contemplated borrowing are more than sufficient to comply with all the requirements specified in Section 4 of Act 175; and

WHEREAS, based upon certain assumptions as to the interest rate on the bonds to be issued, \$1,745,000 is the maximum amount the City may borrow at this time under Act 175; and

WHEREAS, if the actual interest rate on the bonds is such that the amount the city may borrow under Act 175 is greater than \$1,745,000, the city desires to borrow such greater amount up to the estimated cost of the Improvements; and

WHEREAS, the city desires to sell bonds in a private negotiated sale to the Michigan Municipal Bond Authority (the "MMBA") as authorized by Act 227, Public Acts of Michigan, 1985 ("Act 227").

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Club. In addition, the Student Leader Fellowship Program has sponsored the first Leader in Residence Program.

FIRST READING

Great Reconstruction Projects
A recommendation from the Planning Commission, regarding reconstruction projects on Cass and Great, Michigan Street, and Grove Street, was read. Mrs. Bissonette presented the results of a survey taken by a citizens group. He objected to a 36 foot pavement width on Grove Street saying it is not needed. After questions from Commissioner, this item was referred to the next meeting for second reading.

STREET SWEEPER FINANCING

A report and recommendation from the City Manager, regarding a financing agreement for the recently purchased street sweeper, was read. Mayor Coffey noted the memo from Finance Director Dennis Koutouf asking for action on this matter this evening. It was moved by Mayor Pro Tem Coyne and supported by Commissioner Howes to suspend the rules, to accept the recommendation of the City Manager, to accept the quote of the First of America Bank at the rate of 4.50%, to authorize the Mayor and City Clerk to execute the note and other pertinent documents, and to amend the fiscal year 1992-93 motor vehicle equipment budget to provide for revenue and expenditures of \$85,000. After brief discussion, it was moved by Commissioner Schneider, supported by Commissioner Finkard, and carried unanimously to amend the motion to reduce that at the end of the fiscal year, if there are excess monies in the motor pool fund, they be applied toward this note. The amended motion was then carried unanimously.

FUEL DEPOT AGREEMENTS

A report and recommendation from the City Manager, regarding agreements with the Marquette Area Public Schools and Marquette County for use of the City's new fuel depot, was read. It was moved by Commissioner Schneider, supported by Commissioner Finkard, and carried unanimously to suspend the rules for second reading, to approve these agreements now, and to authorize the Mayor and City Clerk to execute same.

TRANSPORTATION FUND BONDS

A report and recommendation from the City Manager, regarding the sale of \$1,748,000 in Michigan Department of Transportation Fund Bonds, Series 1992, was read. It was moved by Commissioner Finkard, supported by Commissioner Howes, and carried unanimously to suspend the rules, to concur with the recommendation of the City Manager, and to adopt the following resolution:

MICHIGAN TRANSPORTATION FUND BOND RESOLUTION

WHEREAS, the City Commission hereby determines that it is necessary to raise certain bond proceeds for the construction of Michigan Avenue, Grove St. Street, and reconstruction of the Avenue, Michigan Avenue, Cass Street and Adams Street in the City of Marquette, Michigan; and
WHEREAS, the cost of the improvement is estimated to be in excess of Four Million Two Hundred Thousand Dollars (\$4,200,000); and
WHEREAS, to pay a part of the cost of the improvement the City Commission deems it necessary to borrow the sum of One Million Four Hundred Forty-Four Thousand Dollars (\$1,444,000) and such bonds as authorized by the resolution of the City of Marquette, Michigan, Series 1992, as amended ("Act 170"), the balance of the cost to be paid from other funds of the City and available general fund and 1992-93 and 1993-94 bond proceeds as in accordance with the purposes enumerated in Act 170, Public Acts of Michigan, 1981 ("Act 171"); and
WHEREAS, the interest received by the City from the Michigan Transportation Fund amount to Act 171, in the fiscal year ending the date of the resolution, will be sufficient to carry with all the payments provided in Section 4 of Act 170; and
WHEREAS, bond proceeds authorized as to the bonds to be issued, \$1,444,000, to be advanced to the City for the purpose of the improvement and the bonds to be issued, \$1,444,000, to be advanced to the City for the purpose of the improvement; and
WHEREAS, the City desires to call bonds to be issued, \$1,444,000, to be advanced to the City for the purpose of the improvement; and
WHEREAS, the City desires to call bonds to be issued, \$1,444,000, to be advanced to the City for the purpose of the improvement; and
WHEREAS, the City desires to call bonds to be issued, \$1,444,000, to be advanced to the City for the purpose of the improvement; and

IT IS RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARQUETTE, as follows:

1. AUTHORIZATION OF BONDS - PURPOSE. The City Commission determines to borrow the sum of One Million Seven Hundred Forty-Five Thousand Dollars (\$1,745,000) and issue bonds pursuant to the provisions of Act 175 for the purpose of providing funds to pay part of the cost of the Improvements; provided, however, if the interest rate on the bonds permits the City to borrow a greater amount under Section 4 of Act 175, the bonds may be in such greater amount as will permit the bonds to be issued in \$5,000 denominations and not exceed the estimated cost of the Improvements. The period of usefulness of the Improvements is estimated to be not less than fifteen (15) years. The plans for and estimates of cost of the Improvements are hereby approved and adopted.

2. BOND DETAILS. The bonds shall be designated "Michigan Transportation Fund Bonds, Series 1992"; shall have an original issue date of December 17, 1992, or such later date as shall be determined by the Finance Director of the City; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or, at the option of the bondholder, any integral multiple thereof not exceeding the aggregate principal amount for each maturity; shall bear interest at a rate or rates to be determined upon the sale of the bonds, first payable on August 1, 1993, and on each February 1 and August 1 thereafter and shall mature, subject to modification as provided in paragraphs 1 and 3, on August 1 in each year as follows:

<u>Year</u>	<u>Principal Amount</u>
1993	
1994	\$11,000
1995	80,000
1996	80,000
1997	85,000
1998	85,000
1999	85,000
2000	90,000
2001	95,000
2002	95,000
2003	140,000
2004	145,000
2005	150,000
2006	160,000
2007	165,000
	175,000

3. SALE OF BONDS TO THE MICHIGAN MUNICIPAL BOND AUTHORITY. It is determined that the bonds shall be sold at a private negotiated sale to the MMBA, as authorized by Act 227, Public Acts of Michigan, 1985 ("Act 227"). The sale shall be made pursuant to the terms and conditions set forth in a Purchase contract substantially in the form of Exhibit A hereto (the "Purchase Contract") and the form of the Purchase Contract is approved. Each of the Mayor and the city Finance Director is authorized to approve the aggregate principal amount of the bonds, the annual maturities, the interest rate on the bonds and the price at which the bonds are sold to the MMBA and to execute and deliver the Purchase Contract on behalf of the City; provided, the annual principal and interest requirements on the bonds do not exceed the maximum amount permitted by Act 179, the aggregate principal amount of the bonds does not exceed the estimated cost of the Improvements, the net interest cost on the bonds shall not exceed 8% per annum and the price to be paid by the MMBA shall not be less than 98% of the aggregate face amount of the bonds. Each of the Mayor, the City clerk, the city Treasurer and the City Finance Director is authorized to execute and deliver the bonds, a Non-Arbitrage certificate, a Nonlitigation Certificate and such other certificates or documents as the MMBA and bond counsel shall require.

In order to facilitate the sale to the MMBA, the city covenants and agrees for the benefit of the owners of the bonds that it will comply with the applicable requirements of the Internal Revenue code of 1986, as amended, so that the interest on the bonds shall be and continue to be excluded from gross income for federal income tax purposes.

4. PAYMENT OF PRINCIPAL AND INTEREST. So long as the MMBA is the registered owner of the bonds, (a) the bonds are payable as to principal, premium, if any, and interest at the principal corporate trust office of First of America Bank-Southeast Michigan, N.A., Bloomfield Hills Michigan, or at such other place as shall be designated in writing to the city by the MMBA (the "MMBA's Depository"); (b) the city agrees that it will deposit with the MMBA Depository payments of the principal of, premium, if any, and interest on the bonds in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; and (c) written notice of any redemption of the bonds shall be given by the city and received by the MMBA's Depository at least 40 days prior to the date on which such redemption is to be made. If the bonds are not registered in the name of the MMBA, the principal of and premium, if any, shall be payable upon presentation and surrender of the bonds to the bond registrar and paying agent as they severally mature and interest shall be paid, when due, to the registered owner of each bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address. The principal of, premium, if any, and interest on the bonds shall be payable in lawful money of the United States.

5. OPTIONAL REDEMPTION. The bonds are subject to optional redemption in whole or in part, in such order as the city may determine, in integral multiples of \$5,000, on any date on or after August 1, 2002, at the following redemption prices (expressed as percentages of their principal amounts), plus accrued interest to the redemption date:

<u>During Which Redeemed</u>	<u>Redemption Price</u>
August 1, 2002, to July 31, 2003 inclusive	102%
August 1, 2003, to July 31, 2004 inclusive	101%
August 1, 2004 and thereafter	100%

written notice of such redemption must be given to the MMBA's Depository by the City at least 40 days prior to the date on which such redemption is to be made, so long as the MMBA is the owner of the bonds, and thereafter by mail at least 30 days prior to the redemption date to the registered

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1. AUTHORIZATION OF BOND ISSUE - The City Commission determined to issue the sum of One Million Dollars (\$1,000,000) in General Obligation Bonds for the purpose of financing the construction of the new City Administration Center. The bonds shall be issued in one or more series, and the proceeds thereof shall be used for the purpose of financing the construction of the new City Administration Center. The bonds shall be issued in one or more series, and the proceeds thereof shall be used for the purpose of financing the construction of the new City Administration Center.

2. BOND DETAILS - The bonds shall be designated "General Obligation Bonds" and shall be issued in one or more series, and the proceeds thereof shall be used for the purpose of financing the construction of the new City Administration Center. The bonds shall be issued in one or more series, and the proceeds thereof shall be used for the purpose of financing the construction of the new City Administration Center.

Year	Amount
1992	100,000
1993	100,000
1994	100,000
1995	100,000
1996	100,000
1997	100,000
1998	100,000
1999	100,000
2000	100,000
2001	100,000
2002	100,000
2003	100,000
2004	100,000
2005	100,000
2006	100,000
2007	100,000
2008	100,000
2009	100,000
2010	100,000
2011	100,000
2012	100,000
2013	100,000
2014	100,000
2015	100,000
2016	100,000
2017	100,000
2018	100,000
2019	100,000
2020	100,000
2021	100,000
2022	100,000
2023	100,000
2024	100,000
2025	100,000
2026	100,000
2027	100,000
2028	100,000
2029	100,000
2030	100,000
2031	100,000
2032	100,000
2033	100,000
2034	100,000
2035	100,000
2036	100,000
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2092	100,000
2093	100,000
2094	100,000
2095	100,000
2096	100,000
2097	100,000
2098	100,000
2099	100,000
2100	100,000

3. SALE OF BONDS TO THE MARQUETTE BOND AUTHORITY - It is intended that the bonds shall be sold to a trustee or trustees to be designated by the City Commission. The trustee or trustees shall be authorized to execute all necessary documents in connection with the sale of the bonds, and to deliver the proceeds thereof to the City Commission. The trustee or trustees shall also be authorized to execute all necessary documents in connection with the redemption of the bonds, and to deliver the proceeds thereof to the City Commission.

4. PAYMENT OF PRINCIPAL AND INTEREST - The principal and interest on the bonds shall be paid from the proceeds of the bonds, and from the proceeds of the sale of the bonds. The principal and interest on the bonds shall be paid from the proceeds of the bonds, and from the proceeds of the sale of the bonds.

5. OPTIONAL REDEMPTION - The bonds shall be subject to optional redemption at any time and from time to time, at the discretion of the City Commission. The optional redemption shall be at the option of the City Commission, and shall be subject to the payment of a premium of five percent (5%) above the principal amount of the bonds.

Year	Amount
1992	100,000
1993	100,000
1994	100,000
1995	100,000
1996	100,000
1997	100,000
1998	100,000
1999	100,000
2000	100,000
2001	100,000
2002	100,000
2003	100,000
2004	100,000
2005	100,000
2006	100,000
2007	100,000
2008	100,000
2009	100,000
2010	100,000
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2093	100,000
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2096	100,000
2097	100,000
2098	100,000
2099	100,000
2100	100,000

owner as of the close of business on the 45th day preceding the redemption date addressed to the registered owner at the address appearing on the registration books of the City.

6. BOND REGISTRAR AND PAYING AGENT. Until a successor bond registrar and paying agent is appointed, the Treasurer of the City shall act as the bond registrar and paying agent for the bonds.

7. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS. The bonds shall be executed in the name of the City with the actual or facsimile signatures of the Mayor and the City Clerk and shall bear the actual or a facsimile of the city seal. No bond of this series shall be valid until authenticated by the bond registrar or paying agent. The bonds shall be delivered to the city Treasurer for authentication and be delivered by her to the MMBA upon payment of the purchase price for the bonds. Executed blank bonds for registration and issuance to transferees shall, from time to time as necessary, be delivered to the bond registrar and paying agent for safekeeping.

8. EXCHANGE AND TRANSFER OF BONDS. Any bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, may, at the option of the registered owner thereof, be exchanged for bonds of any other authorized denominations of the same aggregate principal amount and maturity: date and bearing the same rate of interest as the surrendered bond. Each bond shall be transferable only upon the books of the city, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any bonds, the bond registrar and paying agent on behalf of the City shall cancel the surrendered bond and shall authenticate and deliver to the transferee a new bond or bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered bond. If, at the time the bond registrar and paying agent authenticates and delivers a new bond pursuant to this section, payment of interest on the bonds is in default, the bond registrar and paying agent shall endorse upon the new bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is _____. The City and the bond registrar and paying agent may deem and treat the person in whose name any bond shall be registered upon the books of the City as the absolute owner of such bond, whether such bond shall be overdue or not, for the purpose of paying the principal of and interest on such bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 4 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such bond to the extent of the sum or sums so paid, and neither the City nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of bonds, the City or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

9. APPROPRIATION OF CITY'S MICHIGAN TRANSPORTATION FUND PAYMENTS. In accordance with the provisions of Act 175, the amount necessary to pay the principal of and interest on the bonds is irrevocably appropriated from the moneys to be derived from State-collected taxes returned to the City for highway purposes. The Treasurer of the city is directed, each year that any of the principal of and interest on the bonds remains unpaid, to set aside in a separate depository account, to be designated Michigan Transportation Fund Bonds, Series 1992 Debt Retirement Fund, sufficient moneys from revenues received during such year from the Michigan Transportation Fund to pay the principal of and interest on the bonds next maturing. The Treasurer is further directed to open a separate depository account, to be designated 1992 Michigan Transportation Fund Construction Fund into which bond proceeds less accrued interest and premium, if any, shall be deposited and from which account costs of constructing the Improvements shall be paid.

10. PLEDGE OF FULL FAITH AND CREDIT. Pursuant to Act 175, and as additional security for the prompt payment of the principal of and interest on the bonds, there is hereby irrevocably pledged the limited tax full faith and credit of the City. If the funds primarily pledged are not adequate to pay the principal of and interest on the bonds, when due, the City will levy a tax sufficient to pay the principal of and interest on the bonds, when due, provided, that taxes levied by the City to pay principal of and interest on the bonds are subject to constitutional, charter and statutory limitations.

11. FORM OF BONDS. The bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF MARQUETTE
CITY OF MARQUETTE
MICHIGAN TRANSPORTATION FUND BOND, SERIES 1992

Interest <u>Rate</u> Various (See Exhibit A)	Date Of <u>Maturity</u> Various (See Exhibit A)	Date Of <u>Original Issue</u> December 17, 1992
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Registered Owner: Michigan Municipal Bond Authority
Principal Amount:

The City of Marquette (the "City"), County of Marquette, State of Michigan, acknowledges itself indebted to, and for value received, promises to pay to the Registered Owner, or registered assigns, the Principal Amount set forth, in lawful money of the United States of America on the Date Of Maturity, with interest thereon from the Date Of Original Issue or such later date to which interest has been paid, until paid, at the Interest Rate per annum, payable on August 1, 1993, and on each February 1 and August 1 thereafter. Notwithstanding any other provision of this Bond, so long as the Michigan Municipal Bond Authority ("MMBA") is the owner of this Bond, (a) this bond is payable as to principal, premium, if any, and interest at the principal corporate trust office of First of America Bank-Southeast Michigan, N.A., Bloomfield Hills, Michigan, or at such other place as shall be designated in writing to the City by the MMBA (the "MMBA's Depository"), (b) the City agrees that it will deposit with the MMBA's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise, and (c) written notice of any redemption of this bond shall be given by the City and received by the MMBA's Depository, at least 40 days prior to the date on which such redemption is to be made; otherwise, the principal of and premium, if any, shall be payable upon presentation and surrender of this bond to the bond registrar and

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paying agent and interest shall be paid to the Registered Owner as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due by check or draft drawn upon and mailed by the bond registrar and paying agent to the Registered Owner at the registered address.

This bond is one of a series of bonds aggregating the principal sum of Four Million One Hundred Thousand Dollars (\$4,100,000) issued for the purpose of making certain street improvements in the city in accordance with a resolution adopted by the City Commission of the city on November 13, 1992, pursuant to the provisions of Act 175, Public Acts of Michigan, 1952, as amended.

The bonds are subject to optional redemption in whole or in part, in integral multiples of \$5,000 on any date on or after August 1, 2002, at the following redemption prices (expressed as percentages of their principal amounts), plus accrued interest to the redemption date:

Period During Which Redeemed			Redemption Price
August	1,	2002, to July 31, 2003 inclusive	102%
August	1,	2003, to July 31, 2004 inclusive	101%
August	1,	2004 and thereafter	100%

If the MMBA is not the Registered Owner of this bond, written notice of redemption must be given 30 days prior to the redemption date to the Registered Owner as of the close of business on the 45th day preceding the redemption date by mail addressed to the Registered Owner at the address appearing on the registration books of the City. Failure to receive notice of redemption shall not affect the proceedings for redemption.

This bond and the interest hereon are payable from the proceeds of State-collected taxes returned to the City for highway purposes pursuant to law, or in case of insufficiency of said funds, out of the general funds of the City and the resolution authorizing the bonds contains an irrevocable appropriation of the amount necessary to pay the principal of and interest on this bond and the series of bonds of which this is one from moneys derived from such State-collected taxes so returned to the City for highway purposes which have not been theretofore specifically allocated and pledged for the payment of indebtedness. As additional security the City has pledged its full faith and credit to the payment of the principal of and interest on the bonds. If State-collected taxes returned to the city for highway purposes are insufficient to pay the principal of and interest on the bonds, when due, the city is obligated to levy ad valorem taxes sufficient to make such payments, but the ability of the city to levy such taxes is subject to charter, statutory and constitutional limitations. The city may issue additional bonds payable from State-collected taxes within the limitations prescribed by law.

This bond is not a general obligation of the State of Michigan.

This bond is transferable only upon the books of the City kept for that purpose at the office of the bond registrar and paying agent by the Registered Owner hereof in person, or by its attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing the bonds, and upon the payment of the charges, if any, therein prescribed.

It is certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of the series of bonds of which this is one, in order to make them valid and binding obligations of the City, have been done, exist and have happened in regular and due form and time as required by law, and that the total indebtedness of the City, including the series of bonds of which this is one, does not exceed any constitutional, charter or statutory limitation.

This bond is not valid or obligatory for any purpose until the bond registrar and paying agent's Certificate of Authentication on this bond has been executed by the bond registrar and paying agent.

IN WITNESS WHEREOF, the City of Marquette, county of Marquette, State of Michigan, by its city Commission, has caused this bond to be executed in its name by facsimile signatures of its Mayor and its City Clerk and its City seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an Authorized Representative of the transfer agent.

CITY OF MARQUETTE
(SEAL)

By: _____
City clerk

By: _____
Mayor

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned Resolution.
Bond Registrar and Paying Agent

By: _____ Authorized Representative

AUTHENTICATION DATE: _____

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond and all rights thereunder and does irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

November 30, 1992

Signature Guaranteed:

NOTICE: The signature(s) to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program. The transfer agent will not effect transfer of this bond unless the information concerning the transferee requested below is provided.

PLEASE INSERT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER OF TRANSFEREE

Name and Address: _____

(Include information for all joint owners if the bond is held by joint account)

(Insert number for first named transferee if held by joint account)

EXHIBIT A

The principal amounts, years of maturity and interest rates per annum applicable to the City of Marquette Michigan Transportation Fund Bonds, Series 1992 issued by the city of Marquette, Marquette county, Michigan, are:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
1993	\$ 115,000	
1994	80,000	
1995	80,000	
1996	85,000	
1997	85,000	
1998	85,000	
1999	90,000	
2000	95,000	
2001	95,000	
2002	140,000	
2003	145,000	
2004	150,000	
2005	160,000	
2006	165,000	
2007	175,000	

12. DEFEASANCE. In the event sufficient cash or direct obligations of the United States of America or obligations the principal of and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the issuer, or a combination thereof, the principal and the interest payments on which, without reinvestment of interest, come due at such times and in such amounts as to be fully sufficient to pay, when due, the principal of, redemption premium, if any, and interest on the bonds on the stated maturity date or earlier redemption shall have been deposited in trust for payment in full of the bonds to their maturity, or, if called for redemption, to the date fixed for redemption, this resolution shall be defeased and the holders of the bonds shall have no further rights under this resolution except for payment from the deposited funds and the transfer and exchange of bonds and such bonds shall no longer be considered to be outstanding under this resolution.

13. PUBLICATION OF BOND RESOLUTION. A copy of this resolution shall be published once in The Mining Journal, Marquette, Michigan.

14. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

DISCUSSION ITEMS

DRAIN COMMISSIONER INVOICES

Mike Bissonette said the loans should be repaid as soon as possible to reduce the City's interest cost. He said the citizens had gotten information on these invoices in August and this information should have been available to the City sooner. He said the itemized cost list does not provide adequate information and there should be no other purchases made by the City until these loans are paid. It was moved by Commissioner Howes, supported by Commissioner Pinkard, and carried unanimously to refer this communication to the City administration to come up with differential alternatives as to how this bill could be addressed.

POLITICAL SIGNS

It was moved by Commissioner Coyne and supported by Commissioner Pinkard to refer this item to the Planning Commission for further study and a recommendation. Commissioner Schneider asked questions of Assessor Lowell McLaughlin at great length regarding enforcement of the sign ordinance. City Manager Iman said that letters about violations were sent when the City received complaints about political signs. City Attorney Martin said the City's intent was not to prosecute anyone but to secure compliance with the ordinance. It was moved by Mayor Pro Tem Coyne

November 30, 1992

PLEASE PRINT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER OF TRANSFEREE

PLEASE PRINT THE LAST NAMED TRANSFEREE'S NAME IN FULL

Home and Address

Include telephone for the transferee if the transferee is not the same as the transferee's home and address

DATE: The agreement with the transferee must be signed with the same as it appears on the face of the instrument and submitted to the Commission in one original and one copy.

1.2. The transferee must be guaranteed an equal opportunity to be considered for the same position as the transferee. The transferee must not be discriminated against on the basis of race, sex, religion, or national origin.

TABLE 1

Transferee's Name

Transferee's Name	Amount	Year
1987	120,000	1987
1988	120,000	1988
1989	120,000	1989
1990	120,000	1990
1991	120,000	1991
1992	120,000	1992
1993	120,000	1993
1994	120,000	1994
1995	120,000	1995
1996	120,000	1996
1997	120,000	1997
1998	120,000	1998
1999	120,000	1999
2000	120,000	2000
2001	120,000	2001
2002	120,000	2002
2003	120,000	2003
2004	120,000	2004
2005	120,000	2005
2006	120,000	2006
2007	120,000	2007

1.3. **REPEAL OF BOND RESOLUTION.** A copy of this resolution shall be published once in the Marquette Journal. A copy of this resolution shall be published once in the Marquette Journal. A copy of this resolution shall be published once in the Marquette Journal.

1.4. **CONFLICTING RESOLUTIONS.** All resolutions and parts of resolutions which are in conflict herewith are hereby repealed.

DISCUSSION ITEMS

DRAIN COMMISSIONER INVOICES

Commissioner Finkard said the issue should be resolved as soon as possible to reduce the City's indebtedness. He said the City had gotten information these invoices in August and the information had been available to the City sooner. He said the itemized cost list does not provide adequate information there should be no other charges made by the City until these items are paid. It was moved by Commissioner Howe, supported by Commissioner Finkard, and carried unanimously to refer this communication to the City administrators come up with recommendations to how this bill could be addressed.

POLITICAL SIGNS

It was moved by Commissioner Coyne and supported by Commissioner Finkard to refer this item to the Planning Commission for further study and a recommendation. Commissioner Schindler asked questions. Assistant City Manager Tim Carr said that the City had received complaints about political signs. City Administrator Tim Carr said that the City had not to prosecute anyone but to secure compliance with the ordinance. It was moved by Mayor Pro Tem Carr.

and supported by Commissioner Thompson to call the question. The following vote was taken:
Ayes: Mayor Coffey, Mayor Pro Tem Coyne, Commissioners Howes, Pinkard, Thompson.
Nays: Commissioners Cihak, Schneider.

The motion to call the question was carried.

The vote on the motion was:

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

The motion was carried.

CORNER OF RIDGE AND MCCLELLAN- Rezoning

A communication from the Planning Commission, recommending rezoning property at the northeast corner of Ridge and McClellan from RM-Multiple Family Residential to BG-General Business, was read. Jack Kruger said his company has just received a bid from the Marquette-Alger Community Mental Health for banking services and encouraged the City to also consider using his bank. Commissioner Schneider asked about other zoning districts which would allow construction of the bank but would be more restrictive for other uses. City Planner Gruber responded to these questions. It was moved by Commissioner Schneider, supported by Commissioner Pinkard, and carried unanimously to schedule a public hearing on this rezoning for the December 14, 1992 meeting.

CONSENT AGENDA

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

- A. Approve the minutes of the October 26 and November 9, 1992 City Commission meetings.
- B. Approve the total bills payable in the amount of \$758,778.16.
- C. Adopt the 1993-1994 fiscal year budget development schedule.
- D. Award a contract for the purchase of a 1993 Ford F150 half ton pickup to Advantage Ford in the amount of \$10,714.02.
- F. Adopt a special assessment interest rate of 9% effective November 1, 1992.
- G. Approve a new dance-entertainment permit to be held in conjunction with the Class C licensed business at 124 West Main Street.
- H. Expand the Sister City Advisory Committee to five members and appoint Martin Eskelinen to the newly created position.

APPOINTMENTS

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

MARQUETTE COUNTY TRANSIT AUTHORITY: Submit the names of Jim Scullion and Ted Gagnon to the Marquette County Clerk for nomination to the Transit Board.

CENTRAL DISPATCH POLICY BOARD: Submit the name of Jim Schneider to the Marquette County Clerk for nomination to this Board.

BOARD OF ZONING APPEALS: Appoint Trina LaCosse as an alternate member to a term expiring February 15, 1995.

WATER/SEWER UTILITY ADVISORY COMMITTEE: Appoint Harlan E. Sorensen to a term expiring December 1, 1994.

SISTER CITY ADVISORY COMMITTEE: Appoint Martin Eskelinen to a term expiring December 1, 1995 and reappoint Paulette Lindberg to a term expiring April 1, 1995.

CITIZEN COMMENT

Mike Bissonette said the fact that some water would run from McClellan south of Grove Street onto Grove Street

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CITIZENSHIP
The Board also said the fact that some water would run from McClellan south of Grove Street and Grove Street

December 1, 1992 and report Public Utilities to a term expiring April 1, 1993.
SISTER CITY ADVISORY COMMITTEE: Appoint Martin Ekelin to a term expiring

expiring December 1, 1994.
WATERSEWER UTILITY ADVISORY COMMITTEE: Appoint Helen E. Soranen to a term

expiring February 15, 1995.
BOARD OF ZONING APPEALS: Appoint Tina L. Case as an alternate member to a term

expiring February 15, 1995.
CENTRAL DISPATCH POLICY BOARD: Submit the name of Jim Schneider to the Marquette

County Clerk for nomination to the Board.
MARBLETTE COUNTY TRANSIT AUTHORITY: Submit the names of Jim Scullion and Ted

Gagnon to the Marquette County Clerk for nomination to the Transit Board.
Mayor Coffey made the following appointments with the Commission's concurrence:

AGENDAS
The City Clerk presented the consent agenda. It was moved by Commissioner Howe, supported by Commissioners

Hickok, and carried unanimously to approve the consent agenda as follows:
A. Approve the minutes of the October 28 and November 9, 1992 City Commission meetings.

B. Approve the total bills payable in the amount of \$755,778.18.
C. Adopt the 1993-1994 fiscal year budget development schedule.

D. Award a contractor for the purchase of a 1992 Ford F150 for pickup to Advanageford
in the amount of \$10,714.05.

E. Adopt a special assessment interest rate of 9% effective November 1, 1993.
G. Approve a new dance entertainment permit to be held in conjunction with the Class C

licensed business at 124 West Main Street.
H. Expand the Sister City Advisory Committee to five members and appoint Martin Ekelin
to the newly created position.

to schedule a public hearing on this rezoning for the December 14, 1992 meeting.
Commissioner Schwab, supported by Commissioners Fink and Thompson, and carried unanimously

questionnaire was approved by Commissioner Schwab, supported by Commissioners Fink and Thompson, and carried unanimously
the rezoning of the bank but would be more restrictive than other cases. City Planner Guido responded to these

the City also consider using his bank. Commissioner Schwab asked about other zoning districts which would
has just received a bid from the Marquette-Alger Community Mental Health for banking services and encouraged

and McClellan RM-Multiple Family Residential to BG-General Business, watered. Jack Knapp said his company
and a communication from the Planning Commission, recommending rezoning property of the northeast corner of Ridge

THE MOTION WAS CARRIED.
Mayor Coffey, Mayor Pro Tem Coyne, Commissioners Howe, Fink and Thompson,
Commissioner Clark, Schneider.

THE MOTION TO CALL THE QUESTION WAS CARRIED.
Mayor Coffey, Mayor Pro Tem Coyne, Commissioners Howe, Fink and Thompson,
Commissioner Clark, Schneider.

AND SUPPORTED BY COMMISSIONER THOMPSON TO CALL THE QUESTION. THE FOLLOWING VOTE WAS TAKEN:
Mayor Coffey, Mayor Pro Tem Coyne, Commissioners Howe, Fink and Thompson,
Commissioner Clark, Schneider.

is a violation of the City's wetlands permit. City Manager Iman said this is not the case and that the plans have not changed since the DNR reviewed them prior to issuance of the wetlands permit.

THOMPSON

Commissioner Thompson said the downtown looks wonderful with the Christmas lights all lit.

SCHNEIDER

Commissioner Schneider said he has been reviewing the contracts between the City and its bargaining units. He commended all parties for their ability to resolve differences at the bargaining table. He said an exception was appendix B to the supervisory unit contract and asked that this be a discussion item at the next meeting. He also asked for a discussion item relating to Section 4.10 of the City Charter.

PINKARD

Commissioner Pinkard asked if it is true that the baler at the landfill is not being used anymore. City Manager Iman said that it is in use as far as he or any staff members know. Commissioner Pinkard also asked if the efficiency study of the landfill is still being conducted. Mr. Iman said it had been discontinued but work is going to begin on it again soon. Commissioner Pinkard asked if the City Commission had approved just the building to store contaminated soil in or also the permit application for the soil remediation processing plant. Mr. Iman, referring to the minutes of the October 13 meeting, said the Commission had endorsed the application for the thermal soil remediation processing plant.

CIHAK

Commissioner Cihak asked that Mrs. Berglund's question on the McClellan Avenue location be answered. City Planner Gruber said the Master Plan does not have to be approved by the City Commission but specific street locations do and that the intent is for the Planning Commission to make a recommendation to the City Commission on the actual location for McClellan Avenue. Commissioner Cihak said the Charter Study Committee has set a series of public hearings and asked if this would be a duplication of effort. Mr. Martin said, no, it would not.

HOWES

Commissioner Howes said the downtown lighting is very beautiful and commended all of the people involved in its preparation. He urged citizens to become involved in and help with the Community Christmas Dinner.

COYNE

Mayor Pro Tem Coyne commended the NMU Women's Volleyball Team for their recent wins and wished them good luck in the coming playoffs. She said absolutely no more trees than necessary should be cut in relation to City street projects. She asked if the Charter Study Committee meetings are listed on Channel 11. City Clerk Gruber said they will be.

COFFEY

Mayor Coffey said that committee assignments come from many places. He said the Charter says the Mayor makes appointments with the concurrence of the Commission but recommendations are accepted from many sources. He said, in regard to citizen debate of City Commission motions, that this is a representative form of government and that open debate of motions by people other than the elected governing body is not appropriate. He said if citizens do not agree with this, they should ask the Charter Advisory Committee to change the Charter or should lobby the Commissioner to change the Commission's rules. He said he had been pleased to ride with Santa Claus in a "surrey with the fringe on top" last week. He said the surrey driver had been very impressed with how beautiful the City was and that Santa had said fifty more buildings were lighted this year than last year. He urged citizens to support the Community Christmas Dinner and to make comments to the Charter Study Committee.

IMAN

City Manager Iman said the appointment of John Turausky to the Little Presque Isle Study Committee was done by the City Commission on August 31. He said that he occasionally makes administrative appointments to area groups

City Manager John... said this is not the case and that the time has not yet come to discuss the Downtown... Commission.

Commissioner... said the downtown... Commission is...

Commissioner... said he has been reviewing contracts between the City and it's appearing that he will be able to resolve differences at the beginning of the year. He said an agreement was reached at the meeting and that this is a discussion item at the meeting. He said a discussion item relating to Section 4.10 of the City Charter.

Commissioner... said it is true that the date at the meeting is not being used when the City Manager said that as far as the or any statements from the Commission, he would like to see the Commission... Mr. Finn said it had been discussed and was going to be on a plan... the City Commission had approved but the building is now completed... the permit application for the soil remediation processing plant. Mr. Finn, referring to the minutes of the 12 meeting, said the Commission had endorsed the application for the thermal soil remediation plant.

Commissioner... asked that Mr. Berglund's question on the McClellan Avenue location be answered. City Manager... said the McClellan does not have to be approved by the City Commission but the Planning Commission into a recommendation for the actual location for McClellan Avenue. Commissioner... said the City Study Commission of public hearings and asked if this would be a duplicate effort. He said it would be a duplicate effort.

Commissioner... said the downtown... very beautiful... help with the Community Charter...

Commissioner... said the Downtown... very beautiful... help with the Community Charter...

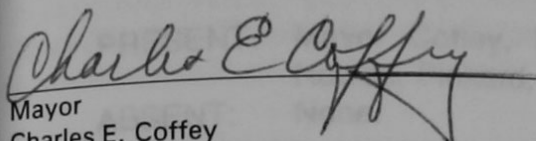
Commissioner... said the Downtown... very beautiful... help with the Community Charter...

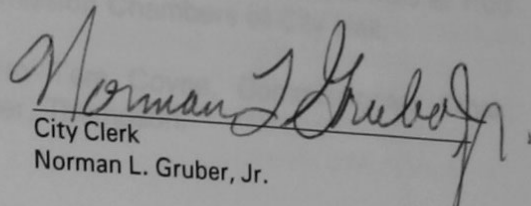
Commissioner... said the Downtown... very beautiful... help with the Community Charter...

based upon expertise of City staffmembers or requests for certain staffmember representation. He said Seventh Street was not on the agenda this evening because of an on-going phase I environmental assessment. He noted that the fiscal year 1990-91 audit showed that grants in the amount of \$135,000 were received. He said so far in this fiscal year, grants totalling \$1,650,000 have been committed to the City. He commended staffmembers who have been involved in working on these grant applications.

ADJOURNMENT

The meeting was adjourned at 9:23p.m.


Mayor
Charles E. Coffey


City Clerk
Norman L. Gruber, Jr.

CITIZEN COMMENT

Tom Dunham asked to speak on Item 7. He said the City Manager does not like to make issues and complained about the Whitestone Drainage District. Mr. Dunham said he is concerned about how appointments are made and asked to speak on Items 7 and 8. Bob Weber, representing the Water and Sewer Utility Advisory Board, wanted to answer questions on Item 5.

MCCLELLAN AND RIDGE - Rezoning

Mayor Coffey announced this was the time and date set for a public hearing on the property at the northeast corner of McClellan and Ridge. The recommendation from the Planning Commission was read. Jack Krueger, representing First National National Bank, offered to answer questions on the petition for rezoning. Mark Shropshir of G.P. Architecture and Engineering offered to answer questions also. The hearing was closed. During discussion, City Manager Inman and Assessor Lowell McLaughlin answered questions about the difference between the general business and community business zoning districts. Mr. Krueger answered questions about the accepted plan of the bank. It was then moved by Commissioner Pirkard, supported by Commissioner Howes, and carried unanimously to rezone the land at the northeast corner of Ridge and McClellan from RM-Multiple Family Residential to BC-Community Business.

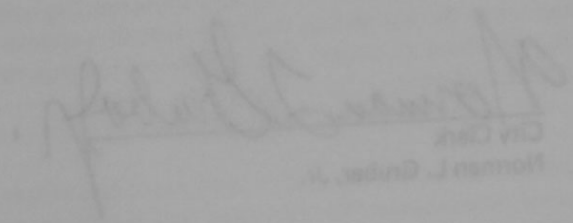
TAX INCREMENT FINANCING - Plan #2

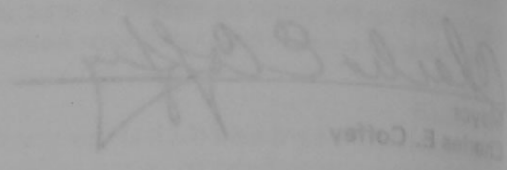
Mayor Coffey announced this was the time and date set for a public hearing on the increment financing plan #2. The report and recommendation from the City Manager was read. Bill Hatrick, representing the Downtown Development Authority, supported the plan. David Payant, Attorney for the Marquette County Board of Commissioners, opposed the plan and cited reasons he felt it did not comply with the State law. He said the County will sue the City if the State laws are not met. He said the County's income depends upon increasing property values, and removing property from the assessment rolls will hurt the County's financial position. The hearing was closed. Letters of request from the Downtown Marquette Association and Normand Hall Estate were read. During discussion, Mr. Payant and City Manager Inman answered questions about the proposed plan. It was moved by Mayor Pro Tem Coyne and supported by Commissioner Pirkard.

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based upon expertise of City staff members or requests for certain staff member representation. He said several grants were not on the agenda this evening because of an on-going grant I environmental assessment. He noted that the fiscal year 1990-9 audit showed that grants in the amount of \$138,000 were received. He said so far in this fiscal year grants totaling \$1,850,000 have been committed to the City. He commended staff members who have been involved in working on these grant applications.

ADJOURNMENT
The meeting was adjourned at 9:23 p.m.


City Clerk
Thomas J. Ginter, Jr.


Charles E. Coffey

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, December 14, 1992**

A regular meeting of the Marquette City Commission was duly called and held at 7:00 p.m. on Monday, December 14, 1992 in Commission Chambers of City Hall.

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

CITIZEN COMMENT

Tom Dunham asked to speak on item 7. He said the City Manager does not like sensitive issues and complained about the Whetstone Drainage District. Mike Bissonette said he is concerned about how appointments are made and asked to speak on items 3 and 7. Bob Weber, representing the Water and Sewer Utility Advisory Board, offered to answer questions on item 5.

MCCLELLAN AND RIDGE - Rezoning

Mayor Coffey announced this was the time and date set for a public hearing on rezoning the property at the northeast corner of McClellan and Ridge. The recommendation from the Planning Commission was read. Jack Krueger, representing First Northern National Bank, offered to answer questions on the petition for rezoning. Mark Shroyer of U.P. Architecture and Engineering offered to answer questions also. The hearing was closed. During discussion, City Manager Iman and Assessor Lowell McLaughlin answered questions about the difference between the general business and community business zoning districts. Mr. Krueger answered questions about the acceptability of these districts for his bank. It was then moved by Commissioner Pinkard, supported by Commissioner Howes, and carried unanimously to rezone the land at the northeast corner of Ridge and McClellan from RM-Multiple Family Residential to BC-Community Business.

TAX INCREMENT FINANCING - Plan #2

Mayor Coffey announced this was the time and date set for a public hearing on tax increment financing plan #2. The report and recommendation from the City Manager was read. Bill Hetrick, representing the Downtown Development Authority, supported the plan. David Payant, Attorney for the Marquette County Board of Commissioners opposed the plan and cited reasons he felt it did not comply with the State law. He said the County will sue the City if the State laws are not met. He said the County's revenue depends upon increasing property values, and removing property from the assessment rolls hurts the County's financial position. The hearing was closed. Letters of support from the Downtown Marquette Association and Northland Real Estate were read. During discussion, Mr. Payant and City Manager Iman answered questions about the proposed plan. It was moved by Mayor Pro Tem Coyne and supported by Commissioner Pinkard

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*the adoption of ordinance #442 is included in the resolution.

to approve the recommendation and adopt the resolution.* During further discussion, County Administrator Dennis Aloia answered questions about the County's opposition to this plan. City Attorney Martin and Ron Wattsson, representing the Downtown Development Authority, answered questions about tax increment financing plan #1. It was moved by Commissioner Cihak and supported by Commissioner Schneider to postpone discussion of this matter until the December 28 City Commission meeting. The following vote was taken:

Aye: Commissioner Cihak.

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

The motion was defeated.

The vote on the original motion was:

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

Nays: Commissioner Cihak.

The motion was carried.

It was then moved by Commissioner Cihak, supported by Commissioner Thompson, and carried unanimously that the City Administration and Mayor with representatives of the Downtown Development Authority, meet with the County Administrator and Attorney to see if some options could be worked out.

SECOND READING

Street Reconstruction Projects

Mike Bissonette reported that his survey shows that a 32 foot wide street is what people want on Grove Street. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Howes, and carried unanimously to approve the recommendation of the Planning Commission with respect to Grove Street reconstruction. During discussion of this motion, City Manager Iman, City Engineer Haapala, and Public Works Superintendent Lawry answered questions about proposed curbs on Grove Street and the need for curbs, the possible development in the area, and the amount of traffic. Mike Bissonette also answered questions. It was then moved by Mayor Pro Tem Coyne, supported by Commissioner Cihak, and carried unanimously to accept the recommendation of the Planning Commission with regard to the reconstruction of Crescent Street between Third and High Streets. It was moved by Commissioner Cihak, supported by Commissioner Howes, and carried unanimously to accept the recommendation of the Planning Commission for the reconstruction of Michigan Street from Front Street to Cedar Street.

Marquette County Economic Development Corporation

Mayor Coffey said this was the second reading on this item. It was moved by Commissioner Schneider, supported by Commissioner Howes, and carried unanimously to determine that the Marquette County Economic Development Corporation has reached a satisfactory level of participation. During discussion, Dick Klahn and Steve Balbierz, representing the Economic Development Corporation, answered questions about the

status of support from other units of government and about the Corporation's proposed budget. City Manager Iman also answered questions.

FIRST READING

Water Filtration Engineering Consultant

A recommendation from the Water and Sewer Utility Advisory Board, regarding selection of a consultant to design a water filtration plant, was read. Bob Weber, representing the Board, and Water and Sewer Plant Superintendent Paul Seglund both answered questions about the process of selecting consultants. This item was referred to the next agenda for second reading. Mayor Coffey called a five minute recess at 9:38 p.m.

Ad Hoc Solid Waste Advisory Committee

A report and recommendation from the City Manager, regarding the creation of an Ad Hoc Solid Waste Advisory Committee, which would be charged to study the alternative of volume-based collection rates, was read. City Manager Iman answered questions about this recommendation. The matter was deferred to the next meeting for second reading.

Drain Commission Invoice

A report and recommendation from the City Manager, regarding options for the payment of the Drain Commissioner invoice for Whetstone and Orianna Drainage Districts, was read. Tom Dunham opposed drainage districts altogether. Mike Bissonette questioned some of the items on the Drain Commissioner's invoice and said more information is needed. The Commission discussed the options at length. This item was referred to the next agenda for second reading.

DISCUSSION

Marquette Junior Hockey

A communication from Marquette Junior Hockey requesting waiver of the \$50.00 fee for use of the Donor's Room for monthly board meetings was read. It was moved by Mayor Pro Tem Coyne and supported by Commissioner Thompson to consider this request at the time we consider our 1993-94 fee schedule and to ask for a report from the Arena Advisory Board on fees for non-profit groups which use the Arena. During discussion, Timothy Hallsworth, representing Marquette Junior Hockey, supported his request. This item was deferred to the next meeting for second reading.

Supervisory Unit Labor Contract - Appendix B

Mayor Coffey announced this was the time set to discuss this appendix. It was moved by Commissioner Schneider, supported by Commissioner Cihak, and carried unanimously to suspend the rules for the purpose of discussing this item. Commissioner Schneider asked questions about the timing of the adoption of this amendment. City Manager Iman responded.

City Charter - Section 4.10

Mayor Coffey announced this was the time set for discussion of Section 4.10 of the City

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Charter. It was moved by Commissioner Schneider and supported by Commissioner Cihak to suspend the rules for the purpose of discussing this item. The following vote was taken:

Ayes: Commissioners Cihak, Howes, Pinkard, Schneider.

Nays: Mayor Coffey, Mayor Pro Tem Coyne, Commissioner Thompson.

The motion was not carried due to the requirement for a two-thirds vote. Mayor Coffey said he will allow five minutes for discussion. Commissioner Schneider said he would prefer to discuss this under new business as there is no time limit. It was then moved by Mayor Pro Tem Coyne, supported by Commissioner Thompson, and carried unanimously to suspend the rules to allow discussion of this item for twenty minutes. Commissioner Schneider asked several questions about Section 4.10 of the Charter. He said there is no relation between Sections 4.10 and 6.9 and that there should be no limit on the right of City Commissioners to ask questions of City employees. Mayor Coffey said he feels the Commission should work through the City Manager. Mayor Pro Tem Coyne said she agrees with Commissioner Schneider but feels the Commissioners have the responsibility of dealing fairly with the employees. Commissioner Howes said the spirit of the Charter is more important than a literal interpretation.

CONSENT AGENDA

Mayor Coffey presented the consent agenda which was then carried unanimously. The following items were approved:

- A. Approve the minutes of the November 30, 1992 meeting.
- B. Approve the total bills payable in the amount of \$335,620.89.
- C. Award a contract for three police patrol vehicles to Advantage Ford of Marquette in the amount of \$44,190.00.

APPOINTMENTS

A communication from Russell Magnaghi, resigning from the Heritage Preservation Committee, was read. Mayor Coffey made the following appointments with the Commission's concurrence:

PARKS AND RECREATION ADVISORY BOARD: Pamela Ann Henriksen and Jonathan E. Nelson to terms expiring January 29, 1996.

CITY COMMISSION ON AGING: Richard Crabb and George Black to three year terms expiring October 1, 1995. Reappoint Dorothy Magill to another three year term expiring October 1, 1995.

WATER/SEWER UTILITY ADVISORY BOARD: Reappoint Robert Glenn and Robert Weber to new three year terms expiring December 1, 1995.

CITIZEN COMMENT

Mike Bissonette asked about cleaning out the pit between Whetstone Creek and the highway. Mr. Bissonette also asked if there would be another hearing on the street reconstruction projects. Mr. Iman said there would be, following design of the projects.

CIHAK

Commissioner Cihak supported the Bi-County High School and urged people to support it by calling the School Board. He noted receipt of a letter about deer feeding at Presque Isle Park and said there were 21 deer wandering on the Island and that it will be a problem to feed them through the winter. He said deer running loose are causing erosion problems and eating the shrubbery. This should be addressed by the Parks and Recreation Advisory Board. He asked if there has been any further response to the letters mailed to our elected officials regarding the water filtration plant requirement. Mr. Iman said there has not. Commissioner Cihak said we should consider follow up letters as this is a very important issue.

HOWES

Commissioner Howes expressed his thanks and congratulations to the City staff members who worked on the application for the \$386,000 bike path grant. He said the Christmas lights around the City are especially beautiful this year. He wished the best of luck to NMU students during finals week and wished them a safe trip home. He said it would be nice to see some snow so winter sports could start.

COYNE

Mayor Pro Tem Coyne said we should consider holding a town meeting and a City Commission retreat. During discussion, the town meeting was scheduled for Saturday, January 16 from 8:00 - 12:00 a.m. The City Commission's retreat was tentatively scheduled for Saturday, January 30.

PINKARD

Commissioner Pinkard said he was happy about the receipt of the bike path grant. He wished everyone a Merry Christmas.

SCHNEIDER

Commissioner Schneider said the Attorney's report indicates the City Commission has adopted Robert's Rules of Order. He asked when this had been done. He also asked for two legal opinions; one on Section 4.10 of the City Charter citing legal precedence, and the other on the constitutionality of the sign ordinance as it relates to political signs. He said both opinions should be filed with the City Clerk under 4.7a of the City Charter.

THOMPSON

Commissioner Thompson congratulated the NMU Women's Volleyball Team and wished everyone happy holidays.

COFFEY

Mayor Coffey asked about cleaning the pits on the Whetstone Brook. City Manager Iman said we are waiting for the DNR permits. He asked if the final plans for street reconstruction would have to come to the Commission for a public hearing. Mr. Haapala said these plans go back to the Planning Commission which recommends to the City

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Commission. He noted local eight year old Kelly Reed had been successful in the Detroit Lions regional competition in the Silver Dome. He said Glenda Mock indicates they still need help with the annual Christmas Dinner. He noted receipt of a letter from Senator Carl Levin saying he has asked the EPA to look into the water filtration requirement. Mayor Coffey said this indicates we do need to write more letters. He said on Wednesday, December 16, the Commission will hold a work session to review the last fiscal year audit. He noted that the audit had been received three weeks ahead of schedule this year. He said receipt of the bike path grant is great news and noted much help from people on Advisory Boards in the process of running the City. He asked if deer were still running free at Presque Isle. Parks and Recreation Director John Turausky said eight deer had been released from the pen and were still on the Island and that thirteen visiting deer have joined them voluntarily.

CITY MANAGER IMAN

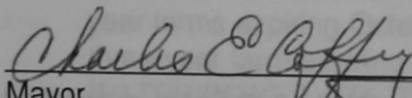
Mr. Iman cited a quick response to a fire on a piece of City equipment by David Miller and Mike Holm for preventing any injuries and limiting the damage to a minor amount. He said the bike path which will be built from Hawley Street to Pioneer Road will follow the abandoned railroad right of way and then run along McClellan Avenue. He said it will be twelve feet wide and 2.6 miles long. He noted good team work on this grant application by many employees and said the bike path will be a good addition to the City. He spoke further regarding appointment procedures and wished everyone a Merry Christmas.

CITY ATTORNEY MARTIN

Mr. Martin said that Chapter 170, Section 5 of the City Code adopted Robert's Rules of Order for Commission meetings by ordinance. He said he has done an extensive brief on political signs which has been filed with the Clerk already and that he doesn't know what further could be done on Section 4.10 of the City Charter because there have been no lawsuits on it so there is no precedent. He said he would be happy to do formal opinions at the Commission's direction.

ADJOURNMENT

The meeting was adjourned at approximately 11:30 p.m.



Mayor
Charles E. Coffey

City Clerk
Norman L. Gruber, Jr.

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY COMMISSION
Monday, December 28, 1992**

A regular meeting of the Marquette City Commission was duly called and held on Monday, December 28, 1992 at 7:00 p.m. in Commission Chambers of City Hall.

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

ABSENT: None.

CITIZEN COMMENT

Michael Bissonette and Tom Dunham asked to speak on item 3, Juliene Berglund and Julie Dropik asked to speak on item 5. Mayor Pro Tem Coyne reserved time for a representative of Habitat for Humanity to speak on item 7.

ITEMS OF COMMUNITY PRIDE

Mayor Coffey recognized Grace United Methodist Church, which is in its third year of providing free tutoring services after school for Whitman School students. In addition, the Church provides the special equipment that is required. The request for this recognition came from Whitman School.

SECOND READING

AD HOC SOLID WASTE ADVISORY COMMITTEE

Mayor Coffey said this was the time for second consideration of a report and recommendation from the City Manager on the creation of an Ad Hoc Solid Waste Advisory Committee. It was moved by Commissioner Howes, supported by Commissioner Pinkard, and carried unanimously that an Ad Hoc Solid Waste Advisory Committee be formed as proposed in the Manager's report. City Manager Iman said he will be looking for representatives of large apartment owners, the Chamber of Commerce, Recycle! Marquette, Peninsula Sanitation, commercial establishments, and citizens at large. The Commission recommended that this be a nine or eleven member Committee.

DRAIN COMMISSIONER INVOICE - Whetstone and Orianna Drainage Districts

Mayor Coffey said this was the time set for consideration of a report and recommendation from the City Manager on options for payment of the Drain Commissioner's invoice. Mike Bissonette read from a 1989 letter from the County Drain Commissioner to the County Board saying perhaps a special assessment district could not be established for just the engineering costs. He said people still need an explanation of some of the items on the invoice. Tom Dunham said a former City Commissioner wanted to rescind his support of the drainage district. He said the cost of this district should be shared by the whole community. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Pinkard, and carried unanimously to explore the creation of storm water utility and to

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delay payment of the invoice until a decision on a utility is made. During discussion, it was agreed that the City should work with Marquette Township and others on coordinating drainage improvements.

TOWN MEETING AND CITY COMMISSION RETREAT

Mayor Coffey announced this was the time set to confirm a date for a town meeting and City Commission retreat. It was moved by Commissioner Thompson, supported by Mayor Coffey, and carried unanimously to set up a town meeting for Saturday, January 16 at 9:00 a.m. to be followed by a strategic planning session for the City Commission.

FIRST READING

MCCLELLAN AVENUE

A recommendation from the City Planning Commission, regarding the location of McClellan Avenue South of the Superior Hills Elementary School site, was read. A letter from Harbourview Development Corporation was also read. Juliene Berglund said she wanted the street to go east through the Summits Subdivision. She said option 1b that had been reviewed by the Planning Commission should be chosen. She gave many reasons that the street should be moved away from her house and towards the east. Julie Dropik said Pioneer Road needs to be upgraded for pedestrians and there should be better pedestrian improvements on McClellan Avenue for children who will be walking to the new elementary school. She also said the mobile homes in the Pioneer Park should not have to be moved. Commissioners asked for more detailed information for the next meeting. This item was referred to the next meeting for second reading.

POLITICAL SIGNS - Proposed Sign Ordinance Amendment

A recommendation from the Planning Commission, regarding an amendment to the sign ordinance establishing new standards for political signs, was read. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Pinkard, and carried to suspend the rules to allow action at this meeting, to schedule a public hearing on the proposed ordinance amendment for the January 11 City Commission meeting, and to consider that meeting the second reading on this recommendation.

HABITAT FOR HUMANITY - Home Sites

A recommendation from the Planning Commission, regarding the transfer of surplus City property to Marquette County Habitat for Humanity for home sites, was read. This item was referred to the next meeting for second reading.

1992 - 93 GENERAL APPROPRIATIONS ACT - Amendment

A report and recommendation from the City Manager, regarding an amendment to the fiscal year 1992-93 General Appropriations Act, was read. It was moved by Commissioner Thompson, supported by Commissioner Howes, and carried unanimously to suspend the rules to allow discussion of this item tonight. Following discussion, it was moved by Commissioner Thompson, supported by Commissioner Howes, and carried to adopt the

amended 1992-93 General Appropriations Act as proposed and to adopt the following general appropriations act as follows:

Amended General Appropriations Act
December 28, 1992
For the Fiscal Period Beginning July 1, 1992 and Ending June 30, 1993

WHEREAS, Public Act 621 of 1978 of the State of Michigan and Chapter 8 of the City Charter require City Commission adoption of a Budget Plan for the forthcoming Fiscal Year; and

WHEREAS, a Tentative Budget and Fee Schedule for Fiscal Year 1992-1993 was prepared and submitted by the City Manager to the City Commission on April 13, 1992; and April 20, 1992; and

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

WHEREAS, a Public Hearing on the Proposed Budget and Fee Schedule was duly called, publicized, and held on May 11, 1992;

NOW, THEREFORE, BE IT RESOLVED, that this Commission hereby make and adopt the following estimates of all revenues and all expenditures of the several funds of the City for the Fiscal Year beginning July 1, 1992, and for the payment of interest and indebtedness to fall due during the year for the following functions and purposes respectively, viz:

General Fund Revenues by Source:

Taxes	\$	3,820,740
Licenses & Permits		10,010
Federal Grants		19,790
State Grants/Shared Revenues		2,065,510
Contributions from Local Units		27,586
Charges for Services		2,105,692
Fines & Forfeits		75,000
Interest and Rents		370,477
Other Revenues		2,384,019
Operating Transfers In		14,000
Transfer From Fund Balance		<u>1,727,154</u>
TOTAL	\$	12,619,978

General Fund Expenditures by Function:

Legislative	\$	50,775
General Government		1,425,303
Public Safety		2,818,320
Public Works		2,039,159
Health & Welfare		151,035
Recreation & Culture		1,390,823

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Other Functions		1,634,965
Appropriations Transfers Out		3,025,598
Contingencies		<u>84,000</u>
TOTAL	\$	12,619,978

Major Street & Trunkline Fund Revenues by Source:

State Grants	\$	1,830,000
Interest		200
Other Revenues		3,000,000
Operating Transfers In		1,488,630
TOTAL	\$	6,318,830

Major Street & Trunkline Fund Expenditures by Function:

Public Works		5,959,755
Debt Service		<u>359,075</u>
TOTAL	\$	6,318,830

Local Street Fund Revenues by Source:

State Grants		200,000
Interest		50
Other Revenues		1,000,000
Operating Transfers In		<u>500,745</u>
TOTAL	\$	1,700,795

Local Street Fund Expenditures by Function:

Public Works		1,610,195
Debt Service		<u>90,600</u>
TOTAL	\$	1,700,795

Parking Fund Revenues by Source:

Parking Fees	\$	83,500
Fines & Forfeits		75,000
Interest		<u>2,000</u>
TOTAL	\$	160,500

Parking Fund Expenditures by Function:

Contingencies	\$	39,675
Public Works/Enforcement/Collections		<u>120,825</u>
TOTAL	\$	160,500

Infrastructure Improvement Fund Revenues by Source:

Interest	\$	15,000
Fund Balance Carried Forward		591,840
Operating Transfer In - General Fund		<u>400,000</u>
TOTAL	\$	1,006,840

Infrastructure Improvement Fund Expenditures by Function:

Operating Transfer Out-Municipal Service Center Const		606,840
Capital Outlay		400,000
TOTAL	\$	1,006,840

Parking Structure Fund Revenues by Source:

Taxes	\$	65,753
Interest and Rents		61,800
Other Revenues		47,810
TOTAL	\$	175,363

Parking Structure Fund Expenditures by Function:

Public Works (Parking System)	\$	95,700
Appropriation Transfers Out (Bldg. Auth. Debt)		61,605
Reserves		18,058
TOTAL	\$	175,363

Library Fund Revenues by Source:

Taxes	\$	425,955
State Grants		70,300
Charges For Services		47,775
Fines & Forfeits		86,100
Interest & Rents		11,700
Other Revenues		51,715
Transfer From Fund Balance		-0-
Transfer From General Fund		-0-
TOTAL	\$	693,545

Library Fund Expenditures:

TOTAL	\$	693,545
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Criminal Justice Training Fund Revenues by Source:

State Grants	\$	7,250
Transfer From Fund Balance		1,300
TOTAL	\$	8,550

Criminal Justice Training Fund Expenditures:

TOTAL	\$	8,550
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1991 Building Authority Debt Fund Revenues:

Transfer From Construction Fund	\$	408,583
TOTAL	\$	408,583

1991 Building Authority Debt Fund Expenditures:

Debt Service	\$	408,583
TOTAL	\$	408,583

1984 Special Assessment Debt Fund Revenues:

Interest & Fees	\$	24,147
Transfer From Fund Balance		18,200
Operating Transfer In - General Fund		12,638
TOTAL	\$	54,985

1984 Special Assessment Debt Fund Expenditures:

Special Assessments	\$	200
Debt Service		54,785
TOTAL	\$	54,985

1985 Building Authority Debt Fund Revenues:

December 28, 1992

Interest	\$	13,985
Assessments Levied		18,300
Approp. Transfers In		61,605
Transfer From Fund Balance		8,970
TOTAL	\$	102,860
1985 Building Authority Debt Fund Expenditures:		
Debt Service	\$	102,860
TOTAL	\$	102,860
River Park Sports Complex Fund Revenues:		
State Grants	\$	340,125
Contributions		60,600
Interest		-0-
Other Revenue		130,500
TOTAL	\$	531,225
River Park Sports Complex Fund Expenditures:		
Capital Outlay	TOTAL \$	531,225
Lower Harbor Marina Project Fund Revenues by Source:		
State Grants	\$	375,000
Operating Transfers In		435,000
Fund Balance Carried Forward	\$	35,000
Interest		1,400
TOTAL		846,400
Lower Harbor Marina Project Fund Expenditures:		
Capital Outlay	\$	846,400
TOTAL	\$	846,400
Lower Harbor Prop Acquisition & Development Fund Revenues:		
TOTAL	\$	58,876
Lower Harbor Prop Acquisition & Development Fund Expenditures:		
TOTAL	\$	58,876
Municipal Service Center Construction Fund Revenues by Source:		
State Grant	\$	57,000
Operating Transfer In-Infrastructure Improvements	\$	606,840
Bond Proceeds Carried Forward	\$	2,614,921
Interest	\$	50,000
TOTAL	\$	3,328,761
Municipal Service Center Construction Fund Expenditures:		
Contingency	\$	71,700
Capital Outlay	\$	3,257,061
TOTAL	\$	3,328,761
Intermodal Transportation Terminal Fund Revenues:		
TOTAL	\$	162,600
Intermodal Transportation Terminal Fund Expenditures:		
TOTAL	\$	162,600
Marquette Area Wastewater Treatment Facility Fund Revenues:		

TOTAL	\$	1,079,810
Marquette Area Wastewater Treatment Facility Fund Expenditures:		
TOTAL	\$	1,079,810
Water & Sewage Disposal System Fund Revenues:		
TOTAL	\$	5,627,491
Water & Sewage Disposal System Fund Expenditures:		
TOTAL	\$	5,627,491
Marina Fund Revenues:		
TOTAL	\$	270,790
Marina Fund Expenditures:		
TOTAL	\$	270,790
Municipal Service Center Fund Revenues:		
TOTAL	\$	509,500
Municipal Service Center Fund Expenditures:		
TOTAL	\$	509,500
Motor Vehicle Equipment Fund Revenues:		
TOTAL	\$	2,011,878
Motor Vehicle Equipment Fund Expenditures:		
TOTAL	\$	2,011,878

BE IT FURTHER RESOLVED, that this Commission has estimated the revenue which will be forthcoming during Fiscal Year 1992-93, and has determined the amount necessary to balance the General Fund budget to be the sum of \$3,820,740; and has determined the amount necessary to balance the Peter White Library budget to be the sum of \$425,955; and

BE IT FURTHER RESOLVED, that in accordance with the Public Notification provisions of Act 5 of 1982 of the State of Michigan, the sum of \$3,820,740; is hereby fixed as the amount to be raised by Real and Personal Taxes for the 1992-93 Fiscal Year for the General Fund (a millage rate of 12.53 mills); and the sum of \$425,955; is hereby fixed as the amount to be raised by Real and Personal Property Taxes for the 1992-93 Fiscal Year for the Peter White Public Library (a millage rate of 1.50 mills); and

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

TAX INCREMENT FINANCING PLAN NUMBER TWO

A report and recommendation from the City Manager, regarding an agreement with Marquette County relating to Tax Increment Financing Plan number two, was read. It was moved by Mayor Pro Tem Coyne, supported by Commissioner Thompson, and carried unanimously to suspend the rules to allow action tonight, to approve the proposed agreement with Marquette County, and to authorize the Mayor and City Clerk to execute the agreement.

CONSENT AGENDA

December 28, 1992

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

- A. Approve the minutes of the December 14, 1992 meeting.
- B. Approve the total bills payable in the amount of \$581,446.91.

CITIZEN COMMENT

Mike Bissonette read further excerpts from the Drain Commissioner's letter regarding special assessment of drainage district engineering costs. Paul Churchville said the landfill should be using a landfill compactor, not a bale compactor. He explained at length why this would extend the life of the landfill. Tom Dunham said an incinerator should be used to burn most solid waste.

COFFEY

Mayor Coffey said the City Commission, at one time, had visited solid waste incinerator plants. He said the equipment required to operate these plants was new and not very reliable and there had been lawsuits opposing location of incinerators in several areas.

PINKARD

Commissioner Pinkard said he agrees with Mr. Churchville and said the City is urging reinstatement of the study by the East Marquette County Solid Waste Authority to determine the effectiveness of our landfill operation. He said the City is only one member of the Landfill Authority and does not control it. He said he hopes everyone had a good Christmas and that the City had been very beautiful with the Christmas lights. He said people who party on New Year's Eve should use designated drivers.

COYNE

Mayor Pro Tem Coyne urged everybody to practice safe driving at all times and wished everyone a happy new year.

HOWES

Commissioner Howes thanked Mr. Churchville for the information he had presented. He asked if there was a better way to present maps of projects for the t.v. audience. He welcomed visiting relatives to Marquette and extended his thanks to all who assisted with the Community Christmas Dinner. He said over 300 people had been fed. He wished a happy and safe New Year to all.

COFFEY

Mayor Coffey also thanked people who worked on the Christmas dinner. He noted the "Tie One On" program to tie red ribbons on automobiles as a way of discouraging drunk driving. He noted that the two City representatives on the Landfill Authority have been very effective. He asked if the Commission could receive more information on the Drain Commissioner's invoice. Mr. Iman said we could request further information, but as the

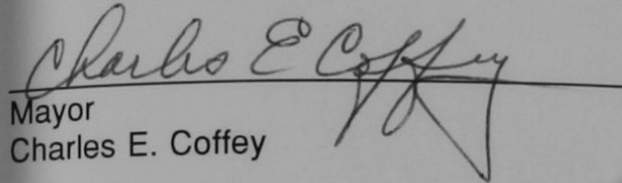
Drain Commissioner has to work with the County Board, it is not required that he respond to requests from the City Commission. Mayor Coffey asked if the City's outdoor skating rinks have been flooded and Mr. Iman said they had. He also asked the City Commission to look at February 17 for attending the Michigan Municipal League Legislative conference in Lansing.

CITY MANAGER IMAN

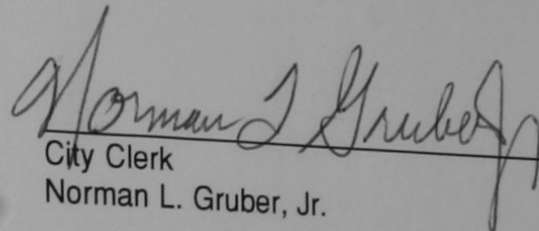
City Manager Iman wished all City residents and employees a happy new year.

ADJOURNMENT

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



Mayor
Charles E. Coffey



City Clerk
Norman L. Gruber, Jr.