



City of Marquette, MI

300 West Baraga Avenue
Marquette, Michigan 49855

Meeting Minutes City Commission Meeting

**Monday, September 30, 2019
6:00 PM
Commission Chambers**

Call to Order, Pledge of Allegiance and Roll Call

Present: Mayor Stonehouse. Mayor Pro-tem Reynolds. Commissioners: Campana, Frazier, Hill, Schloegel and Smith.

Approval of the Agenda

Commissioner Pete Frazier moved to Approve the Agenda as presented, seconded by Commissioner Jennifer Smith and Carried Unanimously.

Announcements

Mayor Stonehouse said there are still a number of vacancies on the City's Boards and Committees and read from a list of openings. He asked citizens to please consider serving on a Board or Committee.

Boards and Committees

1. Welcome New Member

Matt Luce, Parks and Recreation Advisory Board

Mayor Stonehouse welcomed Mat Luce, new member of the Parks and Recreation Advisory Board. City Clerk Kris Hazeres then administered the Oath of Office to Mr. Luce.

2. Appointments

Jill Malin, BZA, Appointment from alternate term to unexpired term ending 2-15-21

Mayor Pro Tem Sarah Reynolds moved to Approve the appointment of Jill Malin to the Board of Zoning Appeals for the term as listed as above, seconded by Commissioner Dave Campana and Carried Unanimously.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

James Gallant reserved time to speak on Item #5 and spoke about Robert's Rules. Iris Katers asked to reserve time to speak on Item #5 and read from a letter directed to the Commission. Carolyn Crowley asked to reserve time to speak on Item #5 and said her grandmother, Katherine Crowley received the key to the City because she believed in the culture of the area. She also said she attended a presentation about Cliffs Dow, and she is concerned about the public health due to the wood tar and byproducts in the area. Ms. Crowley said Negaunee Township has a concise plan regarding marihuana, if we are looking for an example ordinance. Margaret Brumm said she is opposed to the rezoning of the Cliffs Dow parcel and read an excerpt from Planning Commission minutes and emails that she had

procured regarding the property. Randy Artibee asked to reserve time on Item #5, and said that it's called adult-use marihuana because it cannot be sold to anyone under 21 and his team will not be dispensing to minors. Beth Casady, Executive Director of the Women's Center said regarding Ordinance #682, they would like to be considered as a buffer zone as they serve very fragile individuals and those with a history of substance abuse issues and a business near the Center could serve as a trigger. Mark Roby said kids are going to find marihuana if they want to, it's a lack of parenting that is to blame. He also said that Division Street is not scheduled to be repaved until 2022 and the road is full of pot holes. He said that there are several residents in the area, and he is intending to put together a petition to bring to the Commission requesting that Division Street get repaved sooner than 2022. Vivian Lasich asked Ms. Katers to provide the information that she read to the Commission. She said that she is a retired teacher, and knows that it's not always easy to get parents to take responsibility. She also said she is well aware of the contamination at the Cliffs Dow site and asked if money is all we care about. Matt Luttenberger said there are a lot of roads in the City that need repair, and the SIMP money should be used to fix them. He also said regarding the hospital redesign he has spoken about before, he is presenting to the Mars Society a plan for repurposing it as a Marquette Center for the Mars Society. Frank Verito asked to reserve time to speak on Item #5 and provided his opinions on roundabout dangers, crosswalk striping, amendments to the marihuana ordinance, and said this is a proactive board, governing proactively.

Presentation(s)

3. Local Officers Compensation Commission, by Vice Chair Jim Matteson

Jim Matteson, Vice-Chair of the Local Officers Compensation Commission presented a PowerPoint review of the background, purpose and goals of the LOCC and said it is a good board to be on, as by State law, they only meet every two years. He said they are a seven member Commission, with two vacancies and they would like to have a full board. He said at this year's meeting, the board increased the City Commission's salary by \$200 per year to \$7,900 and increased the Mayor's compensation \$300 to \$11,000 per year. He also said they did not increase the Board of Light and Power's salary, as when a comparison search was done, they were in the right bracket with other municipalities. Mr. Matteson said they could not operate as well as they do as a board without the help of Liaison Wendy Larson, and said she has done a great deal of the research for the board to be able to come up with these recommendations.

Mayor Stonehouse thanked Mr. Matteson for his informational presentation and said the next meeting of the LOCC won't be until 2021.

4. Consent Agenda

Commissioner Pete Frazier moved to Approve the Consent Agenda as provided, seconded by Commissioner Paul Schloegel and Carried Unanimously by Roll Call Vote.

- 4.a. Approve the minutes of the September 9, 2019 Commission meeting.**
- 4.b. Approve the total bills payable in the amount of \$5,997,068.55**
- 4.c. Bandshell Bench Purchase**
- 4.d. 2019 Fire Prevention Week Proclamation**
- 4.e. Fire Department Motorola Pagers**
- 4.f. Fire Truck Maintenance Agreement**
- 4.g. Fuel Purchasing**
- 4.h. Grant of License Agreement for L. Birchfield of 443-445 W. Spring Street**
- 4.i. Grant of License Agreement for RAMSAY, Inc., 149 W. Baraga Ave.**
- 4.j. Hydrogen Sulfide Media Replacement**
- 4.k. Lakeview Arena Glass Replacement - Olson Arena**
- 4.l. Marquette Figure Skating Club - Ice Contract**
- 4.m. Marquette Junior Hockey Corporation - Ice Contract**
- 4.n. Marquette Junior Hockey Corp. - Concession Lease Agreement**
- 4.o. Marquette Junior Hockey Corporation - Office and Storage Lease Agreement**
- 4.p. Resolution to Establish Permit Bond and Insurance Requirements - Roll Call Vote**
- 4.q. Sale of Surplus Equipment**
- 4.r. Schedule a Public Hearing for Rezoning for 135 W. Main St.**

- 4.s. Schedule a Public Hearing for Rezoning for Municipal Property in the 600 Block of E. Michigan St.**
- 4.t. Schedule a Public Hearing for Rezoning for 100 Wright St. and a Portion of 2001 Lakeshore Blvd.**
- 4.u. Schedule Public Hearing-Ordinance #683-Water Utility Rates**
- 4.v. Schedule Public Hearing-Ordinance #684-Sewer Utility Rates**
- 4.w. Schedule Public Hearing-Ordinance #685-Stormwater Utility Rates**
- 4.x. Utilization of State Bid for Annual Salt Purchase**
- 4.y. Water Treatment Chemicals**
- 4.z. Waterfront Safety Jet Ski**
- 4.aa. Marquette Figure Skating Club - Storage Lease Agreement**
- 4.bb. Resolution-Full Faith and Credit Pledge - Roll Call Vote**
- 4.cc. Superior Watershed Partnership - Lease Agreement**
- 4.dd. Budget Adjustment- Fiscal Year End 2019**

Unfinished Business

5. Schedule a Public Hearing to Consider Adult Use (Recreational) Marihuana Ordinance #682

City Manager Angeli reminded everyone that the purpose of this item is to consider approving holding a public hearing on October 15th. He then said City Attorney Keefe would provide a bit of background on the progress so far. City Attorney Keefe said there has been general and wide-ranging discussion on the number of establishments to be allowed in the City. He said the draft has had additions made, such as buffers and Police and Fire inspections, but nothing will be decided until the Public Hearing on Oct. 15. He then said Community Development Director Dennis Stachewicz would explain the maps that are posted in Chambers and attached in the agenda packet. Mr. Stachewicz said the map labeled Buffers with Designated Parks is the one that the ordinance currently reflects.

Mayor Stonehouse then opened the floor to those requesting time to speak: James Gallant said the use of substances quickly transforms from use to abuse. He asked the Commission to earmark a substantial amount of the revenue generated to future problems. Iris Katers, Marquette County Cares Consortium, said the group is ready to help create an education program. She said their education worked with smoking, it can work for THC. Matt Luttenberger said he echoes the concerns about buffers and asked why the buffer distance was set at 500 feet, rather than 100. Frank Verito provided his opinions on voting on the previous ordinance, missing maps and charts, and asked if delaying the ordinance would impede the timeline, as June of 2020 seems a long way off. Commissioner Hill noted for anyone that is interested in viewing the ordinance and related information, there is a separate section on the City's website titled "Recreational Marijuana."

Mayor Pro Tem Sarah Reynolds moved to Approve setting a Public Hearing for October 15, 2019 to consider the adoption of Ordinance #682, the new Adult Use Marihuana Ordinance, seconded by Commissioner Jenn Hill and Carried Unanimously by Roll Call Vote.

6. Purchase Request for City-Owned Property: A Portion of Parcel 0240010 - Roll Call Vote

The Commission adopted a Resolution of Intent to sell the property to Wealth Strategy Group, LLC on August 26, 2019 which directed the City Manager to negotiate a sale of the property, and then bring the sales terms back to the Commission for final approval. A purchase agreement was drafted by the City Attorney along with a license for adjacent property that will be executed at closing, allowing for parking on remaining City Property.

Commissioner Dave Campana moved to Approve the Resolution of Sale and direct the City Manager to complete the sale, purchasing a portion of City Property, Parcel #0240010, and authorize the execution of the Grant of License (to allow for parking on remaining City property) at time of the property closing, seconded by Commissioner Paul Schloegel and Carried Unanimously by Roll Call Vote.

New Business

7. Tourist Park - Bathhouse Renovation and Additions

Commissioner Jennifer Smith moved to amend the Tourist Park Campground budget to include a transfer of \$169,933 from fund reserve and award Closner Construction of Marquette, MI the construction contract in the amount of \$222,500, but not-to-exceed \$282,533, and authorize the Mayor and Clerk to sign the contract, seconded by Commissioner Dave Campana and Carried Unanimously.

8. City Attorney Evaluation

Commissioners said that the City Attorney has done excellent work for the City, and he is very accessible and knowledgeable.

Mayor Pro Tem Sarah Reynolds moved to Approve the City Attorney's annual performance evaluation, seconded by Commissioner Pete Frazier and Carried Unanimously.

9. City Manager Evaluation

Mayor Stonehouse said City Manager Angeli is the best City Manager that the City has had in the last 20 years. He said he is available any time and is extraordinarily dedicated to the City.

Commissioner Paul Schloegel moved to Approve the evaluation subcommittee's recommendation to increase the City Manager's salary from \$122,039 to \$124,480 per year, effective October 1, 2019 and direct the City Attorney to amend the City Manager's contract to reflect the new salary with a performance bonus of \$3,000, seconded by Commissioner Pete Frazier and Carried Unanimously.

10. Resolution for Capital Improvement Plan Addition of Years 2023-2026 - Roll Call Vote

Mayor Pro Tem Sarah Reynolds moved to Authorize the City Clerk to sign the resolution to add to the existing Capital Improvement Plan of 2017-2022, the years of 2023-2026 to meet the requirements of the original plan adoption, seconded by Commissioner Dave Campana and Carried Unanimously by Roll Call Vote.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

James Gallant said thank you for approving holding a public hearing for Ordinance #682. He asked that the City Attorney do more of the Robert's Rules of Order training. Mark Roby said Division Street pot holes are a safety concern, and they need to be fixed. He also asked why City and State Police do not drive with their headlights on. Casey Honeyager thanked the Commission for putting buffers into the ordinance language.

Margaret Brumm spoke about the Cliffs Dow property and asked the Commission to ask City Engineers to check for dioxins. Roxanne Filizetti said she is the President of Stone Quarry Meadows and all the residents are concerned about Division Street, as it is a safety hazard. Frank Verito provided his opinions about marihuana causing cancer, drugs in our schools, unanimous votes and reviewing records.

Comments from the Commission

CAMPANA-Commissioner Campana said streets are our number one problem, but we are not flush enough with cash to be able to fix them all at once. He said there is a process for how streets are designated to get fixed and there's a logical order. He also said at the next meeting there will be discussion on Ordinance #682, but the problem is the State of Michigan may still come up with rules, that might conflict with our ordinance, and we'd have to go back and amend the ordinance. Commissioner Campana said he attended the Music on Third and said there was a ton of people. He asked why the street isn't blocked during the two hours for safety issues.

FRAZIER-Commissioner Frazier said he attended a MML meeting in Detroit and they have really cleaned up the City. He said that a vote on recreational marihuana is coming up, and people need to be responsible, and education for the public is needed.

Commissioner Frazier said the timer in Chambers is part of following the rules, and we have to follow the rules.

HILL-Commissioner Hill said she hopes everyone comes to the Commons and to Harlow Park for the Spectacle that

is being put on by the Arts and Culture Center.

SMITH-Commissioner Smith said thank you to all those that spoke during public comment. She said the voters made it legal to use marihuana, but so far all she has heard are negative comments, no suggestions were offered on how to regulate this properly. Commissioner Smith said they will be voting on the Cliffs Dow property in the future. She said she believes the Planning Commission recommendations and the reviews by EGLE confirm it as safe. Commissioner Smith also said on October 5th there will be a static display in Harlow Park in recognition of Fire Prevention week, and the Harvest Festival and Spectacular will also be going on that week. She reminded everyone that the next meeting is on a Tuesday due to the Columbus Day holiday on Monday, and that there was a ribbon cutting for Lighthouse Park, and encouraged people to visit the area.

SCHLOEGEL-Commissioner Schloegel said the vote to allow marihuana was 62%-38% and they are doing their best to listen to everyone. He said he thinks buffers are necessary, and that life is about choices regarding education, policing, parenting and knowing what is going on in the schools. Commissioner Schloegel said he was asked by a constituent, "how will this make Marquette better?" and said that really made him think.

REYNOLDS-Mayor Pro-tem Reynolds said the best time to address the concerns about Division Street would have been at budget time.

STONEHOUSE-Mayor Stonehouse said he travels Division Street every day and knows about the potholes. He said he would love to see it advance on the priority list and we need to take a good, hard look at it. Mayor Stonehouse said regarding the Cliffs Dow property, we are working hand-in-glove with the DEQ and there are stipulations they put on the property. He also spoke to comments about revenues received from allowing marihuana businesses in the City, most of the money goes to the State. Mayor Stonehouse said regarding comments made about Robert's Rules of Order, that the Commission uses them as a guideline, but they are under no obligation to follow them. He also said, regarding concerns related to a possible buffer at the Women's Center, he hopes we can get something resolved.

Comments from the City Manager

ANGELI-City Manager Angeli announced that the new camera system is up and running and seems to be working well. He said Max Genaw, IT Specialist II, has done a good job tonight. City Manager Angeli said with the new cameras the pictures are clearer and there is additional availability to get different shots and angles, he said this is all in an effort to stay transparent. City Manager Angeli reminded everyone he will be holding Community Office Hours at the Peter White Library on October 15th from 10:00 a.m. to noon. He also said the CIP comments he heard tonight were accurate, but what people don't understand is that part of the plan is to include the infrastructure, not just replace paving, and that is a factor in how the priorities are set. He also reminded citizens that when comments are made about development in the City, the hospital move changed things, we needed to come up with a way to make up for lost revenue when the WE Energies plant closed and the sale of excess property was a way to generate the funds to cover the losses. He said the tax dollars raised through new development will contribute to keeping the City functioning as it does, and so far we haven't had to raise taxes.

City Manager Angeli thanked the Commission for their continued support and for the comments on his evaluation. He said he walked in the door 43 years ago, at 21 years old starting out as a City Police Patrolman.

Adjournment

Mayor Stonehouse adjourned the meeting at 8:15 p.m.

Frederick Stonehouse, Mayor

Kris M. Hazeres, City Clerk

If you require assistance to participate in any meeting, program or activity offered by the City of Marquette, please provide advanced notice to City of Marquette ADA Coordinator Eric Stemen at 906-225-8978 or via email at estemen@marquettemi.gov.