

City of Marquette, MI



Meeting Agenda City Commission

**Monday, January 26, 2026
6:00 PM
Commission Chambers**

300 West Baraga Ave
Marquette, Michigan 49855

Call to Order, Pledge of Allegiance and Roll Call

Approval of the Agenda

Announcements

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

1. Consent Agenda - Roll Call Vote

- 1.a. Approve the minutes of the January 12, 2026 regular Commission meeting
- 1.b. Approve the total bills payable in the amount of \$1,161,886.06
- 1.c. KBIC Funding for the Marquette City Fire Department
- 1.d. License to Use City Property in the Washington Street Right-of-Way
- 1.e. Ordinance 26-1: Animals - Roll Call Vote
- 1.f. Ordinance 26-2: Abandoned Vehicles
- 1.g. Resolution: Off-Leash Area - Roll Call Vote

New Business

- 2. Resolution: Support for HB 4007 and HB 4283 of 2025 - Roll Call Vote**

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

Comments from the Commission

Comments from the City Manager

Adjournment

Kyle Whitney, 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.

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

Consent Agenda - Roll Call Vote

Approve the minutes of the January 12, 2026 regular Commission meeting

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ 01-12-26 Meeting Minutes



City of Marquette, MI

300 West Baraga Ave
Marquette, Michigan 49855

Meeting Minutes City Commission

Monday, January 12, 2026
6:00 PM
Commission Chambers

Call to Order, Pledge of Allegiance and Roll Call

Present: Davis, Gottlieb, Hanley, Larson, Mayer, Ottaway, Schloegel

Approval of the Agenda

Commissioner Sally Davis moved to Approve the agenda as presented, seconded by Commissioner Cary Gottlieb and Carried Unanimously.

Announcements

Mayor Schloegel had no announcements.

Boards and Committees

1. Appointment(s)

Alex Wilkinson to the Board of Zoning Appeals as the Planning Commission representative for a term ending 02-15-27.

Mayor Pro Tem Jerney Ottaway moved to Approve the appointment as listed, seconded by Commissioner Jessica Hanley and Carried Unanimously.

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

Matt Luttenberger discussed winter maintenance and commented on the impacts of snow and ice near Lakeview Arena. He shared his hopes for the future of Lakeview, discussing needs regarding equipment and staffing.

Barb Owdziej spoke about the City's request for Legislatively Directed Spending Items, which includes requests for a ladder truck and two plow trucks. She said a purchase of new plowing equipment offers an opportunity to rethink snow removal practices.

Margaret Brumm discussed the impacts of the recent major snowstorm and resulting power outages and she expressed concern regarding the Marquette Board of Light and Power's preparedness and response. She asked the City to inquire with the BLP regarding what actions were taken prior to the storm to ensure adequate emergency response.

Presentation(s)

2. Board of Review, by Chair Justin Vasseau

Board of Review Chair Justin Vasseau offered a presentation on the board's activities from the past year. He discussed the types of activities and reviews undertaken by the board, and shared the numbers of petitions filed in previous years: 114 in 2023, 122 in 2024, and 47 during 2025.

3. Consent Agenda - Roll Call Vote

Commissioner Jessica Hanley moved to Approve the Consent Agenda as written, seconded by Mayor Pro Tem Jermey Ottaway and Carried Unanimously by Roll Call Vote.

3.a. Approve the minutes of the December 15, 2025 regular Commission meeting

3.b. Approve the total bills payable in the amount of \$2,350,168.23

3.c. License to Use City Property adjacent to 1150 Joliet Road

3.d. License to Use an undeveloped portion of Union Street

3.e. Donation to City Police Department

3.f. Ordinance 26-1: Animals

3.g. Peg Hirvonen Bandshell - Construction Contract Change Order

3.h. Portable Radio Purchase

3.i. Resolution for the decertification of a portion of Garfield Avenue - Roll Call Vote

3.j. Resolution for the decertification of a portion of Powder Mill Road - Roll Call Vote

New Business

4. Noquemanon Ski Marathon Trail Access Permit

Commissioner Michael Larson moved to Approve the request from the Noquemanon Trail Network Council, and authorize the Mayor and Clerk to sign the permit, seconded by Commissioner Cody Mayer and Carried Unanimously.

5. Legislatively Directed Spending Items - 2025-2026 Request

Commissioner Cary Gottlieb moved to Direct the City Manager to submit the requests identified for Legislatively Directed Spending Items 2025-2026 with the appropriate State Legislators, seconded by Commissioner Sally Davis and Carried Unanimously.

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

Margaret Brumm spoke about emergency preparedness and response and urged the City and County to consider dedicating paid staff and forming a joint subcommittee to professionally coordinate emergency response, shelter operations, and public communication, and to focus on increased public education and civil defense training related to emergency preparedness.

Matt Luttenberger discussed winter road maintenance and encouraged legislative support for communities with heavy snowfall. He also talked about Lakeview Arena, mentioning concerns with snow removal and parking lot conditions.

Evan Reister said he works with the Upper Peninsula state representatives. He thanked the City Commission for bringing forward the funding requests and stated that he looks forward to working with the City.

Comments from the Commission

Commissioner Hanley commented on the recent severe winter storm and thanked City staff, including Public Works, Police, Fire, and other employees, for working under difficult conditions and for their response efforts. She requested that the City Manager look into concerns raised regarding the Board of Light and Power's storm preparedness, while also expressing appreciation for BLP linemen and their extended efforts during the outage.

Mayor Pro Tem Ottaway said Commissioners have received numerous complaints regarding Waste Management services. He encouraged residents to continue communicating concerns to City Commissioners, City staff, and to Waste Management directly, noting that ongoing feedback is helpful in identifying issues and prompting improvements.

Commissioner Mayer said he appreciates everyone's patience during his recent absence due to family medical matters. He also requested additional information from the City Manager regarding the Board of Light and Power's response to recent power outages, stating concern over the duration of outages given the regional nature of the storm.

Commissioner Larson welcomed Commissioner Mayer back.

Commissioner Davis echoed appreciation for City and BLP staff during the winter weather event. She also highlighted the fundraising efforts by the Marquette City Band for the new band shell project.

Commissioner Gottlieb highlighted an item on the consent agenda that represented a \$25,000 donation to the Marquette City Police Department and he expressed appreciation for the donor's generosity and support.

Mayor Schloegel discussed the severity of the recent storm, describing it as one of the most significant weather events in recent decades. He commended City staff, first responders, and BLP crews for their sustained response efforts. He said lessons may be learned from the event and expressed confidence that staff would address concerns raised.

Comments from the City Manager

City Manager Kovacs provided updates on waste and recycling services, highlighting the availability of an online reporting form and encouraging residents to report missed pickups or issues so they may be tracked and addressed in coordination with Waste Management. She discussed challenges encountered during the storm, particularly power outages, and clarified emergency management roles between the City and County. As for snow management, she noted that Public Works crews are prioritizing

school zones, major routes, and high-visibility intersections and she encouraged residents to contact Public Works or her office with concerns. She also stated that she would follow up with the Board of Light and Power regarding storm response.

Adjournment

Mayor Schloegel adjourned the meeting at 6:51 p.m.

Paul Schloegel, Mayor

Kyle Whitney, City Clerk

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City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

Consent Agenda - Roll Call Vote **KBIC Funding for the Marquette City Fire Department**

BACKGROUND:

The City of Marquette Fire Department, through the City of Marquette (City), is requesting 2% gaming revenue funding from the Keweenaw Bay Indian Community. The request is for \$4,898.85 for rescue and station tools. In consideration of the specific granting nature of the 2% allocation, the Marquette Fire Department agrees to dedicate any funds from the KBIC to the purposes set forth in the attached agreement prepared by the City Attorney.

Proceeds from the Tribe's 2% gaming revenue would be used to fund the request; gaming regulations require that a local municipality serve as the fiscal agent for such awards.

FISCAL EFFECT:

No direct cost to the City.

RECOMMENDATION:

Authorize the City to act as the fiscal agent for KBIC funding of \$4,898.85 for the Marquette Fire Department for rescue and station tools, and authorize the City Manager to sign the attached agreement.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ Marquette Fire Dept. Letter of Request
- ▣ Agreement

January 12, 2026

Mr. Robert Curtis Jr.
Keweenaw Bay Indian Community
107 Beartown Road
Baraga, Michigan 49908

Re: Grant request submitted by the Marquette City Fire Department for the purchase of fire rescue tools and station tools. The tools will be utilized by all current and future Firefighters working in our jurisdiction.

Dear Mr. Curtis,

I would like to thank you on behalf of the Marquette City Fire Department for your time in reviewing and considering our grant request. We are very thankful for the previous grants that have been awarded to our department. The grant money was used to replace outdated gym equipment at our fire stations. The replacement of the gym equipment would not have been possible without the grant funding from the Keweenaw Bay Indian Community (KBIC).

The Marquette City Fire Department is a full-time fire department that employs 24 Firefighter/Paramedics. The fire department administration is led by Fire Chief Ian Davis, Fire Marshal Jeffrey Fossitt, and Fire Inspector Benjimen Gardner. The Marquette City Fire Department operates out of two fully staffed fire stations that provide services for 12 square miles within the Marquette city limits. The City of Marquette has a year-round population of 21,000 to 28,000 people.

Services provided by the Marquette City Fire Department include fire suppression, emergency medical services (ALS non-transport), hazardous materials technician level, vehicle extrication, confined space rescue, water rescue, ice rescue, high angle rope rescue, active shooter response, public education, and residential and commercial code enforcement.

The Marquette City Fire Department offers several public education programs. The programs include community outreach and education related to fire safety, fire station tours, learn not to burn classroom courses, safe babysitting courses, fire safety month courses in elementary schools, fire safety house demonstrations, and fire extinguisher demonstrations and training. The total number of adults and children that participated in public education programs for 2024 is 2,078. Our department participates in conjunction with local law enforcement in the car seat installation program. We have three certified car seat technicians on staff that install and inspect car seats.

The Marquette City Fire Department responded to 2,688 calls for service in 2024. The year-to-date calls for service are 2,340 for 2025. The calls for service include mutual aid incidents with Marquette Township Fire Department and Chocolay Township Fire Department. The mutual aid agreements include fire suppression, emergency medical services, and water rescue.

The Marquette Fire Department faces several challenges with unplanned expenditures and decreases in funding in several areas of our department budget. Our goal is to provide the best service to our community as possible while keeping our employees safe. Many of our fire station tools and rescue tools are past their expected service life and are in need of replacement. The Marquette Fire Department is committed to purchasing battery operated tools and basic hand tools, so the tools are safe for our employees to operate and environmentally friendly.

The station tools and rescue tools will be utilized in the following ways:

- Station tools will be used to build safe training props for roof ventilation, forceable entry, and Rapid Intervention Crew training.
- Fire station upkeep and maintenance.
- The station tools and rescue tools will be used for projects that normally would have to be contracted out costing the department money.
- Rescue tools will be equally distributed between our two fire engines for training and emergency incidents.
- The rescue tools will be battery operated and will replace outdated electrical tools such as a drill, dremel, and cutting wheel.
- The station and rescue tools will be more efficient and provide increased safety for our firefighters.

The total Grant Request Proposal we are submitting for the rescue tools and station tools is \$4,898.85. An itemized expenditure list of all requested items is attached as part of the proposal.

I would like to thank you for your time and consideration regarding the KBIC Grant. Marquette Fire Department appreciates the assistance the KBIC provides to the Upper Peninsula and all the communities.

Thank you,

Jeff Fossitt
Fire Marshal
Marquette Fire Department
(906)225-8941
Jfossitt@marquettemi.gov



Milwaukee M18 Cordless Lithium-Ion 2-Tool Combo Kit- \$199.00-one for each station- **\$398**



Milwaukee M18 REDLITHIUM HIGH OUTPUT XC6.0 Battery Pack 2-Pack- **\$299.00**



Milwaukee M12 3 inch cut off saw- **\$269.00**



Milwaukee M18 and M12 rapid charger- **\$249.00**



Milwaukee M12 Red lithium 2 pack- \$129.00



Milwaukee M12 rotary tool kit- \$179.00



Milwaukee 3/8 inch extended cordless ratchet- \$249.00



Milwaukee Packout rolling toolbox- \$169.00 – one for each station- \$338.00



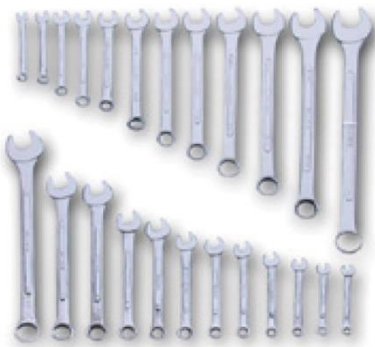
Milwaukee PACKOUT Modular XL Toolbox- \$129.00- one for each station- **\$258.00**



Milwaukee PACKOUT 3-Drawer Toolbox- \$189.00- one for each station- **\$378.00**



Black Diamond 10 pc. Ergo Handle Screwdriver Set- \$19.99- one for each station- **\$39.98**



Allied Tool 24 pc. Combination Wrench Set SAE & Metric- \$47.99-one for each station
\$95.98



Black Diamond Adjustable Wrench 4 pc. Set- \$29.99- one for each station-**\$59.98**



Black Diamond 26 pc. Hex Ball End Wrench Set- \$21.99- one for each station-**\$43.98**



Genesis 10" Compound Laser Miter Saw-**\$179.99**



DeWalt 192 pc Mechanics Tools Set-\$299.99- one for each station**\$599.98**



Milwaukee Shockwave Impact Driver Bit Set, 100Pc-\$109.99- one for each station-
\$219.99



Milwaukee SHOCKWAVE Impact Duty RED HELIX™ Titanium Drill Bit Set - 15PC-
\$27.99-one for each station-**\$55.98**



Milwaukee M18™ REDLITHIUM™ XC5.0 Extended Capacity Battery - 2 Pack- **\$269.00**



Genesis 10" Table Saw with Stand- **\$279.99**



Milwaukee M18 Brushless 4-1/2" Cut-Off Grinder- **\$159.00**



Milwaukee M18 Cordless Multi-Tool- **\$149.00**

AGREEMENT

This Agreement is entered into this _____ day of _____, 2026, between the CITY OF MARQUETTE, a municipal corporation, with offices located at 300 W. Baraga Avenue, Marquette, MI 49855 (hereinafter referred to as the "City"), and the CITY OF MARQUETTE FIRE DEPARTMENT, a department of the CITY OF MARQUETTE, located at 418 S. Third Street, Marquette, MI 49855 (hereinafter referred to as "Fire Department");

WHEREAS, the Fire Department provides public health and safety services to City residents,

WHEREAS, Marquette City Charter Section 2-12 states: "The city commission see that provision is made for the public peace and health, and for the safety of persons and property." and

WHEREAS, the Marquette City Commission has determined that the request of the Fire Department supports the Fire Department's ability to provide for the public peace and health, and for the safety of persons and property, and is willing to enter into this Agreement with the Fire Department upon certain terms and conditions.

NOW, THEREFORE, the parties agree:

1. That for and in consideration of the payment by the City to the Fire Department of the sum of \$4,898.85 from the Keweenaw Bay Indian Community, the Fire Department will accept said money from the City to carry out its obligation to provide for the public peace and health, and for the safety of persons and property.

2. That the parties further understand and agree that the payment of the sum of \$4,898.85 by the City to the Fire Department as above-described is contingent upon the prior receipt by the City of the amount from the Keweenaw Bay Indian Community, and that if said payment is not received by the City, the City shall have no obligation to make the payment herein described to the Fire Department.

The signatories hereto certify that they are authorized to execute this document on behalf of the respective parties.

Dated: _____

By: Karen M. Kovacs
Marquette City Manager

Dated: 1/19/2026

By: Ian Davis
City of Marquette Fire Chief

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

Consent Agenda - Roll Call Vote

License to Use City Property in the Washington Street Right-of-Way

BACKGROUND:

MDM Marquette One, LLC, has submitted an application and signed a license agreement for existing ramps and handrails in the Washington Street right-of-way (ROW) adjacent to its 101 W. Washington Street property. This license was necessary due to a change in property ownership. Reviewing staff made comments that were incorporated into the license prepared by the City Attorney.

FISCAL EFFECT:

The application fee of \$475 and has been paid.

RECOMMENDATION:

Approve the Grant of License, and authorize the Mayor and Clerk to sign it.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ Application_13-PRU-11-25
- ▣ Staff Review Form_13-PRU-11-25
- ▣ GOL_Exhibit_Signed by Applicant_13-PRU-11-25

Mail to:
Municipal Service Center
Community Development Office
1100 Wright St.
Marquette, MI 49855

PRINT

CITY OF MARQUETTE
APPLICATION FOR LICENSE/EASEMENT
OF CITY-OWNED PROPERTY



CITY STAFF USE

Date Submitted: 11-11-25 Parcel ID# 0510850 File #: 13-PRU-11-25
Property Address/Location: 101 W. Washington Washington St. right-of-way
Adequate Graphic Image or Legal Description Submitted: (Y) / N
Receipt #: 40373 Check #: 1855 Received by and date: 11-11-25

FEE \$475 (We can only accept Cash or Check (written to the City of Marquette))

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, ALL OF THE INFORMATION
REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!**
If you have any questions, please call 228-0425 or e-mail dstensaas@marquettemi.gov.

ADDRESS INFORMATION

Please state the relevant street address of the property/location nearest, or associated, with the requested license/easement:
101 W. Washington St., Marquette, MI 49855

APPLICANT/REP CONTACT INFORMATION and LEGAL NAME OF PROPERTY OWNER

*** PROPERTY OWNER – PLEASE USE EXACT LEGAL NAME STATED ON TAX FORMS**

APPLICANT or REPRESENTATIVE	* NAME(S) ON PROPERTY DEED
Name: <u>MDM Marquette One, LLC</u>	Name(s): <u>MDM Marquette One, LLC</u>
Address: <u>857 W. Washington St. Suite 301</u>	Address: <u>857 W. Washington St. Suite 301</u>
City: <u>Marquette</u>	City, State, Zip: <u>Marquette, MI 49855</u>
State, Zip: <u>Michigan, 49855</u>	Phone #: <u>906-228-3900</u>
Phone #: <u>906-228-3900</u>	Email: <u>amahaney@verideagroup.com</u>
Email: <u>amahaney@Verideagroup.com</u>	

PROJECT DESCRIPTION

Briefly describe the reason or necessity for the requested license/easement for use of the City property:
We would like to continue being able to use the ramp at the rear of 101 W. Washington, off of Main St.

LEGAL or GRAPHIC LOCATION DESCRIPTION

A graphic image of the approximate requested license area and/or a surveyed legal description from survey documents is required. Please submit an attachment that clearly shows where the Licensed item is intended to be located, in addition to a legal description if that is available. City staff can provide an aerial photo of the subject property/area to assist with creating a graphic location description/exhibit for the application. Please state what is being submitted:

A location sketch of the ramp is attached

ATTACHMENTS


You may attach sketches, maps, photos, or other items that may help to illustrate/visualize your request. Community Development staff will attach a photo/map of the area. Please list attachments, aside from the legal/graphic description:

a location sketch is attached

SIGNATURE

of Property Owner or corporation/organization President, CEO, CFO, other officer

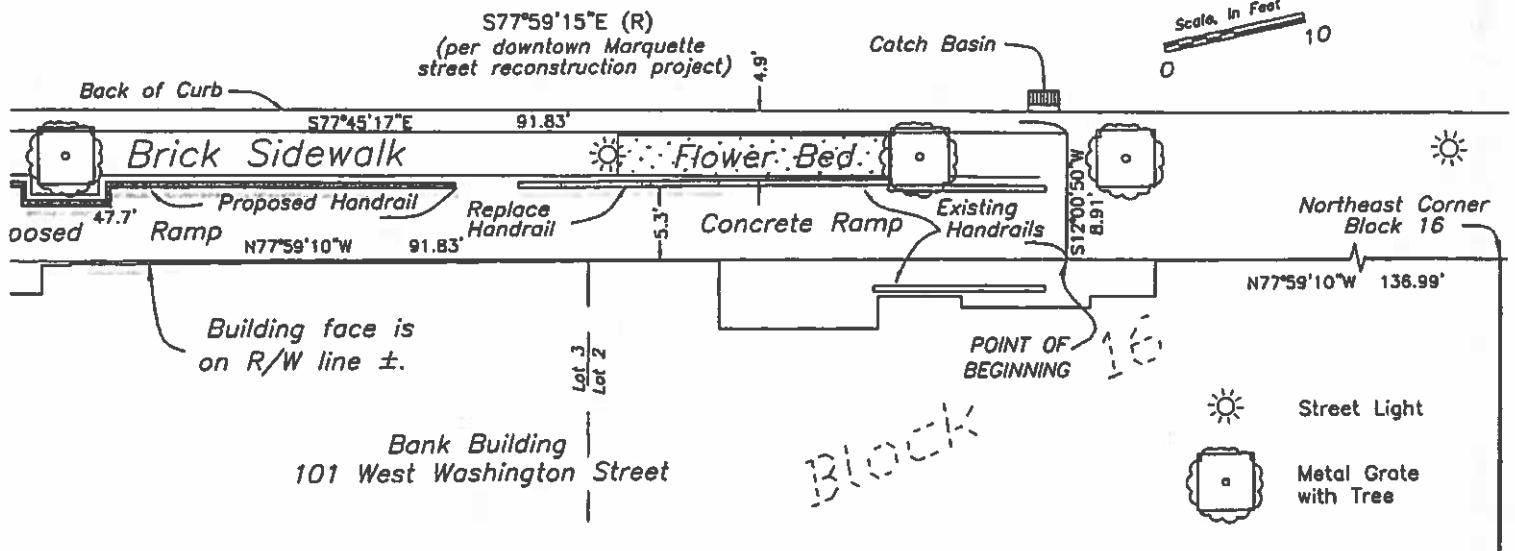
I, the undersigned Property Owner or Corporation/organization President or CEO, understand that this application itself is not considered an approval and only the Marquette City Commission has the authority to grant an approval for a license/easement for use of property owned by the City of Marquette.

Signature:  Date: 11/3/2025
Printed Name: Robert E. Mahaney

LOCATION SKETCH

EXHIBIT A

Washington Street (66' R/W)



f-Way (R/W), City of
gan more fully described as
er of Block 16, Thirty-Six
e $N77^{\circ}59'10''W$, 136.99' along
on Street (66' R/W) to the
uing $N77^{\circ}59'10''W$ 91.83'
0'50"E, 9.28'; thence
1'50"W, 8.91' to the POINT OF
feet.



SIGNED: GLENN C. VAN NESTE DATE: 29 APRIL 2006

Glenn C. Van Neste, Professional Surveyor # 27464

JOB # 206014	SCALE: 1" = 10'	DATE: 24 April 2006
(R) RECORDED	(M) MEASURED	DRAWN BY: JLB
LINE NOT DRAWN TO SCALE		

VAN NESTE SURVEYING

PROFESSIONAL SURVEYING SERVICES

1402 KIMBER AVENUE MARQUETTE, MICHIGAN 49855

PHONE (906) 226-6241 FAX 226-6293

TOLL FREE 1-800-226-6293

VNS

SHEET 1 of 1

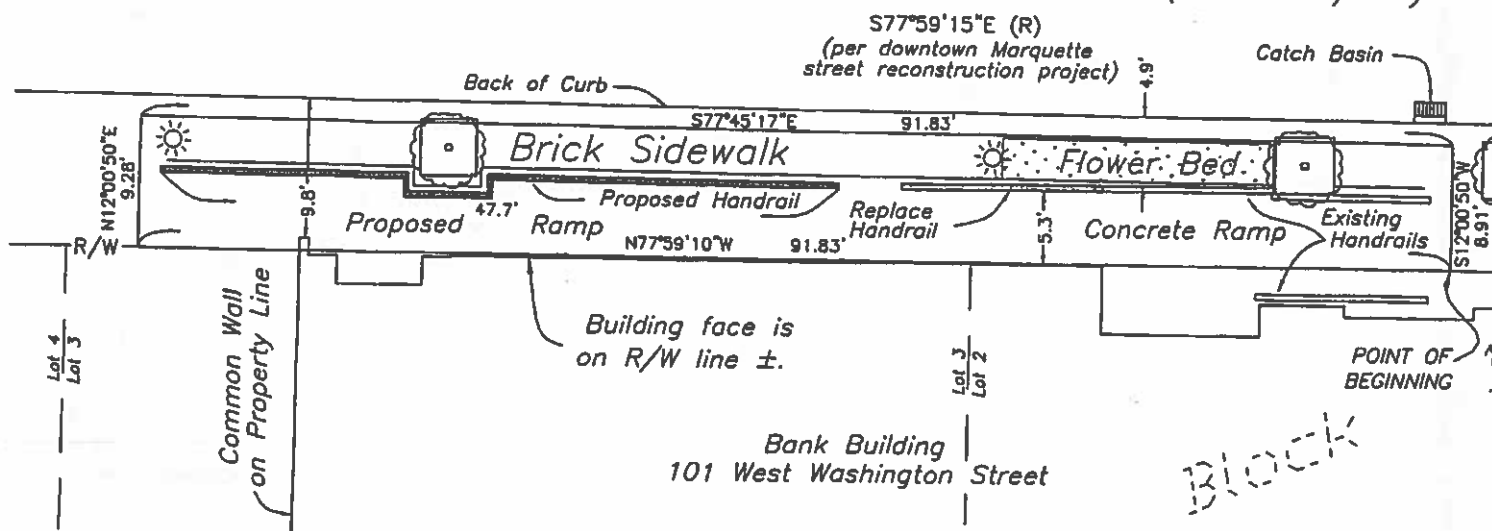
EXHIBIT A

LOCATION SKETCH

PREPARED FOR :

Wells Fargo Bank
101 West Washington Street
Marquette, MI 49855

Washington Street (66' R/W)



EASEMENT DESCRIPTION :

Part of Washington Street Right-Of-Way (R/W), City of Marquette, Marquette County, Michigan more fully described as commencing at the Northeast corner of Block 16, Thirty-Six Acre Plat, City of Marquette, thence N77°59'10"W, 136.99' along the Southerly R/W line of Washington Street (66' R/W) to the POINT OF BEGINNING; thence continuing N77°59'10"W 91.83' along said R/W line; thence N12°00'50"E, 9.28'; thence S77°45'17"E, 91.83'; thence S12°00'50"W, 8.91' to the POINT OF BEGINNING, containing 835 square feet.



SIGNED : *GLENN C. VAN NESTE*

Glenn C. Van Neste, Professional S

JOB # 208014	SCALE: 1" = 10'
(R) RECORDED	(M) MEASURED
	LINE NOT DRAWN TO

VAN NESTE SURV

PROFESSIONAL SURVEYING
1402 KIMBER AVENUE MARQUETTE,
PHONE (906) 226-6241 FA
TOLL FREE 1-800-226-

File #: _____

Parcel ID#: _____

STAFF REVIEW

- For a sign/object/structure/project encroaching into a public right-of-way or on City property -

Please fill out the form within 48 hours of receiving it.

<u>Reviewing Department</u>	<u>Recommend Approval</u>	<u>Comments</u>
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Planning & Zoning-Community Development

Date Received: _____

Treasurer

Date Received: _____

Police

Date Received: _____

Engineering- Community Development

Date Received: _____

DPW

Date Received: _____

Fire

Date Received: _____

Community Services (Parks & Rec.)

Date Received: _____

GRANT OF LICENSE

THE CITY OF MARQUETTE, a municipal corporation, of 300 W. Baraga Ave., Marquette, MI 49855 ("City"), and MDM Marquette One, LLC, a Michigan limited liability company, of 857 W. Washington Street, Suite 301, Marquette, MI 49855 ("MDM"), enter into this agreement as of _____, subject to the following conditions:

1. Background. The City owns the W. Washington Street right-of-way, in the City of Marquette, and State of Michigan.
MDM owns a ramp ("Ramp") within the right-of-way as identified in Exhibit A attached hereto.
2. Grant of the license. In consideration of \$475.00, the City grants to MDM the right to use and maintain the Ramp on the real estate and to the specifications set forth in Exhibit A.
3. Construction and Maintenance. MDM shall, at all times while this License is in effect, maintain the Ramp in good repair. MDM shall be responsible for all fees and expenses related to the construction and maintenance of the Ramp and real estate described in Exhibit A.
4. Use. The right to use the real estate described in Exhibit A is not exclusive, however as long as this License is in effect, the City shall not permit any use contrary to the Ramp except as may be necessary to install, repair, remove or replace utilities. In the event the City repairs, removes or replaces utilities or performs street work, MDM shall be responsible for any removal of, repair to or replacement of the Ramp in connection with such work. MDM shall not use the real estate for any purpose except as specifically allowed within this agreement, and shall not alter, injure or damage the City's real estate.
5. Reimbursement for damages. MDM shall reimburse the City for any physical damages to the City's real estate caused by MDM's use on the real estate. MDM shall indemnify, defend and hold harmless the City from and against any demand, claim, action or cause of action, assessment, loss, damage, liability cost and/or expense, including but not limited to, interest, penalties, consultants fees and expenses, and attorneys' fees and expenses, asserted against, imposed upon or incurred by the City due solely to MDM's use. MDM's obligations under this provision shall not extend to claims, losses, expenses or damages arising out of or in any way attributable to the negligence of the City or its agents, consultants, or employees. MDM reserves the right to control the defense and settlement of any claim for which MDM has an obligation to indemnify hereunder.
6. Revocation. This License may be revoked by either party at any time by providing at least 180 days' written notice of termination to the other party. On the termination date, all rights and obligations of the parties shall cease and on or before the termination date, MDM shall remove the Ramp from the real estate, at its own expense. MDM shall not be entitled to a reimbursement for any portion of the fee previously paid to the City.
7. Personal Interest. The rights granted herein are personal to MDM and terminate upon the transfer of ownership of MDM's premises.
8. Entire Agreement. This Grant of License constitutes the entire agreement between the parties.
9. Counterparts and Facsimile/Electronic Copies. The parties agree that this Grant of License may be executed in counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute one and the same instrument. The parties further agree that facsimiles and/or emailed/ electronic copies of signatures (such as .pdf) shall serve as originals.

The said parties have caused this document to be executed the day and year first written above.

CITY OF MARQUETTE

By: Paul Schloegel
Its: Mayor


By: Kyle Whitney
Its: Clerk

STATE OF MICHIGAN)
)
COUNTY OF MARQUETTE)

Acknowledged before me in Marquette County, Michigan, on _____, by Paul Schloegel, Mayor and Kyle Whitney, Clerk, of the City of Marquette, a Michigan municipal corporation.

_____, Notary Public
State of Michigan, County of Marquette
My Commission Expires: _____
Acting in the County of Marquette

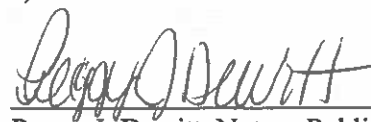
MDM MARQUETTE ONE, LLC


By: Robert E. Mahaney
Its: Manager

STATE OF MICHIGAN)
)
COUNTY OF MARQUETTE)

Acknowledged before me in Marquette County, Michigan, on January 14, 2026, by Robert E. Mahaney, Manager, of MDM Marquette One, LLC.

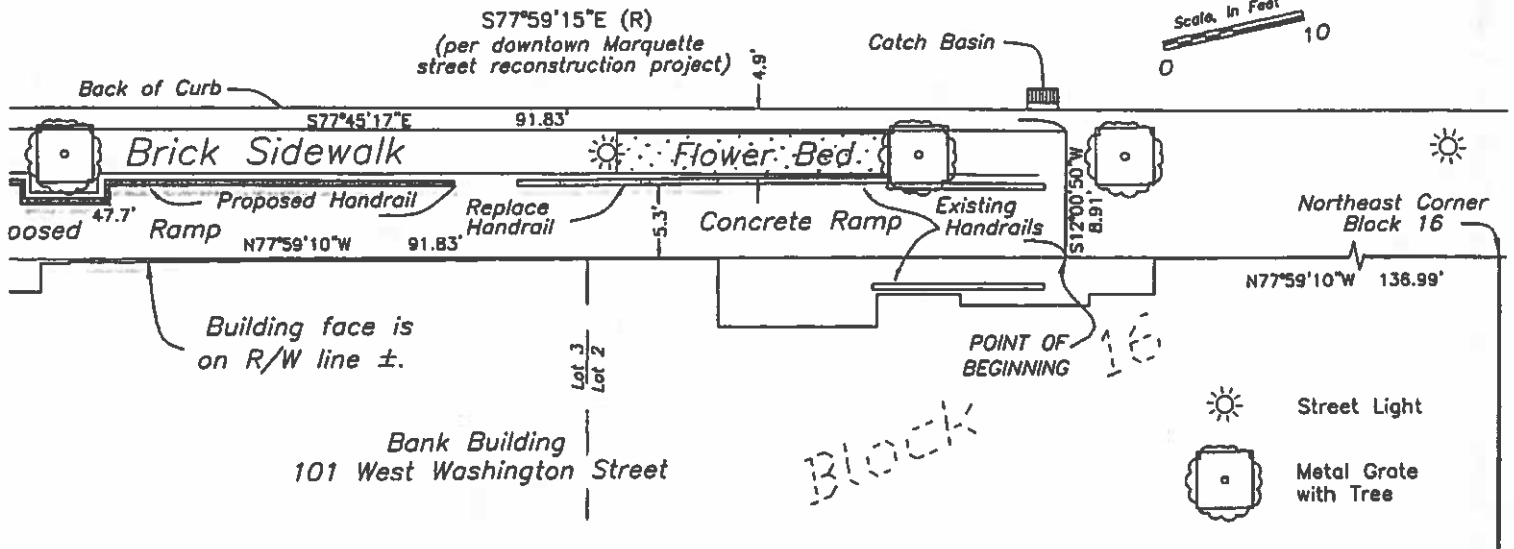



Peggy J. Dewitt, Notary Public
Marquette Cty., acting in Marquette Cty. MI
My Commission Expires: 2/24/2027

LOCATION SKETCH

EXHIBIT A

Washington Street (66' R/W)



f-Way (R/W), City of
gan more fully described as
er of Block 16, Thirty-Six
e $N77^{\circ}59'10''W$, 136.99' along
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0'50"E, 9.28'; thence
1'50"W, 8.91' to the POINT OF
feet.



SIGNED: GLENN C. VAN NESTE DATE: 29 APRIL 2006

Glenn C. Van Neste, Professional Surveyor # 27464

JOB # 206014	SCALE: 1" = 10'	DATE: 24 April 2006
(R) RECORDED	(M) MEASURED	DRAWN BY: JLB
LINE NOT DRAWN TO SCALE		

VAN NESTE SURVEYING

PROFESSIONAL SURVEYING SERVICES
1402 KIMBER AVENUE MARQUETTE, MICHIGAN 49855
PHONE (906) 226-6241 FAX 226-6293
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VNS
SHEET 1 of 1

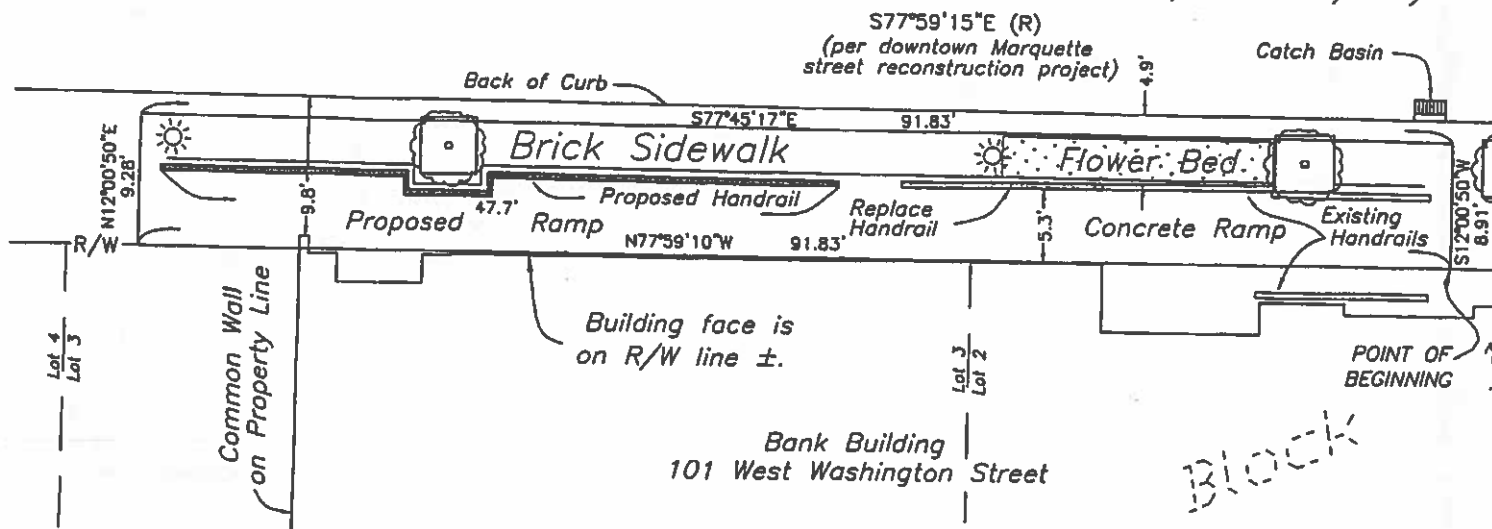
EXHIBIT A

LOCATION SKETCH

PREPARED FOR :

Wells Fargo Bank
101 West Washington Street
Marquette, MI 49855

Washington Street (66' R/W)



EASEMENT DESCRIPTION :

Part of Washington Street Right-Of-Way (R/W), City of Marquette, Marquette County, Michigan more fully described as commencing at the Northeast corner of Block 16, Thirty-Six Acre Plat, City of Marquette, thence N77°59'10"W, 136.99' along the Southerly R/W line of Washington Street (66' R/W) to the POINT OF BEGINNING; thence continuing N77°59'10"W 91.83' along said R/W line; thence N12°00'50"E, 9.28'; thence S77°45'17"E, 91.83'; thence S12°00'50"W, 8.91' to the POINT OF BEGINNING, containing 835 square feet.



SIGNED : *Glenn C. Van Neste*

Glenn C. Van Neste, Professional S

JOB # 208014	SCALE: 1" = 10'
(R) RECORDED	(M) MEASURED
	LINE NOT DRAWN TO

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PROFESSIONAL SURVEYING
1402 KIMBER AVENUE MARQUETTE,
PHONE (906) 226-6241 FA
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City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

Consent Agenda - Roll Call Vote **Ordinance 26-1: Animals - Roll Call Vote**

BACKGROUND:

City staff has recently started a comprehensive review of the Marquette City Code, with the goal of modernizing processes, eliminating redundancies, and removing provisions that are no longer supported by state law or best practice.

Each chapter is being audited for clarity, compliance, internal consistency, and alignment with day-to-day operations. Where substantive changes are warranted, staff will recommend ordinances for consideration.

The attached ordinance, detailing proposed changes to chapter 8 of the city code, is a product of this review.

The proposed ordinance is intended to provide clarity to the regulations on animals in the city by updating definitions and reorganizing the chapter.

In addition, it will clarify the processes of pet licensing and off-leash area permitting to more clearly reflect state law and internal policies.

Finally, it will regulate the transportation of exotic animals within the city.

Per City Charter, an ordinance cannot be adopted at the meeting at which it is introduced. This ordinance was introduced at the January 12 City Commission meeting.

FISCAL EFFECT:

None.

RECOMMENDATION:

Adopt Ordinance 26-1.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

▢ Ord 26-1

ORDINANCE #26-1

AN ORDINANCE TO AMEND CITY CODE CHAPTER 8

INTENT

The purpose of this ordinance is to repeal and readopt chapter 8 of this code to clarify definitions, reflect the current processes regarding off leash area passes and dog licenses, and add regulations on the transportation of exotic animals.

The City of Marquette Ordains:

SECTION 1. That Chapter 8 – Animals be hereby repealed.

SECTION 2. That new Chapter 8 – Animals be hereby adopted to read as follows:

Article I. In General

Sec. 8-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any live creature, both domestic and wild, except humans. The term "animal" includes fowl, fish and reptiles.

Animal, domestic means any animal primarily kept for a person's company, companionship, performance, attractive appearances, loyalty, for human therapy, playful personalities, or is a service animal pursuant to MCL 287.291. Domestic animals include dogs, cats, or animals primarily kept or housed inside dwellings as household pets.

Animal, exotic means any animal that would require a standard of care and control greater than that required for domestic animals commonly sold by commercial pet shops.

Animal, livestock means those species of animals used for human food or for fiber or those species of animals used for service to humans. Livestock includes, but is not limited to, poultry, rabbits, and honeybees. Livestock does not include dogs or cats.

Animal, wild means all animal species that live freely in the natural environment.

Animal nuisance means any nuisance arising out of the keeping, maintaining or owning of, or failure to exercise sufficient control of, an animal.

Animal shelter means any facility operated by the city or the county humane society for the temporary care, confinement and detention of animals and for the humane killing and other disposition of animals. The term "animal shelter" shall also include any private facility approved by the chief of police to impound, confine, detain, care for or dispatch any animal.

At large means that an animal is off the premises of the owner, and not on a leash which is under the immediate control of a person physically capable of restraining the animal.

Disposition means adoption, quarantine, voluntary or involuntary custodianship or placement, or euthanasia humanely administered to an animal. The term "disposition" includes placement or sale of an animal to the general public, or removal of an animal from any pet shop to any other location.

Impoundment means taking into custody of an animal by any police officer or other authorized representative.

Nuisance animal means any animal that unreasonably annoys humans, endangers the life or health of persons or other animals, or substantially interferes with the rights of citizens, other than their owners, to the enjoyment of life or property. The term "nuisance animal" shall include, but not be limited to:

- (a) Any animal that is repeatedly found running at large
- (b) Any animal that damages, soils, defiles or defecates on any property other than that of its owner
- (c) Any animal that makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is or harbored
- (d) Any animal in season that is not confined so as to prevent attraction or contact with other animals
- (e) Any animal, whether or not on the property of its owner, that without provocation, molests, attacks, or otherwise interferes with the freedom of movement of persons in a public right-of-way
- (f) Any animal that is offensive or dangerous to the public health, safety or welfare by virtue of having attacked, bitten, or physically injured human

beings or other animals, without provocation either because of temperament or training.

Owner means any person having temporary or permanent custody of, sheltering or having charge of, or harboring, exercising control over, or having property rights to any animal covered by this chapter. An animal shall be deemed to be harbored if it is fed or sheltered for three or more consecutive days.

Sec. 8-2. Penalties.

Any person who violates this chapter shall be guilty of a municipal civil infraction.

Sec. 8-3. Enforcement.

The city police officers, or others specifically designated by the chief of police, shall be enforcement officials for this chapter.

Article II. Keeping of animals

Sec. 8-4. Type of animals.

It shall be unlawful for any person to keep animals within the city, except for domestic pets or livestock as permitted under the provisions of Chapter 54 of this code.

Sec. 8-5. Number of animals.

It shall be unlawful to keep within, or on the property of, a single-family detached dwelling unit more than four dogs and/or cats, or within, or on the property of, an attached dwelling unit or apartment two dogs and/or cats, except that a litter of pups or kittens may be kept for a period of time not to exceed six months from birth. This section shall not apply to any establishment in a properly zoned area where animals are kept for purposes of boarding or treatment.

Sec. 8-6. Feeding of animals.

Except as provided in Chapter 54 of this Code, no person shall intentionally feed, cause to be fed, provide, or make available any food or other substance intended for consumption to any animal within the city, whether on public or private property. This prohibition does not apply to the feeding of domestic animals or to the use of designated bird food commonly sold by commercial retailers, provided such bird food is placed in an elevated bird feeder.

Sec. 8-7. Sanitation.

- (a) No owner or custodian of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public

way, play area or private property other than that of the owner, unless such owner or custodian shall immediately remove and dispose of all feces deposited by such animal in any manner permitted by law.

- (b) No person owning, harboring or keeping an animal within the city shall permit any waste matter from the animal to collect and remain on the property of the owner or custodian, or on the property of others so as to cause or create an unhealthy, unsanitary, dangerous or offensive living condition on the owner's or custodian's property, or to abutting property owners.

Sec. 8-8. Restraint and confinement.

- (a) Except as otherwise provided in Article IV of this chapter, it shall be unlawful for the owner of any animal to fail to keep such animal under restraint or to permit such animal to run at large.
- (b) Except as otherwise provided in Article IV of this chapter, any animal not on the premises of its owner shall be properly restrained by a leash or chain of sufficient tensile strength to restrain the particular animal, or carried in an appropriate container designed for transporting animals of the size and type being transported.
- (c) Every female dog or cat in season shall be confined in a building or other enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.

Article III. Licensing

Sec. 8-9. License Required.

No person shall own, keep, or harbor any dog or cat over the age of six months within the city unless such dog or cat is licensed as provided for in this chapter.

Sec. 8-10. Application.

- (a) Application for such license shall be made by the owner to the city clerk or other licensing authority within the month that a dog or cat is vaccinated against rabies or within the month the dog or cat is acquired with an active rabies vaccination.
- (b) Proof of Rabies Vaccination Required: All owners applying for a license must show to the satisfaction of the licensing authority that the animal for which a license is being obtained has a valid rabies inoculation.
- (c) Proof of Sterilization: Any owner claiming that his dog or cat has been spayed or neutered must show to the satisfaction of the licensing authority that such operation has been performed.
- (d) Payment of Fees: A license fee shall be paid at the time of application submission. The license fee for both dogs and cats shall be as currently established or as hereafter adopted by resolution of the city commission.

Sec. 8-11. License Tags; Identification.

Upon payment and acceptance of the license fee, the licensing authority shall issue a durable license tag and an identification number for the animal for which a license has been obtained. Every dog or cat for which the owner is required to obtain a license must wear a valid license tag at all times when the animal is off the premises of its owner.

Article IV. Off Leash Area

Sec 8-12. In General.

Any dog, except those described in Sec. 8-8 (c) of this chapter, bearing a current license and for which there is a current off-leash area (OLA) permit may be permitted to run at large only within the off-leash areas established by resolution of the city commission and only within the boundaries and during the dates and hours specified in such resolution.

Sec. 8-13. Permitting.

- (a) Any person seeking an OLA permit shall make an application for such permit to the city clerk or other licensing authority and shall pay an OLA permit fee which shall be established by resolution of the city commission.
- (b) Upon payment of the fee and acceptance of the OLA application, the licensing authority shall issue a permit tag or badge, to be worn by the owner thereof while within an OLA and displayed to an enforcement officer upon request.
- (c) Such OLA permits shall be valid for the operating season of the OLA which shall be established by resolution of the city commission.
- (d) Any OLA permit issued for any dog shall be revoked if that dog, or the owner thereof, is found to be in violation of any of the provisions of this chapter while in an OLA on two or more occasions during any calendar year.
- (e) An owner of a dog for which an OLA permit has been revoked pursuant to subsection (d) of this section may be granted a new OLA permit for any subsequent calendar year unless such revocation was based upon the failure of such dog to be under reasonable voice control of its owner, in which case a new permit may only be issued upon presentation of documentary proof that said dog has successfully completed an obedience training course subsequent to such violation.

Sec. 8-14. Rules and Regulations.

- (a) The behavior of dogs permitted to run at large in an OLA, and the behavior of the owners thereof, shall conform to all other applicable provisions of this chapter, and to such rules and regulations as may be established by the city commission.

- (b) Such dogs shall at all times while in an OLA be under reasonable voice control of their owners.
- (c) The owners of such dogs shall at all times carry with them within the OLA a leash or chain of sufficient tensile strength to restrain such dogs if necessary.
- (d) No owner shall have more than three dogs within an OLA at any one time.

Article V. Animals Prohibited

Sec. 8-15. Locations.

Domestic animals are prohibited at the following locations with the exception of service animals:

- (a) City's Presque Isle Park, unless confined to a motor vehicle
- (b) Public bathing beaches, as defined in this code
- (c) Park Cemetery
- (d) Special events where signs are posted specifically prohibiting animals

Sec. 8-16. Transportation.

It shall be unlawful to transport exotic animals for the purpose of entertainment or the benefit of a live audience except as part of an accredited zoological institution as defined in MCL 123.1163.

Sec. 8-17. Nuisances.

It shall be unlawful for any person to keep any animal on any property located within the city when the keeping of such animal constitutes a public nuisance or menace to public health or safety.

Article VI. Impoundment

Sec. 8-18. Cause.

Any city police officer may seize, impound and humanely confine to an animal shelter or appropriate facility any of the following animals:

- (a) Any domestic or livestock animal at large.
- (b) Any animal constituting a public nuisance or considered a danger to the public.
- (c) Any unattended animal that is ill, injured or otherwise in need of care.
- (d) Any animal that is reasonably believed to have been abused or neglected.
- (e) Any domestic or livestock animal that is considered unattended or abandoned, as in situations where the owner is deceased, has been arrested, or has been evicted from his regular place of residence.

Sec. 8-19. Return of Animal to Owner

If the name of the owner or custodian of an animal found at large is known or can be obtained with reasonable dispatch, the officer shall return the animal to the residential address of the owner. If there is no one present, the officer shall leave written notice of whom the owner must contact to reclaim the animal. The officer shall then remove the animal to the nearest animal shelter or facility that will accept the animal.

SECTION 3. That this ordinance shall take effect ten days after adoption but not before publication.

Paul Schloegel, Mayor

Kyle Whitney, City Clerk

Date Adopted: _____

Date Published: _____

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

Consent Agenda - Roll Call Vote **Ordinance 26-2: Abandoned Vehicles**

BACKGROUND:

During a review of current procedures, the Police Department determined that the process for addressing abandoned vehicles is overly complicated and makes enforcement difficult. Currently, City Code does not outline this process; instead the Police Department relies on state law (MCL 257.252a) and a state administrative rule (R 28.1814). Incorporating this process into the City Code will simplify enforcement and consolidate requirements into a single ordinance.

With this change, if Police identify vehicles parked in violation of the regulations, the owners may be sent warning letters. This change will also allow officers to cite violators who park vehicles on city streets for more than 48 hours.

Per City Charter, an ordinance cannot be adopted at the same meeting at which it is introduced. This ordinance will appear at a future meeting for final consideration.

FISCAL EFFECT:

None.

RECOMMENDATION:

Move Ordinance 26-2 to the next regular meeting agenda for consideration.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Ordinance 26-2 -Abandoned Vehicles

ORDINANCE #26-2

AN ORDINANCE TO AMEND CITY CODE CHAPTER 32

INTENT

The purpose of this ordinance is to amend chapter 32 of the Code to clarify the process of impounding abandoned vehicles.

The City of Marquette Ordains:

SECTION 1. That Section 32-92 be hereby amended to read as follows:

Sec. 32-92. Abandoned Vehicles.

(a) A motor vehicle can mean any of the following but is not limited to:

- (1) any private or commercial motor vehicles
- (2) any motorcycle, moped, or ORV
- (3) any vessel or watercraft such as a boat or jet ski
- (4) any trailer whether it's open or closed

(b) Any motor vehicle, whether operable or inoperable, parked continuously on public property, including but not limited to streets, highways, roads, alleys, and public parking lots, in excess of forty-eight hours shall be presumed abandoned and may be impounded and removed from its location by any person authorized to enforce this chapter.

(c) The cost of removal and any storage charges resulting from the impoundment of an abandoned vehicle shall be the obligation of the owner of such vehicle and paid to the city or such person to whom it may be owed prior to the release of the vehicle to such owner.

SECTION 2. That this ordinance shall take effect ten days after adoption but not before publication.

Paul Schloegel, Mayor

Kyle Whitney, City Clerk

Date Adopted: _____

Date Published: _____

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

Consent Agenda - Roll Call Vote

Resolution: Off-Leash Area - Roll Call Vote

BACKGROUND:

Ordinance 26-1 has been presented to the City Commission to amend Chapter 8 - Animals of the Marquette City Code as part of city staff's comprehensive review of the entire code.

Section 8-12 of the proposed ordinance authorizes the City Commission to designate specific locations within the city as off-leash areas where dogs may run at large in accordance with the requirements of Chapter 8.

Adoption of Ordinance 26-1 necessitates approval of a corresponding resolution formally establishing Tourist Park as an off-leash area. Tourist Park has historically operated as a seasonal off-leash area, with the season running from November 1 through April 30.

FISCAL EFFECT:

None by this action.

RECOMMENDATION:

Adopt the resolution establishing Tourist Park as an off-leash area.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ Res 26-1 OLA



Establishing Tourist Park as an Off-Leash Area

WHEREAS, section 8-12 of the Marquette City Code allows for the City Commission to designate operating times and locations for off-leash areas in the city; and,

WHEREAS, section 8-13 identifies a permitting process for designated off-leash areas; and,

WHEREAS, any dog bearing a current license and off-leash area permit may run at large within the boundaries of the off-leash area,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission hereby designates Tourist Park as a seasonal off-leash area for dogs. This off-leash area shall be open for use during the standard operating hours of the park, and shall remain open through May 15, 2026.

BE IT FURTHER RESOLVED, that beginning with the 2026-2027 season, the seasonal off-leash area at Tourist Park shall operate annually from November 1 through April 30.

This resolution was offered by _____ and supported by _____

Duly adopted by the Marquette City Commission on January 26, 2026

Paul Schloegel, Mayor

Certified to be a true copy on _____.

Kyle Whitney, City Clerk

City of Marquette, MI

300 West Baraga Avenue
Marquette, MI 49855

Agenda Date: 1/26/2026

New Business

Resolution: Support for HB 4007 and HB 4283 of 2025 - Roll Call Vote

RECOMMENDATION:

Adopt the Resolution of Support for House Bills 4007 and 4283 of 2025.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- ▣ Res. 26-2 RICE



Resolution Support for House Bills 4007 and 4283 of 2025

WHEREAS, the City of Marquette, Michigan has responsibility for ensuring the health, safety, and welfare of residents and visitors; and,

WHEREAS, the Marquette Board of Light and Power was established by City Charter, and is responsible for the light and power operations of the City; and,

WHEREAS, approximately 17,000 homes and businesses within the City of Marquette and parts of nine surrounding townships receive electrical power from the Marquette Board of Light and Power; and

WHEREAS, House Bills 4007 and 4283 of 2025 aim to expand the definition of clean energy systems and promote alternative energy sources in Michigan; and,

WHEREAS, the bills seek to amend the “Clean and Renewable Energy and Energy Waste Reduction Act” (2008 PA 295) to include a broader range of clean energy technologies; and,

WHEREAS, according to the Michigan Public Service Commission, the last coal plant in the Upper Peninsula was shuttered in 2019, contributing to a 71% reduction in carbon dioxide emissions in the U.P. electric sector from 2013 to 2022; and,

WHEREAS, the City of Marquette and Marquette County are home to two new, highly-efficient natural gas generating stations – the Marquette Energy Center and the F.D. Kuester Generating Station – that are critical to providing dependable power to our communities; and,

WHEREAS, the Marquette Energy Center, constructed by the Marquette Board of Light and Power; and the F. D. Kuester Generating Station, constructed by Upper Michigan Energy Resources Corporation, have facilitated the transition from oversized coal-fired generating plants to efficient, clean, and right-sized natural gas generation, significantly contributing to the decarbonization of the Upper Peninsula; and,

WHEREAS, these investments were developed in coordination with Upper Peninsula stakeholders and the State of Michigan to address an energy crisis and ensure grid reliability, representing a forward-thinking approach to energy generation; and,

WHEREAS, House Bills 4007 and 4283 are essential to enable the continued operation of these Reciprocating Internal Combustion Engine (RICE) units through their useful life, preserving reliable and affordable electric power in the Upper Peninsula; and,

WHEREAS, the RICE units were financed with significant outstanding debt, which will not be paid off until 2036, with a useful life through 2050; and,

WHEREAS, the failure to recognize these investments in Michigan's 2023 clean energy law may result in duplicate energy payments, increasing costs for ratepayers,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission strongly supports House Bills 4007 and 4283 of 2025 and urges swift passage through the Michigan Legislature.

This resolution was offered by _____ and supported by _____

Duly adopted by the Marquette City Commission on January 26, 2026

Paul Schloegel, Mayor

Certified to be a true copy on _____.

Kyle Whitney, City Clerk