



## City of Marquette, MI

300 West Baraga Avenue  
Marquette, Michigan 49855

### Meeting Minutes City Commission Meeting

**Monday, March 27, 2017  
6:00 PM  
Commission Chambers**

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#### Call to Order, Pledge of Allegiance and Roll Call

Present: Mayor Campana. Mayor Pro Tem Baldini. Commissioners Cambensy, Campana, Conley and Reynolds.

Absent: Commissioners Frazier and Plourde

It was moved by Commissioner Reynolds seconded by Mayor Pro-tem Baldini and carried unanimously to excuse Commissioners Frazier and Plourde as they are out of town.

#### Approval of the Agenda

Mayor Pro Tem Tom Baldini moved to Approve the agenda as presented, seconded by Commissioner Mike Conley and Carried Unanimously.

#### Announcements

Mayor Campana said next week is the start of SmartPrize in Marquette and it runs though April 9th. He said people should check this out, as it is an interesting event that is held each year.

#### Boards and Committees

##### 1. Appointment

**David Rayome, Investment Advisory Board, for an unexpired term ending 04-01-19  
Margaret Schwalm, Election Board, for a term ending 04-11-21**

**Perry David Allen, Brownfield Redevelopment Authority, for an unexpired term ending 02-01-19**

Commissioner Mike Conley moved to Approve the appointments for the terms listed, seconded by Mayor Pro Tem Tom Baldini and Carried Unanimously.

#### Presentation(s)

##### 2. Cliffs-Dow Project Update, by Richard Baron, Foley Baron, Metzger & Juip, PLLC, Special Counsel to City

Richard Baron, Special Counsel to the City from Foley Baron, Metzger & Juip, PLLC provided a project update outline, reviewing past history and current property activities at the former Cliffs-Dow site. He detailed environmental activities performed and the next steps to be taken for further determinations and outcomes for the property.

Commissioners thanked him for his presentation, and Commissioner Cambensy requested that the PowerPoint be put on the City's website so the public has access to the information.

### **3. Short-term Rental Update, by Dennis Stachewicz, Community Development Director**

Dennis Stachewicz, Community Development Director, provided a PowerPoint presentation on proposed Short-Term Rental Zoning Ordinance amendments, and explained how through several meetings, staff and the Planning Commission had developed recommendations that he was now providing his Director's Analysis of. He said this issue evolved due to public safety and land use issues. He said there have been several discussions and meetings on this issue, and it is a very complex subject. Mr. Stachewicz said Planning and Zoning staff have developed changes to the existing Zoning Ordinance to incorporate short-term rentals. Mr. Stachewicz said the next steps in this process would be addressing the Planning Commission recommendations at a future meeting. If adopting the zoning ordinance amendments, there are rental code amendments that also must coincide, and fees and a licensing process must be established. He said the alternative if the ordinance changes are not made is that the land use issues must still be addressed due to the zoning law.

After several minutes of questions and answers, Commissioner Conley said he would support an amendment to the Fire Rental Code and Zoning Ordinance to be brought forth to the City Commission at the same time, at the same Public Hearing.

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

Brian Kerrigan spoke regarding short-term rentals and said a lot of the clientele are friends and family, quality tenants. He said he agrees with the health and safety issues, but said we need to keep values consistent and fair. Nicole Young said she loves how the City Commission protects Marquette. She said she was present tonight to point out a couple of things. She said Pure Michigan Travel requires anyone advertising on their site have a EIN number, thereby acknowledging they are a business, and she said she has concerns that there are no restrictions on the short-term rentals in mixed-use areas. Richard Hendrickson said he thinks the short term rental issue is a complex subject, that it's bureaucratic and the issue should be tabled. Frank Verito provided his opinions on the Trails Master Plan, waiting for survey results, properties around Marquette and the Manager's closing comments regarding the trees on Lake Street, he also asked to reserve time to speak on Agenda Item #5. Fred Stonehouse thanked the Commission for addressing the short-term rental issue. He said any ordinance that is produced will be imperfect, but in a year it can be revisited and it can be tuned up. He encouraged the Commission to not allow any more than 100 rentals at first, and suggested that as time goes on, and issues are worked through, the number can be slowly brought up. Jorma Lankinen thanked the Commission for their time in addressing the short term rental issue. He said it is good to start with a plan and tune it up afterward. He said, regarding a meeting held by the DDA and Third Street Business owners, he was glad to see a discussion happened. Pat Frenn said she is protesting the bike lane on Third Street and concerned about the impact it has had on the businesses there. She said Third Street is expected to be too many things and suggested concentrating on other places in the City. Matt Luttenberger thanked Ms. Frenn for speaking about the bike lane safety, as he had a near miss there himself. He also reserved time to speak on Agenda Item #5. Mr. Luttenberger said he still has a lot of questions about short-term rentals, and said we need more time to work things out. Sue Schauland thanked the Commission for the work on the short-term rental issue. She said she is an owner of a Bed and Breakfast in the City, and wondered if things like commercial electric rates would also be paid by the short-term rental owners. She said she is concerned about neighborhoods and if the short-term rentals will be treated equally as a business.

### **4. Consent Agenda**

Mayor Pro Tem Tom Baldini moved to Approve the Consent Agenda as provided, seconded by Commissioner Sarah Reynolds and Carried Unanimously.

- 4.a. Approve the minutes of the March 13, 2017 Commission meeting.
- 4.b. Approve the total bills payable in the amount of \$1,701,790.14
- 4.c. KBIC Funding for the U.P. Children's Museum
- 4.d. KBIC Funding for the Marquette Maritime Museum
- 4.e. KBIC Funding for Room at the Inn
- 4.f. KBIC Funding for the Lake Superior Hospice
- 4.g. Sault Ste. Marie Tribe of Chippewa Indians Funding for the Lake Superior Hospice
- 4.h. One Set of Six Mobile Column Lifts
- 4.i. Variable Frequency Drive Unit - Lake Street Lift Station
- 4.j. Upper Peninsula Health Plan Utility Easement

## New Business

### 5. MDOT Limited Access Property Transaction

Frank Verito said that no drawing showing where this property is was provided in the agenda supplement, and asked staff to make a better attempt at providing drawings. Matt Luttenberger said he was also looking for information on what other properties may be affected, and said he is concerned about pedestrian traffic at the roundabout areas.

Commissioner Cambensy said she will be voting no on this item, as there is too much risk involved and she does not agree with the transportation proposal.

Mayor Pro Tem Tom Baldini moved to Approve adoption of the resolution stating the purpose of the transaction and direct the City Manager to execute the purchase agreement, seconded by Commissioner Mike Conley and Carried by Roll Call Vote.

The vote was as follows:

AYES: Mayor Campana, Mayor Pro-tem Baldini. Commissioners: Conley, Reynolds.

NAYS: Commissioner Cambensy.

ABSENT: Commissioners: Frazier, Plourde.

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Matt Luttenberger said he was curious about the traffic studies that were done. He also commented about costs at the marina and asked how are we going to get customers if we keep charging more. Frank Verito said anyone can do fact-checking, provided his opinions on the value of Marquette's treasures, clear-cutting near the Prison and Coast Guard Station, Founders green space, South beach woodland and the Heartwood property.

### Comments from the Commission

**CAMBENSY**-Commissioner Cambensy said it was a great conversation about the short-term rentals. It is a complicated issue and there are a lot of different interests. She also said Fred Cole's AP Government class at MSHS will be attending the "We the People" conference, and they need donations to help the students who are going. She said they have a GoFundMe page where you can donate. Commissioner Cambensy thanked Ms. Frenn for bringing up the Third Street issue, she said maybe an anonymous survey would help, and she said she hopes there are many more discussions about this. Commissioner Cambensy said she attended the MML Conference, where there were some great sessions.

**BALDINI**-Mayor Pro-tem Baldini said the short-term rental discussion was very thoughtful. He said things like Airbnb and Uber are creating change in the country, and we are not exempt from it. He also said it is the DDA that decides things like the bike lane and parking meters, it is not the City Commission. Mayor Pro-tem Baldini said the Children's Museum celebrated its 20th anniversary recently and he is amazed with the progress that has been made, and said the SmartPrize is becoming a part of this community.

**REYNOLDS**-Commissioner Reynolds said she appreciates the short-term rental information and the comments tonight, she said she has also been doing her own research. Commissioner Reynolds thanked Pat Frenn for speaking tonight, and said she is glad the DDA is addressing Third Street issues. Commissioner Reynolds said she also attended the MML Conference, and comparing notes with other communities is valuable.

**CONLEY**-Commissioner Conley said on Saturday the Kay Barker docked in Marquette and began the shipping season; he said the mines are very important. Commissioner Conley said he attended the MML Conference, and it was very valuable to meet with legislators. He also said, regarding the short-term rentals, it is a Home Rule Cities issue, and the State doesn't want to get involved. He said he would like to see this kept on a local level to maintain control. Commissioner Conley asked the City Manager that the zoning changes and the rental code changes be brought to the Commission together for consideration. He also said the mention of an EIN for these rentals might not be a bad idea, so that all businesses are treated alike. Commissioner Conley said, regarding the Third Street discussion, we need to keep the balance. It is safer now, and we need to share our streets with bikers.

**CAMPANA**-Mayor Campana said, regarding the cutting of trees on Lake Street, they were scrub and brush trees, and the City Manager had the full support of the Commission to authorize this project and it was good timing with the vendor who would be doing the job. He said he encourages the cutting of some of the scrub trees at Founders Landing which would look better. Mayor Campana said the Third Street meeting had lots of controversy from the business owners and users of the street. He said some like it as it slows traffic down.

## Comments from the City Manager

None.

## Adjournment

Mayor Campana adjourned the meeting at 8:34 p.m.

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**David J. Campana, Mayor**

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**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@mqcty.org](mailto:estemen@mqcty.org).*