

The Election Commission Will Have a Brief Meeting at 5:45 p.m.

ALPENA CITY COUNCIL MEETING

August 16, 2021 – 6:00 p.m.

AGENDA

The Meeting Will be Held In-Person at City Hall. The Meeting Can Be Viewed Virtually with the Login Information as Follows:

From a Computer, Tablet or Smartphone: <https://www.gotomeet.me/CityofAlpena>

Dial in Using a Phone: United States: [+1 \(646\) 749-3112](tel:+16467493112)

Access Code: 667-050-061

1. Call to Order.
2. Pledge of Allegiance.
3. Approval and Modification of the Agenda.
4. Approve Minutes –Regular and Closed Sessions of August 2, 2021.
5. Citizens Appearing Before Council on Agenda and Non-Agenda Items (Citizens Shall be Allowed a Maximum of Five (5) Minutes Each to Address Their Concerns. This is the Only Time During a Council Meeting that Citizens are Allowed to Address the Council).
6. Public Hearings.
7. Consent Agenda.
 - A. Bills to be Allowed, in the Amount of \$382,220.07.
 - B. Multiple Budget Amendment Requests to Move Budget as the Result of the Chart of Accounts Conversion.
 - C. Approval of a Noise Ordinance Variance on August 28, 2021, from 10 p.m. to 12 a.m. for Joe's Bar Located at 1300 Ford Avenue.
 - D. Application for the USDA Rural Development Grant.
 - E. Approval of a Customer Appreciation and Family Fun Day for RE/Max New Horizons on September 26, 2021 at the Mich-e-ke-wis Warming Shelter.
8. Presentations.
9. Announcements.

Michigan Association of Municipal Clerks, MiPMC Certification, Anna Soik - Mayor Waligora.
10. Mayoral Proclamation.
11. Report of Officers.
 - A. 2021 Goose Hunt – Rachel Smolinski, City Manager.

B. First Reading of Ordinance 21-462, An Amendment to the City of Alpena Zoning Ordinance Article 2, 3, 5, and 7 – Bill Pfeifer, City Attorney.

12. Communications and Petitions.

13. Unfinished Business.

14. New Business.

A. Marina Travel Lift Agreement – Shannon Smolinski, Harbormaster.

B. Marina Gas and Fuel Bid Recommendation – Shannon Smolinski, Harbormaster.

C. 2021 Valve Replacement Bid Recommendation – Steve Shultz, City Engineer.

D. Resignation of Councilmember, Amber Hess.

15. Adjourn.

Rachel Smolinski
City Manager

COUNCIL PROCEEDINGS

August 2, 2021

The Municipal Council of the City of Alpena met in regular session in person and via teleconference on the above date and was called to order at 6:00 p.m. by the Mayor.

Present: Mayor Waligora, Mayor Pro Tem Johnson, Councilmembers Nowak, Hess and Mitchell.

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to approve the agenda.

Motion carried 5-0.

MINUTES

The minutes of the regular and closed sessions of July 19, 2021, were approved as printed.

CONSENT AGENDA

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, that the following Consent Agenda items be approved:

- A. Bills Allowed – in the amount of \$153,857.73.
- B. Budget amendment request to carryover projects for the marina in the amount of \$28,000.
- C. Budget amendment request for a reduction of the Major Street fund balance in the amount of \$75,000.
- D. Budget amendment request to carryover projects in the Major Street Fund in the amount of \$374,000 and in the Local Street Fund Fund in the amount of \$233,000.

- E. Budget amendment request to carryover projects for the Public Works Department within the General Fund in the amount of \$103,100.
- F. Budget amendment request to carryover projects in the Sewer Fund in the amount of \$685,000.
- G. Budget amendment request to carryover projects in the I.T. Department within the General Fund in the amount of \$34,087.
- H. Budget amendment request to carryover projects in the Water Fund in the amount of \$172,000.

Motion carried 5-0.

PROCLAMATION

Mayor Waligora proclaimed August 8-14, 2021 as Friends Together 25th Celebration Week in the City of Alpena.

RECUSAL FROM VOTING

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to recuse Mayor Waligora from voting on the topic of the modification of select fees for FY22 as the fence fee pertains to his personal business.

Motion carried 4-0, 1 abstain (Waligora).

MODIFICATION OF SELECT FEES FOR FY22

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to modify the Alpena Regional Trailhead Pavilion to a \$100 refundable deposit and \$75 rent and also to modify the fence permit fee to \$35.

Motion carried 4-0, 1 abstain (Waligora).

REDEVELOPMENT READY COMMUNITIES RECERTIFICATION

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to adopt the Memorandum of Understanding with the Michigan Economic Development Corporation to achieve Redevelopment Ready Communities Recertification and allow Mayor Waligora to sign.

Motion carried 5-0.

PROPOSED ZONING AMENDMENTS

Denise Cline, Deputy Director/Chief Planner of Northeast Michigan Council of Governments, presented proposed zoning amendments to articles 2, 3, 5, and 7 of the City of Alpena zoning ordinance. No action taken at this time as first reading of this ordinance will be on a future agenda.

RECREATIONAL MARIHUANA

Councilmember Hess initiated discussion on allowing recreational marihuana facilities within the City. City Manager, Rachel Smolinski, and staff will bring additional information to the Council in a future meeting.

RECESS

The Municipal Council recessed at 7:11 p.m.

RECONVENE IN CLOSED SESSION

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to reconvene in closed session at 7:12 p.m. to discuss an update regarding proposed litigation with the Alpena Prototype Biorefinery, LLC, American Process, Inc., and GranBio LLC.

Motion carried 5-0.

RECONVENE IN OPEN SESSION

The Municipal Council reconvened in open session at 7:52 p.m.

FORBEARANCE AGREEMENT

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to approve the forbearance agreement with Decorative Panels International pending their

signature.

Motion carried 5-0.

ADJOURN

On motion of Mayor Pro Tem Johnson, seconded by Councilmember Nowak, the
Municipal Council adjourned at 7:54 p.m.

Matthew Waligora
Mayor

ATTEST:

Anna Soik
City Clerk

INVOICE REGISTER

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EXP CHECK RUN DATES 08/17/2021 - 08/17/2021

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ALPENA AREA CHAMBER OF COMM	21216A	LEADERCAST TRAINING	150.00
ALPENA COUNTY TREASURER	081021	IT CONTRACTED SVCS 08/21	8,118.00
ALPENA DIESEL SERVICE	69329	VEH MAINT - DPW	55.27
ALPENA DIESEL SERVICE	69385	VEH MAINT - DPW	54.94
ALPENA ELECTRIC MOTOR SERVICE	1334	MAINT - CEMETERY	1,298.00
ALPENA GLASS CO INC	393012	MAINT - MARINA	238.00
ALPENA LAWN CARE & MAINTENANCE	5061	MOWING - CODE ENFORCEMENT	280.00
ALPENA POWER COMPANY	081721	ELECTRIC	28,242.60
ALPENA SUPPLY CO	S100349164.001	VEH MAINT - EQ	302.46
ALPENA SUPPLY CO	S100349201.001	MAINT - CEMETERY	33.06
ALPENA SUPPLY CO	S100349536.001	MAINT - CEMETERY	35.66
ALPENA SUPPLY CO	S100350777.001	MAINT - CEMETERY	152.00
ALPENA SUPPLY CO	S100350815.001	CHEMICALS - SEWAGE	1,030.00
ALPENA SUPPLY CO	S100351119.001	SUPPLIES - PUBLIC WORKS	6.96
AMAZON CAPITAL SERVICES INC	1FP6-FWXQ-7WV6	SUPPLIES - IT	759.52
AMAZON CAPITAL SERVICES INC	1JM1-RTKL-7VL6	SUPPLIES - CLERK/TREAS	31.50
AMAZON CAPITAL SERVICES INC	1WWM-J7XR-14MR	SUPPLIES - MARINA	35.75
AMAZON CAPITAL SERVICES INC	1Q7H-7XP7-9LYV	SUPPLIES - IT	1,597.98
AMAZON CAPITAL SERVICES INC	1JD6-TJHY-36PG	SUPPLIES - MARINA	32.87
AMAZON CAPITAL SERVICES INC	1FKV-XWDR-RF4P	SUPPLIES - ZONING	18.98
AMAZON CAPITAL SERVICES INC	1NQ4-HX73-MN6N	SUPPLIES - POLICE	69.00
AMAZON CAPITAL SERVICES INC	17R1-11Q6-3KWF	SUPPLIES - MARINA	25.76
ANGELINA VILLALOBOS	081121	MURAL PROJECT 2021	300.00
BANDIT INDUSTRIES INC	797088	VEH MAINT - EQ	381.64
BEAVERS AUTOMOTIVE & RADIATOR	30429	VEH MAINT - FIRE/EMS	79.95
BEAVERS AUTOMOTIVE & RADIATOR	30430	VEH MAINT - FIRE/EMS	79.95
BELL EQUIPMENT COMPANY	P00650	VEH MAINT - DQ	2,044.48
BP	60538275	GAS/FUEL - FIRE/EMS/EQ	3,992.23
BRUCE TILLINGER	073121	MECHANICAL INSP SVCS 07/21	3,904.00
BRUCE TILLINGER	073121A	PLUMBING INSP SVCS 07/21	1,131.20
BS&A	133756	TRAINING FEE - BLDG	1,500.00
BS&A	135638	FIXED ASSETS CONVERSION - C/T	2,640.00
BUILDING EXPRESS	41313	MAINT - PARKS	70.00
BUILDING EXPRESS	41314	MAINT - PARKS	70.00
BUILDING EXPRESS	41322	MAINT - PARKS	122.50
BUILDING EXPRESS	41323	MAINT - PARKS	70.00
CARQUEST AUTO PARTS	437848	VEH MAINT - EQ	9.33
CARQUEST AUTO PARTS	437850	VEH MAINT - EQ	60.22
CARQUEST AUTO PARTS	438154	VEH MAINT - EMS	38.94
CARQUEST AUTO PARTS	438210	VEH MAINT #69	18.80
CARQUEST AUTO PARTS	439106	VEH MAINT #64	18.21
CARQUEST AUTO PARTS	439160	SUPPLIES - FIRE/EMS	25.46
CARQUEST AUTO PARTS	439236	VEH MAINT - EMS	3.11
CARQUEST AUTO PARTS	439347	VEH MAINT - FIRE EQ	45.67
CARQUEST AUTO PARTS	439395	VEH MAINT - FIRE EQ	16.97
CARQUEST AUTO PARTS	439464	VEH MAINT - FIRE EQ	0.34
CARQUEST AUTO PARTS	439771	VEH MAINT - EQ	3.11
CARQUEST AUTO PARTS	439782	VEH MAINT - FIRE EQ	6.22
CARQUEST AUTO PARTS	439906	VEH MAINT - EQ	171.24
CARQUEST AUTO PARTS	439909	VEH MAINT #16	203.23
CARQUEST AUTO PARTS	439910	VEH MAINT #16	138.74
CARQUEST AUTO PARTS	440124	VEH MAINT #16	(99.00)
CDW GOVERNMENT INC	G147542	RUGGEDIZED TABLETS	1,890.00
CDW GOVERNMENT INC	H535135	RUGGEDIZED TABLETS	5,390.00
CERTA SITE LLC	5188212585 07/21	EXTINGUISHER MAINT 2021	2,580.00
CHARTER COMMUNICATIONS	0161888062721	FAX LINE - PUBLIC WORKS	179.96
CHARTER COMMUNICATIONS	0161615072521	FAX LINE - CITY HALL	79.98
CHARTER COMMUNICATIONS	0015914080521	WATER TWR INTERNET SIGNALS	607.88
CHEBOYGAN CEMENT PRODUCTS INC	84794	STORES - CONCRETE	173.04
CITY OF ALPENA	1271-001 0821	SEW/WATER - MICH-E-KE-WIS	470.10
CITY OF ALPENA	4397-001 0821	SEW/WATER - CEMETERY	36.66
CITY OF ALPENA	4398-001 0821	SEW/WATER - CEMETERY	63.54
CITY OF ALPENA	4528-001 0821	SEW/WATER - PUBLIC SAFETY	5,326.26
CITY OF ALPENA	4709-001 0821	SEW/WATER - CEMETERY IRR	1,381.63
CITY OF ALPENA	6656-001 0821	SEW/WATER - PSF ANNEX	36.66
CITY OF ALPENA	8110-001 0821	SEW/WATER - STARLITE PROM	436.70
CITY OF ALPENA	8111-001 0821	SEW/WATER - SPLASH PK IRR	676.73
CITY OF ALPENA	8111-002 0821	SEW/WATER - SPLASH PK	10,889.38
CLEAR WATER LAKE MANAGEMENT INC	2081	MAINT - MARINA	1,120.00
CONTINENTAL LINEN SERVICE	70483 08/21	RUG/UNIFORM CONT 07/21	902.03
DANIEL HIBNER	080221	MFR TRAINING MATLS - EMS	1,355.24
DANYEAL DORR	081121	MURAL PROJECT 2021	243.12

INVOICE REGISTER

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EXP CHECK RUN DATES 08/17/2021 - 08/17/2021

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OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
DE LAGE LANDEN FINANCIAL SERVICES	73337979	COPIER LEASE 09/21 - DDA	60.55
DEAN ARBOUR FORD LINCOLN MERCURY	CM32337	VEH MAINT #49	(200.00)
DEAN ARBOUR FORD LINCOLN MERCURY	164454	VEH MAINT #49	55.00
DEAN ARBOUR FORD LINCOLN MERCURY	165009	VEH MAINT - POLICE	1,619.09
DEAN ARBOUR FORD LINCOLN MERCURY	32789	VEH MAINT - EQ	35.46
DEAN ARBOUR FORD LINCOLN MERCURY	32794	VEH MAINT - POLICE	61.52
DORNBOS SIGN & SAFETY INC	56428	MAINT - MARINA	227.45
DORNBOS SIGN & SAFETY INC	56395	TRAFF CONTROL MAINT - MAJ ST	443.95
DTE ENERGY	081721	NATURAL GAS	2,020.74
EAGLE SUPPLY CO	119313	SUPPLIES - CITY HALL	26.40
EAGLE SUPPLY CO	118275	SUPPLIES - PARKS	104.00
EAGLE SUPPLY CO	119001	SUPPLIES - PARKS	58.50
EAGLE SUPPLY CO	119020	SUPPLIES - PARKS	82.70
FAMILY ENTERPRISE EMBROIDERY	65289	UNIFORMS - PUBLIC WORKS	740.00
FAMILY ENTERPRISE EMBROIDERY	65508	UNIFORMS - FIRE/EMS	230.00
FASTENAL COMPANY	MIALP184486	VEH MAINT - EQ	31.01
FASTENAL COMPANY	MIALP184669	SUPPLIES - PUBLIC WORKS	53.40
FASTENAL COMPANY	MIALP184797	VEH MAINT - EQ	2.91
FITZPATRICK'S HARDWARE	5339300	CHAINS AW - PUBLIC WORKS	1,071.96
FITZPATRICK'S HARDWARE	5347495	PRESSURE WASHER - MARINA	1,109.98
FITZPATRICK'S HARDWARE	5348277	SUPPLIES - PARKS	2.79
FRANCIS ROSINSKI	073121	ELECTRICAL INSP SVCS 07/21	2,302.40
FREESE HYDRAULICS & EQUIP REPAIR	39438	VEH MAINT - EQ	40.53
FREESE HYDRAULICS & EQUIP REPAIR	39655	VEH MAINT - EQ	180.72
FRONTIER	4175 08/21	TELEPHONE - FIRE/EMS	40.88
FRONTIER	5445 08/21	TELEPHONE - FIRE/EMS	79.39
FRONTIER	7204 08/21	ELEVATOR TELEPHONE - CITY HALL	58.49
FRONTIER	7430 08/21	ELEVATOR TELEPHONE - PUBLIC SAFETY	58.49
FRONTIER	9535 08/21	ALARM PHONE LINES - SEWER	598.38
GILMET CONSTRUCTION SERVICES	073121	BUILDING/ZONING SVCS 07/21	1,830.00
GREENWAY	073121	DUMPSTER CHARGES 07/21	2,730.75
HALLS SERV-ALL	063021	RENTAL FEE - PARKS	2,853.40
HANOVER LANTERN	15324	LIGHT POLES	11,425.00
HAVILAND	403358	SODIUM HYPOCHLORITE - WATER	4,881.56
HOME DEPOT CREDIT SERVICES	70033	SUPPLIES - POLICE	96.12
HOME DEPOT CREDIT SERVICES	5103268	SUPPLIES - PARKS	143.64
HOME DEPOT CREDIT SERVICES	4061807	SUPPLIES - PARKS	34.64
HOME DEPOT CREDIT SERVICES	14163	SUPPLIES - MARINA	48.35
HOME DEPOT CREDIT SERVICES	6014443	MAINT - MARINA	491.83
HOME DEPOT CREDIT SERVICES	6024371	MAINT - MARINA	116.79
HOME DEPOT CREDIT SERVICES	6621743	SUPPLIES - FIRE/EMS	23.90
HOME DEPOT CREDIT SERVICES	5024475	MAINT - MARINA	31.41
HOME DEPOT CREDIT SERVICES	1610089	SUPPLIES - FIRE/EMS	39.02
HOME DEPOT CREDIT SERVICES	2061260	SUPPLIES - FIRE/EMS	244.80
HOME DEPOT CREDIT SERVICES	13541	SUPPLIES - MARINA	663.96
HOME DEPOT CREDIT SERVICES	50435	SUPPLIES - PUBLIC WORKS	16.97
HOPE REED	081121	MURAL PROJECT 2021	150.00
INK AND TONER ALTERNATIVE	21-6252	SUPPLIES - IT	97.98
INK AND TONER ALTERNATIVE	21-6462	SUPPLIES - IT	649.82
INK AND TONER ALTERNATIVE	21-6689	SUPPLIES - IT	263.94
JCI JONES CHEMICALS INC	862976	SODIUM HYPOCHLORITE - WATER	4,166.00
KUSTOM SIGNALS INC	586382	SUPPLIES - POLICE	1,614.00
LAKESHORE PLUMBING, HEATING &	45911	MAINT - PUBLIC WORKS	320.00
MICHIGAN PIPE & VALVE	T014673	STORES - WYE	225.00
MICHIGAN PIPE & VALVE	T014871	REPLACE WATER SVCS	228.00
MID MICHIGAN HEALTH	700000774 08/21	EMPLOYEE PHYS - BLDG	75.00
MILLER OFFICE MACHINES	AR15698	SUPPLIES - IT	248.00
MILLER OFFICE MACHINES	AR15802	COPIER MAINT - CH/PSF	370.49
MILLER OFFICE MACHINES	AR15865	SUPPLIES - DDA	12.24
MML WORKERS COMP FUND	2717206	WORKERS COMP - QTR PAYMENT	26,796.00
MUNICIPAL CODE CORPORATION	00361830	ORDINANCE ELECTRONIC UPDATE	756.23
NALCO COMPANY	6600562718	POLYMER VELIGON - WATER	2,697.00
NEW LIFE CHRISTIAN FELLOWSHIP	081021	STARLITE RENT REFUND	50.00
NORTH CENTRAL SECURITY LTD	070421	SECURITY - FIREWORKS	666.00
NORTHERN CLEANING & MAINTENANCE	080121	MAINT - DDA	120.00
OFFICE DEPOT	19105668	SUPPLIES - CITY HALL	495.01
PILOT ROCK PARK EQUIPMENT	243974	SUPPLIES - PARKS	1,362.00
PRESQUE ISLE ELECTRIC & GAS CO	81166373 0721	ELECTRIC - AIR BASE	76.00
PRIORITY ONE EMERGENCY	70077001	UNIFORMS - FIRE/EMS	81.62
PROPANE PLUS INC	162043	PROPANE - TRAILHEAD	209.85
RAPID RESULTS	12876	DRUG SCREEN - PW/PKS/BLDG	150.00
REVIZE LLC	12071	WEBSITE TECH SUPPORT	1,900.00

INVOICE REGISTER

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EXP CHECK RUN DATES 08/17/2021 - 08/17/2021

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
SEE COAST MANUFACTURING COMPANY INC	6002-1	TELESCOPE VIEWERS - PARKS	8,327.00
SIGN-A-RAMA INC	51674	SUPPLIES - FIRE/EMS	490.00
SPARTAN DISTRIBUTORS INC	11836427	VEH MAINT - EQ	1,041.45
SPARTAN DISTRIBUTORS INC	11836730	VEH MAINT - DPW	1,976.02
STANDARD ELECTRIC CO	4042993-00	MAINT - LIGHTS	17.64
STANDARD ELECTRIC CO	403367-00	MAINT - MARINA	21.16
STANDARD ELECTRIC CO	4043537-00	MAINT - LIGHTS	17.64
STANDARD ELECTRIC CO	4043569-00	MAINT - LIGHTS	136.53
STANDARD ELECTRIC CO	4043714-00	MAINT - LIGHTS	45.16
STANDARD ELECTRIC CO	4043919-01	MAINT - MARINA	33.53
STANDARD ELECTRIC CO	4043988-00	MAINT - MARINA	124.50
STRALEY LAMP & KRAENZLEIN PC	34115	MONTHLY FEE 06/21	3,325.00
SUEZ WATER ENVIRONMENTAL SERVICES	202143313	CONT OPERATIONS 07/21	130,101.45
SUEZ WATER ENVIRONMENTAL SERVICES	202143354	CONT OPERATIONS 07/21	21,867.38
SUPERIOR IMAGE CLEANING	080621	CITY CUSTODIAL SERVICES	4,106.04
TED FESTERLING LLC	9101	VEH MAINT - EQ	728.59
TELE-RAD INC	903069	RADIO MAINT - FIRE/EMS	339.14
TERMINAL SUPPLY CO	48825-01	VEH MAINT - EQ	101.34
TERMINAL SUPPLY CO	57876-00	VEH MAINT - EQ	49.85
THE ALPENA NEWS	700098	PUBLISHING/ADVERTISING	1,309.74
THUNDER BAY ELECTRIC INC	229929	CONTRACTUAL SERVICE	73.23
THUNDER BAY ELECTRIC INC	229985	MAINT/TRAFF SIGNAL MAINT - PKS/MAJ ST	1,252.86
THUNDER BAY ELECTRIC INC	229986	MAINT/TRAFF SIGNAL MAINT - LTS/MAJ ST	482.03
THUNDER BAY ELECTRIC INC	23000	TRAFF SIGNAL MAINT - MAJ ST	48.82
TIFFANY TRACEY	081121	MURAL PROJECT 2021	255.04
TRACTOR SUPPLY CREDIT PLAN	100695079	SUPPLIES - PARKS	59.96
TRACTOR SUPPLY CREDIT PLAN	100695304	SUPPLIES - PUBLIC WORKS	8.99
TRACTOR SUPPLY CREDIT PLAN	200973310	SUPPLIES - PUBLIC WORKS	14.99
TRACTOR SUPPLY CREDIT PLAN	200976416	SUPPLIES - MARINA	39.98
TRUE NORTH RADIO NETWORK	21070328	ADVERTISING - DDA	300.00
UTILITY SERVICE CO INC	538491	TANK MAINT	12,057.75
UTILITY SERVICE CO INC	538492	TANK MAINT	9,509.44
VISA/ELAN FINANCIAL SERVICES	1790 08/21	SUPPLIES - POLICE	156.37
VISA/ELAN FINANCIAL SERVICES	3610 08/21	SUPP/PROMO/BEAUTIFICATION - DDA	527.68
VISA/ELAN FINANCIAL SERVICES	5087 08/21	LOG-IN - MGR	15.89
VISA/ELAN FINANCIAL SERVICES	6116 08/21	SUPP/MAINT/REG - FIRE/EMS	1,204.55
VISA/ELAN FINANCIAL SERVICES	7661 08/21	WEBINAR REG - C/T	15.00
WEINKAUF PLUMBING & HEATING INC	13986	MAINT - STARLITE	656.83
WEX BANK/SPEEDWAY	73180706	GAS/FUEL-POL/FIRE/EMS/EQ/SUEZ	6,873.25
WITMER PUBLIC SAFETY GROUP	E2096016	UNIFORMS - FIRE/EMS	242.20
WITMER PUBLIC SAFETY GROUP	E2096016.001	UNIFORMS - FIRE/EMS	163.28

Total: 382,220.07

Memorandum



To: Mayor Waligora and Municipal Council
From: Anna Soik, City Clerk/Treasurer/Finance Director *AS*
Date: August 11, 2021
Re: Chart of Accounts Conversion & Budget Amendments

On August 4th, our chart of accounts was finally converted to the state of Michigan's uniform chart of accounts for local units of government. One of the changes was the dissolution of department 170 within the General Fund which housed all the expenses for multiple departments located at City Hall, including yourselves. When a conversion happens, an old account number can only convert to one account, not multiple. Therefore, everything that used to be department 170 was converted to department 209, which is now the Clerk/Treasurer's Department. This new department can only reflect revenue and expenditures for that department. All of the budget for other departments must be moved out of 209 to the newly created departments, and that is what is attached in the budget amendments. There is zero net effect to the fund balance as it is simply moving budget from one account to multiple other accounts. If you want to verify that there is zero net effect, simply total the proposed increase/decrease column. Any activity that has already been charged to department 170 in the current fiscal year will also be moved to the new departments. Each function of the City must have its own department (actually the State calls them activities). Those newly created departments are 101 – City Council, 172 – City Manager, 223 – External Audit, 247 – Board of Review, 257 – Assessor, 262 – Elections, 266- Attorney, 270 – Human Resources, 274 – Retirement Board, 447 – Engineering, 701 – Planning, 702 – Zoning, and 703 – Code Enforcement. I look forward to using the new accounts and I can already predict that it will make our budgeting process much easier! Please let me know if you have any questions.

BUDGET AMENDMENT REQUEST

FUND: 101 - General

DEPARTMENT: 209 - Clerk/Treasurer

PROJECT:

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-476.100	Business Lic/Permits	\$2,000.00	(\$1,800)	\$200
101-701-476.100	Business Lic/Permits	0	\$1,000	\$1,000
101-447-476.100	Business Lic/Permits	0	\$800	\$800
101-701-607.001	Planning Fees	\$9,500.00	(\$4,500)	\$5,000
101-702-607.002	Zoning Fees	0	\$4,500	\$4,500
101-209-635.591	Admin Svcs from Water	\$236,499.00	(\$236,499)	0
101-000-635.591	Admin Svcs from Water	0	\$236,499	\$236,499
101-209-635.590	Admin Svcs from Sewer	\$236,499.00	(\$236,499)	0
101-000-635.590	Admin Svcs from Sewer	0	\$236,499	\$236,499
101-209-635.248	Admin Svcs from DDA No5	\$4,556.00	(\$4,556)	0
101-000-635.248	Admin Svcs from DDA No5	0	\$4,556	\$4,556
101-209-635.633	Admin Svcs from Stores	\$71,615.00	(\$71,615)	0
101-000-635.633	Admin Svcs from Stores	0	\$71,615	\$71,615
101-209-635.661	Admin Svcs from Equip	\$88,867.00	(\$88,867)	0
101-000-635.661	Admin Svcs from Equip	0	\$88,867	\$88,867
101-209-676.101	Other Reimbursements	\$12,000.00	(\$12,000)	0
101-209-676.100	Reimbursements	0	\$20,000	\$20,000
101-209-677.000	Miscellaneous	\$12,000.00	(\$11,800)	\$200
101-703-657.000	Ordinance Fines & Costs	0	\$3,000	\$3,000
101-209-607.003	Fees	0	\$300	\$300
101-209-687.001	Refunds	0	\$300	\$300
101-209-625.000	Misc Court Costs	0	\$200	\$200

Justification for Budget Amendment

Revenue corrections after conversion of chart of accounts. Zero net effect to fund balance.

Michigan Uniform Accounting and Budget Act:

** Requires budget amendments before any expenditures exceed the budget.

** The City Manager and City Clerk/Treasurer/Finance Director are authorized by the Municipal Council to make budgetary transfers within the departments established through this budget. All transfers between departments or funds or from fund balance may be made only by further action of the Municipal Council.

NA
Department Head Date

Anna Soik 8/6/21
Clerk/Treasurer Date

Rachelle Swolinski 8/10/21
City Manager Date

City Council Date

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-702.000	Salaries & Wages	\$655,071.00	(\$388,874)	\$266,197
101-101-702.000	Salaries & Wages	0	\$32,000	\$32,000
101-172-702.000	Salaries & Wages	0	\$88,954	\$88,954
101-257-702.000	Salaries & Wages	0	\$17,888	\$17,888
101-262-702.000	Salaries & Wages	0	\$3,300	\$3,300
101-266-702.000	Salaries & Wages	0	\$64,311	\$64,311
101-270-702.000	Salaries & Wages	0	\$70,739	\$70,739
101-447-702.000	Salaries & Wages	0	\$73,582	\$73,582
101-701-702.000	Salaries & Wages	0	\$14,645	\$14,645
101-702-702.000	Salaries & Wages	0	\$14,645	\$14,645
101-265-702.000	Salaries & Wages	0	\$8,810	\$8,810
101-209-719.000	Retiree Healthcare - OPEB	\$39,305.00	(\$23,333)	\$15,972
101-101-719.000	Retiree Healthcare - OPEB	0	\$1,920	\$1,920
101-172-719.000	Retiree Healthcare - OPEB	0	\$5,337	\$5,337
101-257-719.000	Retiree Healthcare - OPEB	0	\$1,073	\$1,073
101-262-719.000	Retiree Healthcare - OPEB	0	\$198	\$198
101-266-719.000	Retiree Healthcare - OPEB	0	\$3,859	\$3,859
101-270-719.000	Retiree Healthcare - OPEB	0	\$4,244	\$4,244
101-447-719.000	Retiree Healthcare - OPEB	0	\$4,415	\$4,415
101-701-719.000	Retiree Healthcare - OPEB	0	\$879	\$879
101-702-719.000	Retiree Healthcare - OPEB	0	\$879	\$879
101-265-719.000	Retiree Healthcare - OPEB	0	\$529	\$529

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance.

Michigan Uniform Accounting and Budget Act:

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NA
 Department Head _____ Date _____
 Anna Sork 8/17/21
 Clerk/Treasurer _____ Date _____

Rachel Sork 8/10/21
 City Manager _____ Date _____

City Council _____ Date _____

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-721.000	HSA Contribution	\$20,558.00	(\$12,065)	\$8,493
101-172-721.000	HSA Contribution	0	\$2,682	\$2,682
101-257-721.000	HSA Contribution	0	\$1,490	\$1,490
101-265-721.000	HSA Contribution	0	\$294	\$294
101-270-721.000	HSA Contribution	0	\$2,980	\$2,980
101-447-721.000	HSA Contribution	0	\$4,023	\$4,023
101-701-721.000	HSA Contribution	0	\$298	\$298
101-702-721.000	HSA Contribution	0	\$298	\$298
101-209-710.000	Health Insurance	\$100,051.00	(\$53,939)	\$46,112
101-172-710.000	Health Insurance	0	\$11,825	\$11,825
101-257-710.000	Health Insurance	0	\$6,569	\$6,569
101-266-710.000	Health Insurance	0	\$6,170	\$6,170
101-270-710.000	Health Insurance	0	\$10,451	\$10,451
101-447-710.000	Health Insurance	0	\$15,587	\$15,587
101-701-710.000	Health Insurance	0	\$874	\$874
101-702-710.000	Health Insurance	0	\$874	\$874
101-265-710.000	Health Insurance	0	\$1,589	\$1,589

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance

Michigan Uniform Accounting and Budget Act:

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NA
 Department Head _____ Date _____
 Anna Soik 8/7/21
 Clerk/Treasurer _____ Date _____
 Rachel Suolander 8/10/21
 City Manager _____ Date _____

City Council _____ Date _____

BUDGET AMENDMENT REQUEST

FUND: 101 - General
DEPARTMENT: 209 - Clerk/Treasurer
PROJECT:

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-711.000	Dental Insurance	\$7,847.00	(\$3,874)	\$3,973
101-172-711.000	Dental Insurance	0	\$1,311	\$1,311
101-257-711.000	Dental Insurance	0	\$211	\$211
101-265-711.000	Dental Insurance	0	\$216	\$216
101-270-711.000	Dental Insurance	0	\$826	\$826
101-447-711.000	Dental Insurance	0	\$1,140	\$1,140
101-701-711.000	Dental Insurance	0	\$85	\$85
101-702-711.000	Dental Insurance	0	\$85	\$85
101-209-712.000	Life Insurance	\$920.00	(\$547)	\$373
101-172-712.000	Life Insurance	0	\$110	\$110
101-257-712.000	Life Insurance	0	\$24	\$24
101-266-712.000	Life Insurance	0	\$122	\$122
101-270-712.000	Life Insurance	0	\$122	\$122
101-447-712.000	Life Insurance	0	\$109	\$109
101-701-712.000	Life Insurance	0	\$24	\$24
101-702-712.000	Life Insurance	0	\$24	\$24
101-265-712.000	Life Insurance	0	\$12	\$12

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance

Michigan Uniform Accounting and Budget Act:

- ** The City Manager and City Clerk/Treasurer/Finance Director are authorized by the Municipal Council to make budgetary transfers within the departments established through this budget. All transfers between departments or funds or from fund balance may be made only by further action of the Municipal Council.

NA

Department Head	Date
Anna Soik	8/7/21
Clerk/Treasurer	Date
Rachel Swolander	8/10/21
City Manager	Date

City Council _____ Date _____

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-714.000	FICA	\$50,113	(\$29,749)	\$20,364
101-101-714.000	FICA	0	\$2,448	\$2,448
101-172-714.000	FICA	0	\$6,805	\$6,805
101-257-714.000	FICA	0	\$1,368	\$1,368
101-262-714.000	FICA	0	\$252	\$252
101-265-714.000	FICA	0	\$674	\$674
101-266-714.000	FICA	0	\$4,920	\$4,920
101-270-714.000	FICA	0	\$5,412	\$5,412
101-447-714.000	FICA	0	\$5,630	\$5,630
101-701-714.000	FICA	0	\$1,120	\$1,120
101-702-714.000	FICA	0	\$1,120	\$1,120
101-209-716.000	Defined Contribution	\$17,984	(\$10,097)	\$7,887
101-172-716.000	Defined Contribution	0	\$5,285	\$5,285
101-257-716.000	Defined Contribution	0	\$686	\$686
101-447-716.000	Defined Contribution	0	\$2,122	\$2,122
101-701-716.000	Defined Contribution	0	\$890	\$890
101-702-716.000	Defined Contribution	0	\$890	\$890
101-265-716.000	Defined Contribution	0	\$224	\$224

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance.

Michigan Uniform Accounting and Budget Act:

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NA
 Department Head _____ Date _____

Anna Soik 8/7/21
 Clerk/Treasurer _____ Date _____

Rachelle Swadlow 8/10/21
 City Manager _____ Date _____

City Council _____ Date _____

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-713.000	Long Term Disability	\$2,821.00	(\$1,463)	\$1,358
101-172-713.000	Long Term Disability	0	\$380	\$380
101-257-713.000	Long Term Disability	0	\$105	\$105
101-265-713.000	Long Term Disability	0	\$38	\$38
101-270-713.000	Long Term Disability	0	\$382	\$382
101-447-713.000	Long Term Disability	0	\$398	\$398
101-701-713.000	Long Term Disability	0	\$80	\$80
101-702-713.000	Long Term Disability	0	\$80	\$80
101-209-722.000	Insurance Opt-Out	5728	(\$28)	\$5,700
101-265-722.000	Insurance Opt-Out	0	\$28	\$28
101-209-717.000	Deferred Compensation	\$13,968.00	(\$6,931)	\$7,037
101-172-717.000	Deferred Compensation	0	\$2,590	\$2,590
101-257-717.000	Deferred Compensation	0	\$26	\$26
101-270-717.000	Deferred Compensation	0	\$2,684	\$2,684
101-447-717.000	Deferred Compensation	0	\$1,352	\$1,352
101-701-717.000	Deferred Compensation	0	\$89	\$89
101-702-717.000	Deferred Compensation	0	\$89	\$89
101-265-717.000	Deferred Compensation	0	\$101	\$101

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance.

Michigan Uniform Accounting and Budget Act:

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NA
 Department Head _____ Date _____
Anna Soth 8/7/21
 Clerk/Treasurer _____ Date _____
Rachel Swindler 8/10/21
 City Manager _____ Date _____

 City Council _____ Date _____

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-727.000	Supplies	\$42,000	(\$29,000)	\$13,000
101-172-727.000	Supplies	0	\$1,000	\$1,000
101-257-727.000	Supplies	0	\$500	\$500
101-270-727.000	Supplies	0	\$1,000	\$1,000
101-262-727.000	Supplies	0	\$3,500	\$3,500
101-447-727.000	Supplies	0	\$5,000	\$5,000
101-701-727.000	Supplies	0	\$1,500	\$1,500
101-702-727.000	Supplies	0	\$1,500	\$1,500
101-209-900.000	Printing/Publishing	0	\$8,500	\$8,500
101-262-900.000	Printing/Publishing	0	\$1,500	\$1,500
101-270-900.000	Printing/Publishing	0	\$1,000	\$1,000
101-701-900.000	Printing/Publishing	0	\$1,500	\$1,500
101-702-900.000	Printing/Publishing	0	\$1,500	\$1,500
101-703-900.000	Printing/Publishing	0	\$1,000	\$1,000
101-209-801.000	Prof & Contractual	\$117,300	(\$105,996)	\$11,304
101-257-801.000	Prof & Contractual	0	\$84,996	\$84,996
101-270-801.000	Prof & Contractual	0	\$5,000	\$5,000
101-701-801.000	Prof & Contractual	0	\$8,000	\$8,000
101-703-801.000	Prof & Contractual	0	\$3,000	\$3,000
101-270-958.000	Employee Recruitment/Hiring	0	\$5,000	\$5,000

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance.

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NA
 Department Head _____ Date _____

Anna Soik 8/7/21
 Clerk/Treasurer _____ Date _____

Rachel Surduski 8/10/21
 City Manager _____ Date _____

 City Council _____ Date _____

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-803.000	Computer Admin Services	\$69,203	(\$33,969)	\$35,234
101-172-803.000	Computer Admin Services	0	\$4,228	\$4,228
101-101-803.000	Computer Admin Services	0	\$9,867	\$9,867
101-270-803.000	Computer Admin Services	0	\$7,047	\$7,047
101-265-803.000	Computer Admin Services	0	\$5,637	\$5,637
101-701-803.000	Computer Admin Services	0	\$3,595	\$3,595
101-702-803.000	Computer Admin Services	0	\$3,595	\$3,595
101-209-801.006	Contract - Humane Society	\$20,000	(\$20,000)	0
101-000-801.006	Contract - Humane Society	0	\$20,000	\$20,000
101-209-801.008	Contract - Auditors	\$13,500	(\$13,500)	0
101-223-801.008	Contract - Auditors	0	\$13,500	\$13,500
101-209-801.010	Contract - MML	\$6,526	(\$6,526)	0
101-000-801.010	Contract - MML	0	\$6,526	\$6,526
101-209-724.000	Continuing Education	\$14,000	(\$11,000)	\$3,000
101-101-724.000	Continuing Education	0	\$1,000	\$1,000
101-172-724.000	Continuing Education	0	\$2,000	\$2,000
101-270-724.000	Continuing Education	0	\$1,000	\$1,000
101-447-724.000	Continuing Education	0	\$4,000	\$4,000
101-701-724.000	Continuing Education	0	\$2,000	\$2,000
101-703-724.001	Mileage Reimbursement	0	\$1,000	\$1,000
101-209-880.000	Community Promotion	15000	(\$15,000)	0
101-728-880.000	Community Promotion	0	\$10,000	\$10,000
101-000-880.000	Community Promotion	0	\$5,000	\$5,000
101-209-880.001	Target Alpena	40000	(\$40,000)	0
101-728-880.001	Target Alpena	0	\$40,000	\$40,000

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance.

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NA
 Department Head
Anna Soik 8/7/21
 Clerk/Treasurer
Rachel Swolinski 8/10/21
 City Manager

City Council Date

BUDGET AMENDMENT REQUEST

FUND: 101 - General
 DEPARTMENT: 209 - Clerk/Treasurer
 PROJECT: _____

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-209-940.000	Equipment Rent	\$7,400	(\$4,750)	\$2,650
101-447-940.000	Equipment Rent	0	\$200	\$200
101-265-940.000	Equipment Rent	0	\$4,550	\$4,550
101-209-956.000	Miscellaneous	\$30,000	(\$5,000)	\$25,000
101-172-956.000	Miscellaneous	0	\$500	\$500
101-101-956.000	Miscellaneous	0	\$500	\$500
101-257-956.000	Miscellaneous	0	\$500	\$500
101-270-956.000	Miscellaneous	0	\$500	\$500
101-447-956.000	Miscellaneous	0	\$2,000	\$2,000
101-701-956.000	Miscellaneous	0	\$500	\$500
101-702-956.000	Miscellaneous	0	\$500	\$500
101-209-920.000	Utilities	\$33,000	(\$31,365)	\$1,635
101-265-920.000	Utilities	0	\$19,830	\$19,830
101-265-850.000	Communications	0	\$3,000	\$3,000
101-101-850.000	Communications	0	\$1,730	\$1,730
101-172-850.000	Communications	0	\$1,035	\$1,035
101-209-850.000	Communications	0	\$1,635	\$1,635
101-270-850.000	Communications	0	\$1,035	\$1,035
101-447-850.000	Communications	0	\$3,100	\$3,100

Justification for Budget Amendment

Expense corrections after conversion of chart of accounts. Zero net effect to fund balance.

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NA

Department Head	Date
<i>Anna Sork</i>	<i>8/17/21</i>
Clerk/Treasurer	Date
<i>Rachel Swindler</i>	<i>8/18/21</i>
City Manager	Date
City Council	Date

August 6, 2021

To whom it may concern:

I am requesting a noise ordinance variation for August 28th for Joe's Bar, 1300 Ford Ave. Alpena, Mich. 49707

I am having a band and I would like them to play outside from 8:00 p.m. thru 12:00 a.m. on the 29th in the enclosed patio in the back of the bar.

I will be implementing social distancing guidelines and using every precaution possible to keep this safe for everyone! The large enclosed patio outside will make this possible.

Thank You for your consideration in this matter.

Denise M. French

Denise M. French

Owner

Joe's bar

Contact Information: 989-356-2201 or 989-255-6432

APPROVED
DATE 8/12/21
BY Anna Soik
Robert Swobinski

Memorandum



Date: August 5, 2021

To: Rachel Smolinski, City Manager

Copy: Alpena Municipal Council & Anna Soik, Clerk/Treasurer/Finance Director

From: Joel W. Jett, Chief of Police

Subject: Consent Agenda – Application for the USDA Rural Development Grant

The City of Alpena has budgeted \$71,000 this fiscal year for the purchase of replacement 800 MHz police radios. We have researched various vendors and considered available options, and confirmed with Ms. Jennifer Wahr, the area specialist for the USDA Rural Development, that this project would qualify for grant submission. If awarded, the City could receive up to 40% in funding assistance for the project.

As part of the initial application process for Federal funding, I must attest the submitted application documents have been duly authorized by the governing body of the City of Alpena. As such, I am respectfully requesting this to be placed as a "Consent Agenda" item for the next municipal council meeting on August 16, 2021.





APPLICATION FOR PERMIT/RESERVATION LARGE EVENT APPLICATION (More than 100 People)

City of Alpena
208 N. First Avenue, Alpena, MI 49707
(989) 354-1720 – fax (989) 354-1709

Facility Needed: Sunday, September 26, 2021 Beginning Time 11:00 am am/pm
Day Date

Approximate Number of People in Party minimum 100 Ending Time 4:00 pm am/pm

Event Description Customer appreciation and family fun day. Tent, walk through large balloon canopy, bounce house, etc.

Name of Organization: RE/MAX New Horizons

Name of Applicant: Cindy Limback Phone Number: 989-657-1171

Address 2281 US 23 South, Alpena, MI 49707 Email: cindy@remaxalpena.com

Applicant's Signature: Cindy Limback Date: 07/28/2021

Reservation of a facility does not guarantee full use of other park facilities.

Mark **ALL** facilities you are requesting the use of

<p style="text-align: center;">Bay View Park</p> <p>Four Tennis Courts - \$8/court/hr</p> <p>Three Basketball Courts - \$8/court/hr</p> <p>Band Shell - \$200 deposit (refundable)</p>	<p style="text-align: center;">Mich-e-ke-wis Warming Shelter</p> <p><input checked="" type="checkbox"/> \$175 per day plus \$100 deposit to include the lawn around the shelter</p>
<p style="text-align: center;">McRae Park</p> <p>Building – Fees/Rentals through McRae Park Association</p> <p>Two Tennis Courts - \$8/court/hr</p> <p>Two Basketball Courts - \$8/court/hr</p>	<p style="text-align: center;">Starlite Beach Pavilion</p> <p>Pavilion - \$75 plus \$100 deposit (refundable) includes 20 picnic tables & 4 refuse receptacles</p>
<p style="text-align: center;">Duck Park</p> <p>Open gathering area - \$65.00 per day</p> <p>Approval needed from Wildlife Sanctuary Board & City of Alpena</p>	<p style="text-align: center;">Alpena Regional Trailhead</p> <p>Pavilion- \$50 plus \$50 deposit (refundable) includes restrooms, 6 picnic tables & 2 refuse receptacles</p>
<p style="text-align: center;">City Marina</p> <p>Fishing Tournaments - \$75</p> <p>Cruise Ship Docking Fee – Billed for cost incurred</p>	<p style="text-align: center;">City Hall Parking Lot</p> <p>\$50 per day</p>
<p style="text-align: center;">Island Park</p> <p>Submit letter to the City Clerk who will then forward to the Wildlife Sanctuary Board and the Planning and Development Director for their review and recommendation.</p>	<p style="text-align: center;">APPROVED</p> <p style="text-align: center;">DATE <u>8/3/21</u></p> <p style="text-align: center;">BY <u>Anna Soik</u></p> <p style="text-align: center;"><u>Karl Soderberg</u></p>

Return completed form with fee (by check) to City of Alpena Clerk's Office, 208 N. First Avenue, Alpena, MI, 49707. All questions can be directed to the City Clerk at (989) 354-1720, Monday through Friday, from 8 a.m. to 5 p.m.

I. The purpose and character of the proposed Event is as follows:

Customer and public appreciation event to include:
24? cold air balloon display, the Balloon Events Team trailer, a couple of tents, a hot air balloon basket display, feather flags, a balloon walk, and a RE/MAX branded bounce house.
Request permission from the RE/MAX balloon team to drive on lawn to deliver bounce house, etc. No other parking will be allowed on the lawn.

II. The proposed Event is to be conducted at (address):

Mich-e-ke-wis

III. The dates and hours during which the proposed Event is to be conducted are as follows:

the actual event will be from noon-3 but request time to set up in the morning and to clean up after the event.

IV. Applicant estimates that the maximum number of persons expected at the Event for each day it is conducted is:

300 ? but not at one time

V. The applicant hereby agrees to observe and obey the minimum requirements contained in this policy and the laws of the City of Alpena, County of Alpena, and the State of Michigan. The applicant furthermore agrees to cooperate in all manners with law enforcement officials as the need may arise.

VI. HOLD HARMLESS CLAUSE: The Person shall defend, pay on behalf of, and hold harmless the City of Alpena, its employees, agents, public officials, and volunteers from and against any and all losses, damages, expenses, claims, suits, and demand of whatever nature resulting from damages or injuries, including death, to any persons or property, and including any claim for losses incurred by reason of project delay, impact (soft) costs, or other intangible losses that might result from Person late or defective performance, caused by or arising out of any action, omission, or operation performed in connection with work attributable to this contract; provided, however, the Person shall not be required to indemnify the City of Alpena, its employees, agents, public officials, and volunteers for

any damages or injuries, including death, to any person or property caused solely and exclusively by the negligence of the City of Alpena, its employees, public officials, and volunteers.

Date: _____

Cindy Limback
dotloop verified
07/28/21 3:54 PM EDT
5556-ZL5P-S6UK-MAMN

Applicant's Signature

Received by City Clerk's Office:

By: _____

Date: 07/28/2021

Approved

By: _____

Date: _____

Contact DPW at (989) 354-1780 to make arrangements to pick up the key (Bandshell and Mich-e-ke-wis rentals). Office hours for DPW are Monday – Friday, 7 a.m. to 3:30 p.m.

IF YOU DO NOT PICK UP THE KEY PRIOR TO YOUR RENTAL DATE, THERE WILL BE A CHARGE FOR A CITY EMPLOYEE TO BE CALLED OUT TO GET YOU A KEY. THE AMOUNT CHARGED WILL BE APPROXIMATELY \$70.00, AND IT WILL BE DEDUCTED FROM YOUR DEPOSIT.

LARGE EVENT STAFF REVIEW AND COMMENT

(STAFF USE ONLY)

CITY STAFF SHALL MARK THE APPROPRIATE ITEMS TO BE PROVIDED BY THE APPLICANT

- ☐ Police and fire protection
- ☐ Food and water supply and facilities
- ☐ Health and sanitation facilities
- ☐ Medical facilities and services, including emergency vehicles and equipment
- ☐ Vehicle access and parking
- ☐ Camping and trailer facilities
- ☐ Illumination facilities
- ☐ Communication facilities
- ☐ Noise control and abatement
- ☐ Facilities for clean-up and waste control
- ☐ Barrier locations and type
- ☐ Insurance and bonding agreement
- ☐ Attach a detailed map or maps of the overall site of the proposed assembly
- ☐ Waiver of Liability
- ☐ Emergency contact information including name, telephone number, address, and email address

Attach a detailed explanation, including drawings and diagrams where applicable, of the applicants plan to provide for all of the above checked items.

LARGE EVENT MINIMUM REQUIREMENTS

Applications for large events are subject to subsections A through L, and such additional requirements as may be imposed. The information for all those items checked must be submitted to the City Clerk's Office four (4) weeks prior to the event.

- ☐ **A. SECURITY PERSONNEL** – The sponsor shall employ, at its own expense, such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of persons at the event and for the preservation of order and protection of property in and around the site of the event. No permit shall be issued unless the City of Alpena Police Department is satisfied that such necessary and sufficient security personnel will be provided by the sponsor for the duration of the event.
- ☐ **B. RESTROOM FACILITIES** – The sponsor shall provide additional restroom facilities as needed beyond those regularly provided by the City of Alpena. The numbers and types of facilities required shall be determined, on the basis of the number of persons to attend the event, in the following manner:

<u>Facilities</u>	<u>Male</u>	<u>Female</u>
Toilets	1:200	1:75
Urinals	1:150	N/A

If Unisex facilities are to be provided, the following ratio is to be followed: 1:75

The sponsor shall provide for liquid waste disposal in accordance with all rules and regulations pertaining thereto by the Alpena County Health Department. An executed agreement shall be provided to the City between the sponsor and a licensed pumper or hauler, which agreement will assure proper, effective, and frequent removal of liquid waste from the premises so as to neither create a nuisance nor menace to the public health.

- ☐ **C. FOOD SERVICE:** If food service is made available on the premises, it shall be delivered only through caterers or vendors licensed and in accordance with provisions of the local health department being District Health Department #4, (989) 356-4507.
- ☐ **D. MEDICAL PERSONNEL/FACILITIES:** The sponsor shall provide for medical personnel and facilities. The kind, location, staff strength, medical and other supplies and equipment of such facilities shall be approved by the Fire Chief for the City of Alpena. An ambulance may be required for events including, but not limited to, running races and triathlons. Such ambulance will be located with unencumbered

access to the persons in attendance at the event and a clear route of egress from the event conducive to rapid travel shall be maintained at all times.

- ☐ **E. SOLID WASTE DISPOSAL:** The sponsor shall provide for solid waste storage on, and disposal from, the premises. Storage shall be in covered, fly tight and rodent-proof containers, provided in sufficient quantity to accommodate the number of persons attending the event. An executed agreement shall be provided to the City between the sponsor and a licensed solid waste collector, which agreement will assure proper, effective, and frequent removal of solid waste from the premises so as to neither create a nuisance nor menace to the public health.
- ☐ **F. ACCESS AND TRAFFIC CONTROL:** The sponsor shall provide for ingress and egress from the premises so as to ensure an orderly flow of traffic onto and off from the premises. Traffic lanes and other space shall be provided and kept open for access by ambulance, fire equipment, and other emergency services as required by the City of Alpena Fire Chief and Police Chief.
- ☐ **G. PARKING:** At each park either on-street or off-street parking is provided. Parking shall only be allowed in designated and maintained parking areas. The sponsor shall provide for and ensure orderly parking and shall maintain such parking and traffic patterns within the parking area as to assure that each vehicle shall have a clear route by which to leave the parking area at all times.
- ☐ **H. ILLUMINATION:** The sponsor shall provide additional electrical illumination of all occupied areas to ensure the safety and comfort of all event attendees if required by the Police Chief.
- ☐ **I. INSURANCE:** Any sponsor, individual, applicant, or entity holding an event in the City of Alpena's Parks shall be required to have liability insurance in the amount of at minimum one million dollars (\$1,000,000) and shall name the City of Alpena as an additional insured.
- ☐ **J. BARRIER:** The sponsor may be required to erect a barrier completely enclosing the site. Such barrier shall have sufficient height and strength as will preclude persons in excess of the maximum permissible persons from gaining access and such barrier shall have sufficient gates, properly located, so as to provide ready and safe ingress and egress. The sponsor shall insure that public sidewalks, streets, alleys, and rights-of-way are not blocked or obstructed by the participants at the event, their vehicles, or their activities. The City reserves the right to establish a capacity for the area requested to be utilized by an event.
- ☐ **K. MISCELLANEOUS:** Prior to issuance of a permit, the City of Alpena may impose any other condition(s) reasonably calculated to protect the health, safety, welfare, and property of persons attending the event, persons visiting the park, or citizens of the City of Alpena.

- ☐ **L. COST RECOVERY:** The City reserves the right to recover costs from the applicant for any and all work incurred by the City resultant from the event and failure on the part of the applicant to comply with this policy. If warranted by City staff, a bond may be required in advance of the event.

CITY OF ALPENA EVENT RULES AND REGULATIONS

1. Reservations for use of the parks and facilities may be taken for the current calendar year or the following calendar year.
2. Reservations may be made by mail or in person at the City Clerk's Office, City Hall, 208 N. First Avenue, Alpena, MI 49707, (989) 354-1720.
3. Reservations are not confirmed nor considered until payment and deposit is received with reservation application or confirming letter is sent.
4. All applications will be considered on a first received basis, per the appropriate tier.
5. Persons must be 18 years old or older to reserve a facility.
6. Patrons are responsible for keeping the parks clean by leaving the surrounding grounds free of litter after the event. Further fees may be assessed and/or future access to park facilities through reservations may be prohibited. Any deposit collected is to be returned if patrons have cleaned their area and taken additional refuse with them and no damages are evident.
7. If picnic tables are relocated for the event, they must be returned to their original location.
8. All advertising shall be limited to identification and/or location of the event. All sales of merchandise or other material is prohibited unless allowed by permit.
9. Use of the parks or facilities for profit by any individual, entity, or organization shall be prohibited or allowed by permit only.
10. The permit holder further agrees to pay the City of Alpena for damages to the property caused by any person during the permitted event.
11. The City of Alpena Parks are open from 8 AM to 11 PM, unless otherwise posted at the main vehicle entrance to the park. Variance to this shall be authorized as outlined in the permit.

GENERAL PARK RULES

1. Alcohol is not permitted in City Parks unless the City Manager promulgates rules to the contrary.
2. Glass is prohibited in City Parks.
3. Owners must ensure that their pets are controlled per City of Alpena ordinances and the owners shall be responsible for cleaning up any droppings.
4. All motorized vehicles must remain in designated parking areas unless expressly approved in the application.



Michigan Association of Municipal Clerks

July 29, 2021

Rachel Smolinski, City Manager
City of Alpena
208 N. First Avenue
Alpena, MI 48707

Dear Manager Smolinski:

The Michigan Association of Municipal Clerks is an organization that promotes and educates Michigan's Clerks. Through our Michigan Professional Municipal Clerk (MiPMC) certification program, Clerks are recognized for their knowledge of the multifaceted Clerk's profession. We are pleased to announce that your Clerk/Treasurer/Finance Director, Anna Soik, has met the program criteria and has attained the prestigious MiPMC certification.

Anna's commitment to education and desire to attain certification clearly defines commitment to the Clerk's profession and your community. On behalf of the Michigan Association of Municipal Clerks Board of Directors, I ask that you join us in congratulating Anna Soik for this accomplishment and well deserved recognition.

Sincerely,

A handwritten signature in black ink that reads "Mary R. Clark".

Mary R. Clark, MiPMC
MAMC President

RECEIVED

AUG 09 2021

CITY OF ALPENA
CITY MANAGERS OFFICE

Memorandum



Date: August 12, 2021

To: Mayor and City Council Members

Copy: Anna Soik, City Clerk/Treasurer/Finance Director

From: Rachel Smolinski, City Manager

Subject: 2021 Goose Hunt

Throughout the year, it is common to see Canada geese in and around the parks and various other areas of the City. These geese thrive in urban areas in large part because of the landscapes brought about by human development. Their presence in some locations may result in conflicts with some area residents and uses. It is common for City staff to receive complaints about goose droppings in certain areas especially during the summer months and excessive droppings may lead to health problems for humans and animals.

While it is not our intent to eliminate the Canada goose population, it is important to manage the population to limit issues and conflicts within the City. When determining goose management methods for an area, we must consider several things including size of the area and feasibility of chosen control methods. Although harassment techniques (decoys, cracker shells, dogs, repellents) and exclusion techniques (fences, vegetative barriers) may be used in select areas; these techniques must be implemented consistently to be successful; and are not always feasible given limited resources. According to the Michigan Department of Natural Resources, when attempting to manage a large area; general hunting is one of the recommendations for management.

Over the past 4 years a goose hunt has taken place in the City at the Fairgrounds adjacent to the Wildlife Sanctuary and at Mich-e-ki-wis Beach as part of the effort to control the goose population in and around the City. I believe that the hunt also took place sporadically in previous years. Last year, the hunt removed a total of 125 geese. As another control measure, the City's Department of Public Works is permitted through the USDA APHIS Wildlife Services program to collect Canada goose eggs within the Wildlife Sanctuary each spring. This year, the DPW collected 48 eggs from 12 nests, which is about half of the eggs they normally collect.

According to the attached memo from Don Gilmet, he conducted a survey on July 30 this year of Canada geese in the parks and beach areas around the City and counted approximately 165 geese, which is still high but down from the estimate of 200-250 last year. As fall approaches,

they will be joined by early migrating geese from the surrounding area and the success in reducing our local goose population lies in the reduction of the local *nesting* goose population.

It is my belief that the City should continue to implement this multi-faceted approach to management of the Canada goose population, but also research and implement harassment and exclusion techniques where feasible. I've included a USDA fact sheet on preventing and managing Waterfowl Damage for your reference, but more information may be found at https://www.aphis.usda.gov/aphis/ourfocus/wildlifedamage/sa_reports/sa_informational+notebook/canada-geese .

In addition, the Alpena Wildlife Sanctuary Board supports the City's Canada goose management strategy including collection of eggs and the annual hunt.

In summary, it is my recommendation as City Manager that the Alpena Municipal Council approve the 2021 Goose Hunt for the dates of September 9, 16, and 23.



MEMO FOR GOOSE CONTROL HUNT – 8.10.21

To: Rachel Smolinski, City Manager

From: Donald H. Gilmet, County Commissioner, District #1

Rachel,

I am writing this memo to give you some background, and ask for a continuance, on the City Goose Control Hunts. For the past four years, the city had allowed me, and a select group of hunters, to conduct the control hunt at two city locations. The two locations are the County Fairgrounds and Mich-e-ki-wis Beach. I know you have some familiarity as you were the City Manager last year.

Last year we conducted three hunts in September, all on Thursdays to minimize the impact the hunts have on citizen use of these areas. Hunting hours were 6am until 1pm. During those three hunts there were no issues that arose while we were hunting. Sometimes citizens appeared by walking past the barricades and signage that was in place. When this happened a few times, all shooting was stopped and guns would be placed on safe while a member of the hunting party would go and explain what was happening. Hunting resumed when safe to do so. Last year a total of 125 geese were removed. All geese were cleaned and consumed by the hunters and their families, some have been donated to groups or citizens that asked for them in advance.

I conducted a survey on July 30th this year of geese in the parks and beach areas. I counted approximately 165. The DPW did the usual nest destruction and egg collection on 4-16 and 4-29 this year. They destroyed 12 nest and collected 48 eggs this year. They also left 17 baby geese in the nest as they had already hatched. This is about one half of the number of eggs that they normally collect due to early nesting of the geese.

I have obtained permission from the County to conduct the control hunt on the fairgrounds these three days if granted permission by City Council. I will handle all coordination with DPW for barricades and Sgt Bill Gohl who usually patrols the river for safety. A dog and handler will be used again to chase geese out of the city parks and athletic fields during the control hunt. I plan on the same qualified hunters I have used in the past being used for the hunt, along with the City Building Official. I will be available at the August 16th council meeting to answer any questions.



United States Department of Agriculture

Animal and Plant Health Inspection Service

Wildlife Services

Wildlife Services, a program within the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS), provides Federal leadership and expertise in managing conflicts between people and wildlife to help protect the Nation's agricultural and natural resources, property and infrastructure, and public health and safety.

Wildlife Services biologists help individuals, local governments, businesses, and others manage waterfowl to achieve a balance between the positive values and the conflicts the birds may present.



Factsheet

August 2016

Preventing and Managing Waterfowl Damage



Birdwatchers and the general public enjoy watching Canada geese, ducks, and other waterfowl. In many areas of the country, however, nonmigrating, or resident, populations of ducks and Canada geese are increasing dramatically, leading to overpopulation of these birds in some cities.

Waterfowl need fresh water for resting and nesting, and tender young grass and other succulent vegetation for food. The plentiful, well-manicured lawns of residential neighborhoods, corporate business areas, parks, airports, and golf courses offer excellent habitat. Geese, especially, can easily become accustomed to people and residential areas.

Although most people find a few birds acceptable, problems quickly develop as bird numbers increase. These problems include overgrazing of grass and ornamental plants; accumulation of droppings and feathers; attacks on people by aggressive birds; and the fouling of reservoirs, swimming areas, docks, lawns, and recreational areas. Because fouling contaminates water used for drinking, bathing, and cleaning, it can pose a disease threat to humans. Flocks of geese and other waterfowl also feed on a variety of crops, including corn, soybeans, rice, lettuce, winter wheat, barley, and rye. Birds can even endanger aircraft on or near airports. In fact, one goose or duck can seriously damage an aircraft.

Know Before You Act

You can undertake some techniques on your own to manage waterfowl populations, but in most cases, wildlife management professionals should carry out this work.

The Migratory Bird Treaty Act of 1918 and State laws protect all native waterfowl in the United States, including migratory and resident Canada geese. Under these laws, it is illegal to hunt, kill, sell, purchase, or possess migratory birds except in certain cases. For example, you can obtain a permit from the U.S. Department of the Interior's Fish and Wildlife Service (FWS) to remove otherwise protected birds if they are damaging agriculture, property, or natural resources or threatening human health and safety. These "depredation" permits allow the permit holder to remove a limited number of birds from a specific area. However, FWS tightly controls how many permits it issues and in what situations they're used.

Before taking any action to manage waterfowl populations, consult with Wildlife Services or a State wildlife agency. You can reach your State's Wildlife Services office by calling 1-866-4USDA-WS (1-866-487-3297).

Managing Waterfowl: An Integrated Approach

In general, Wildlife Services professionals recommend an integrated approach to discourage waterfowl from residing in areas where overabundant flocks cause problems. Using a combination of techniques is the most effective way to prevent and manage waterfowl damage. These birds quickly become accustomed to any single approach, so using only one tool will not have a long-term impact.

Below are some of the management techniques we may use or recommend:

- **Discontinue feeding.** Wild birds can find their own food and will survive without handouts. Once people stop feeding them, waterfowl will revert to better-quality natural foods. In many cases, the birds will leave.
- **Modify landscaping.** Geese and ducks, in particular, are grazers and need short, green grass for food. Allow grass to grow longer so it is unattractive to the birds. Along water edges, plant less-attractive vegetation, such as pachysandra, periwinkle, and euonymus. Waterfowl prefer nesting on islands, peninsulas, and undisturbed grounds. When landscaping, do not create small islands or peninsulas; where these features already exist, consider changes to make them unavailable to waterfowl.
- **Install barriers.** Waterfowl prefer to land on water and walk onto adjacent grassy areas to feed and rest. The most effective tools for controlling waterfowl movement are fences, hedgerows, and other physical barriers.
- **Use scaring devices.** Large helium-filled balloons, strobe lights, scarecrows with movable parts, bird-scaring reflecting tape, Mylar flags, screamer sirens, whistle bombs, shell crackers, and automatic



A Wildlife Services biologist applies corn oil to a goose egg. This treatment prevents eggs from developing and reduces the potential for re-nesting.

exploders will help keep geese and other waterfowl from feeding and resting on property. Move these items periodically. Before using noisemakers or pyrotechnics, check local and State regulations for permit requirements and any other limits on using firearms and pyrotechnics.

- **Use dogs to keep geese out of hay, grain crops, and parks.** Most effective are free-ranging dogs trained to chase birds as soon as they land. However, be aware of local leash laws, which may prevent such use of dogs. Some communities have enlisted volunteer human/canine teams of trained and reliable pets for harassing waterfowl in parks.
- **Remove domestic ducks and geese.** Domestic ducks and geese serve as decoys to wild waterfowl, since birds may learn to locate food sources by watching other birds. Removing domestic waterfowl may make the area less attractive. While you don't need a Federal permit, you do need to check with local law enforcement about State, county, and municipal laws and regulations before removing domestic waterfowl. Removal techniques must comply with all applicable laws, regulations, and policies.

- **Prevent nesting.** It can help control local populations of waterfowl if property owners keep them from nesting. Nest treatment usually involves manipulating eggs so they do not develop. Methods include addling (shaking), oiling with corn oil, puncturing, chilling, or replacing eggs. Returning treated eggs to the nest encourages adult birds to remain on the nest beyond the expected hatching date, which reduces or prevents the potential for re-nesting. Waterfowl are protected by State and Federal laws, so property owners must register with FWS before carrying out nest treatment work. To register, go to <https://epermits.fws.gov/eRCGR/geSI.aspx>.
- **Hunting.** Where it is safe and legal, hunting can help control some species of residential waterfowl. Your State wildlife management agency can advise you on local laws and regulations.

Other Options

Depredation Permits

After using some of these management techniques over an extended period with little to no success, a depredation permit can be requested. Shooting a few birds each day may improve the effectiveness of harassment. However, shooting may be impractical and/or prohibited in urban damage situations, due to safety concerns, local noise and discharge ordinances, and adjacent land uses. Federal and/or State permits are always required.

Capture and Relocation or Removal

Under certain circumstances, Wildlife Services may capture urban waterfowl using live traps or tranquilizers and relocate them. Many State wildlife agencies

discourage the relocation of waterfowl within their borders because of the potential to create problems elsewhere in the State. Since Canada geese instinctively try returning to areas where they were born and raised, they should be moved at least 200 miles away from their nesting site.

Capturing and removing birds by humane euthanasia can enhance the effectiveness of other management methods. It can successfully reduce the local waterfowl population, particularly resident Canada geese. Federal and some State regulations may allow the capture and removal of resident Canada geese between April 1 and August 31. Geese are most easily corralled during the molting period when they lose their primary flight feathers, leaving them flightless. From mid-June through early July, the waterfowl can be captured with netted panel traps. Where allowed, euthanized geese may be donated as a food source to charitable organizations.

Only trained professionals, including Wildlife Services biologists, with the required permits should carry out capture and removal work. Community input is also important in any decision to use this approach, as it can be a sensitive issue.

Learn More

For more information about managing waterfowl damage, obtaining a depredation permit, or Wildlife Services' work, call us at 1-866-4USDA-WS (1-866-487-3297) or go to www.aphis.usda.gov/wildlife-damage.



Protecting People | Protecting Agriculture | Protecting Wildlife

Wildlife Services is not the only source of wildlife damage management services available to the public. Private-sector wildlife damage management providers may also be available. Wildlife Services does not endorse or recommend any specific private-sector provider or the use of any specific product over another.

Mention of companies or commercial products does not imply recommendation or endorsement by USDA over others not mentioned. USDA neither guarantees nor warrants the standard of any product mentioned. Product names are mentioned solely to report factually on available data and to provide specific information.

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APHIS 11-15-005

City of Alpena Ordinance No. 21-462

An ordinance to amend the City of Alpena Zoning Ordinance Article 2 (Construction of Language and Definitions), Article 3 (General Provisions), Article 5 (District Regulations), and Article 7 (Supplemental Development Regulations).

City of Alpena, Alpena County, Michigan ordains:

SECTION 1: AMENDMENT TO THE CITY OF ALPENA ZONING ORDINANCE

That the City of Alpena Zoning Ordinance, Article 2 (Construction of Language and Definitions) is hereby amended to read as follows:

Section 2.1 Definitions

ADULT FOSTER CARE:

A governmental or non-governmental establishment that provides foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically disabled who require supervision on an ongoing basis but who do not require continuous nursing care.

A. The following additional definitions shall apply in the application of this Ordinance.

1. **ADULT DAY CARE FACILITY:** A facility receiving adults for care for periods of less than twenty four (24) hours in a day, for more than two (2) weeks in any calendar year. Care for persons related by blood or marriage to a member of the family occupying the dwelling is excluded from this definition.
2. **ADULT FOSTER CARE FAMILY HOME:** A private residence with the approved capacity to receive six (6) or fewer adults to be provided supervision, personal care, and protection in addition to room and board, twenty-four (24) hours a day, five (5) or more days a week and for two (2) or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.
3. **ADULT FOSTER CARE SMALL GROUP HOME (7-12 ADULTS):** An adult foster care facility with the approved capacity to receive at least seven (7) but not more than twelve (12) adults who are provided supervision, personal care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks.
4. **ADULT FOSTER CARE LARGE GROUP HOME (13-20 ADULTS):** A facility with approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided supervision, personal care, and protection in addition to room and board, twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks.
5. **ADULT FOSTER CARE CONGREGATE FACILITY (MORE THAN 20 ADULTS):** An adult foster care large group home with the approved capacity to receive more than twenty (20) adults to be provided with foster care.

6. **STATE-LICENSED RESIDENTIAL FACILITY (6 OR LESS):** A structure constructed for residential purposes that is licensed by the State pursuant to **1979 PA 218 (Adult Foster Care Licensing Act)**, as amended, being Sections 400.701 to 400.737 of the Michigan Compiled Laws, or **1973 PA 116 (Child Care Organizations)**, as amended, being Sections 722.111 to 722.128 of the Michigan Compiled Laws, which provides resident services or care for six (6) or fewer individuals under twenty-four (24) hour supervision for persons in need of that supervision or care. The licensee is NOT a member of the household nor is an occupant of the residence.

B. An adult foster care facility does not include the following:

1. A nursing home licensed under Article 17 of the **Public Health Code, 1978 PA 368**, MCL 333.20101 to 333.22260.
2. A home for the aged licensed under Article 17 of the **Public Health Code, 1978 PA 368**, MCL 333.20101 to 333.22260.
3. A hospital licensed under Article 17 of the **Public Health Code, 1978 PA 368**, MCL 333.20101 to 333.22260.
4. A hospital for the mentally ill or a facility for the developmentally disabled operated by the department of community health under the **Mental Health Code, 1974 PA 258**, MCL 330.1001 to 330.2106.
5. A county infirmary operated by a county department of social services or family independence agency under Section 55 of the **Social Welfare Act, 1939 PA 280**, MCL 400.55.
6. A child caring institution, children's camp, foster family home, or foster family group home licensed or approved under **1973 PA 116**, MCL 722.111 to 722.128, if the number of residents who become 18 years of age while residing in the institution, camp, or home does not exceed the following:
 - a. Two (2), if the total number of residents is ten (10) or fewer.
 - b. Three (3), if the total number of residents is not less than eleven (11) and not more than fourteen (14).
 - c. Four (4), if the total number of residents is not less than fifteen (15) and not more than twenty (20).
 - d. Five (5), if the total number of residents is twenty-one (21) or more.
7. A foster family home licensed or approved under **1973 PA 116**, MCL 722.111 to 722.128, that has a person who is eighteen (18) years of age or older placed in the foster family home under section 5(7) of **1973 PA 116**, MCL 722.115.
8. An establishment commonly described as an alcohol or a substance abuse rehabilitation center, a residential facility for persons released from or assigned to adult correctional institutions, a maternity home, or a hotel or rooming house that does not provide or offer to provide foster care.
9. A facility created by the **Michigan Veteran's Facility Act 1885 PA 152**, MCL 36.1 to 36.12.

10. An area excluded from the definition of adult foster care facility under Section 17(3) of the **Continuing Care Community Disclosure Act, 2014 PA 448**, MCL 554.917

11. A private residence with the capacity to receive at least one (1) but not more than four (4) adults who all receive benefits from a community mental health services program if the local community mental health services program monitors the services being delivered in the residential setting.

INOPERABLE MOTOR VEHICLE: An inoperable motor vehicle is one that is not capable of travel on public highways due to any of the following:

1. The vehicle does not have a valid and current registration;
2. The vehicle is not licensed for operation upon the highways of the state
3. The vehicle is not operable under its own power because of missing, damaged, or broken equipment.

EGLE: Michigan Department of the Environment, Great Lakes and Energy or any subsequently named agency (such as the Department of Environmental Quality).

(Add to Sexually Oriented Businesses definitions)

HUMAN: Besides the customary meaning, the term “human” shall also include non-living anthropomorphic (resembling human) devices, both physical and digital.

ESCORT AGENCY: Any business, agency, or person who, for a fee, commission, hire, reward, or profit, furnishes or offers to furnish names of persons, or who introduces, furnishes, or arranges for persons, who may accompany other persons to or about social affairs, entertainments, or places of amusement, or who may consort with others about any place of public resort or within any private quarters.

ACCESSORY DWELLING UNIT: An accessory residential dwelling unit is one which is located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. Accessory dwelling units shall be developed in accordance with the standards set forth in Section 7.32 and only in those zoning districts where the use is listed.

WIRELESS FACILITIES DEFINITIONS:

1. **ANTENNA ARRAY:** An Antenna Array is one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel), parabolic antenna (disc), or any other antenna configuration. The Antenna Array does not include the Support Structure.
8. **SMALL CELL WIRELESS FACILITY:** A wireless facility that meets both of the following requirements:
 - a. Each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than six (6) cubic feet.
 - b. All other wireless equipment associated with the facility is cumulatively not more than twenty-five (25) cubic feet in volume. The following types of associated ancillary equipment are not included

in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

A small cell wireless facility is not considered an accessory building or accessory structure.

9. **SUPPORT STRUCTURE**: A Support Structure is a structure designed and constructed specifically to support an Antenna Array, and may include a monopole, self-supporting (lattice) tower, and other similar structures. Any device (Attachment Device) which is used to attach an Attachment Structure shall be excluded from this definition. Also known as "tower."
11. **WIRELESS COMMUNICATION FACILITY**: A Wireless Communication Facility is any facility for the transmission and/or reception of wireless communications services, usually consisting of an Antenna Array, connection cables, an Equipment Facility and a Support Structure. A Wireless Communication Facility also includes an Antenna Array attached to an existing building or structure (Attachment Structure).
12. **WIRELESS COMMUNICATION FACILITY (GROUND-MOUNTED) – ALSO CALLED "EARTH STATION OR GROUND STATION"**: A wireless communication facility in which the antenna array is mounted to the ground or any other surface and does not use a Wireless Communications Support Structure (tower).

That the City of Alpena Zoning Ordinance Article 3 (General Provisions) is hereby amended to read as follows:

Section 3.12 Accessory Uses

B. Sale/Storage of Vehicles:

1. A resident of a dwelling unit may have not more than two (2) motorized vehicles for sale on the site of such dwelling unit at any time and in no instance shall vacant residential lots or parcels be utilized for the sale of vehicles.
2. A resident may repair vehicles of the resident on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicles of other than a resident of the dwelling unit on said property.
3. In no instance shall vehicles for sale be displayed in a front yard other than ~~on~~ in the driveway.
4. No more than one (1) inoperable vehicle may be stored outside the dwelling or the garage of the dwelling. Any such inoperable vehicle stored outside the dwelling or garage of the dwelling shall not be stored in the front yard and shall be properly covered with a car cover which is manufactured for that purpose.
5. Vehicles utilized for demolition derbies, bump and runs, or similar events shall not be stored or repaired in a front or side yard and shall only be stored or repaired in a rear yard. Vehicles used for demolition derbies bump and runs, or similar events shall be screened from view of

neighboring property or rights-of-way or shall be kept in an accessory building or attached garage. Vehicles utilized for demolition derbies bump and runs, or similar events shall only be stored/repaired on a solid foundation made of concrete or a similar impermeable material (not soil or grass).

Add **Section 3.34 Natural Gardens**

All property owners shall conform to the City of Alpena Code of Ordinances Chapter 102, Article III (Noxious Vegetation). Property owners may keep up to twenty-five (25%) percent of their rear yard as a natural garden of unmown vegetation, native to Michigan, for the purpose of providing a natural ecosystem for insects and wildlife. Said natural garden shall maintain side and rear principal building setbacks. At no time shall this natural garden become a nuisance to neighboring property owners due to the proliferation of natural vegetation, insects, or wildlife into the neighboring yards. Unmown vegetation within a natural garden shall not grow to a height greater than four (4) feet.

That the City of Alpena Zoning Ordinance, Article 5 (District Regulations) is hereby amended to read as follows:

Section 5.26 Use Matrix (Communications and Human Care and Social Assistance sections)

TABLE OF PERMITTED USES & SPECIAL LAND USES																		
R = Permitted by right																		
S = Permitted with a Special Use Permit																		
	R1	R2	RT	RM1	RM2	OS1	CBD	CCD	B1	B2	B3	I1	I2	P1	WD	CR	PR	
COMMUNICATIONS																		
Amateur Radio Antennae (roof- or ground-mounted)	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*	R*		R*		R*	
Telecommunications Businesses (w/vehicle storage)								S		R	R	R	R					
Television/Radio Broadcasting Stations						R	R	R		R	R	R			R			
Video & Sound Recording Studios						R	R	R		R	R	R			R			
Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure						R*	R*	R*		R*	R*	R*	R*		R*			
Wireless communications facilities attached to monopole 75' or less in height						R*	R*			R*	R*	R*	R*		R*			
Wireless Communications Facility (ground mounted or not mounted to a support structure)											R*	R*	R*					
Wireless Communications Facility with Support Structure (Tower) or Alternative Tower Structures (over 75' in height) or any other type of wireless facility which does not fall under any other category of wireless facility						S*					S*	S*	S*					
Small Cell Wireless Facilities						S*		S*		S*	S*	S*	S*					
HUMAN CARE AND SOCIAL ASSISTANCE																		
Adult Day Care Facilities (in private home)	S	S	S	S	S													
Adult Day Care Facilities (not in private home)	S	S	S	S	S	R			R	R	R							
Adult Foster Care Family Homes (6 or less adults)	R	R	R	R	R													
Adult Foster Care Small Group Home (7-12 adults)	S	S	S	S	S	R		R										
Adult Foster Care Large Group Home (13-20 adults)						R		R										
Adult Foster Care Congregate Facilities (over 20 adults)						R		R										
Assisted Living Home				S*	S*	R*		R*										
Child Day Care Services (see following)																		
Family Child Care Home	R*	R*	R*	R*	R*													
Group Child Care Home	S*	S*	S*	S*	S*													
Child Care Center	S*	S*	S*	S*	S*	R*			R*	R*	R*							
Nursery Schools	S*	S*	S*	S*	S*	R*			R*	R*	R*							
Community/Emergency/ Relief Services						R		R		R	R							
Health Care /Dental /Optical Clinics						R	R	R	R	R	R				R			
Hospitals						S*				S*	S*							
Individual & Family Services						R		R		R	R							
Nursing/Convalescent Home				S*	S*	R*		R*										
Residential Human Care Facility				S*	S*	S*		S*		S*	S*							
State-Licensed Residential Facilities (6 or less)	R	R	R	R	R													
Vocational Rehabilitation Services						R		R		R	R							

Sections 5.7 (R-1 and R-2):

B. Uses Permitted by Right & Special Land Uses (Human Care and Social Assistance section)

R = Permitted by right S = Permitted with a Special Use Permit *Uses with Supplemental Regulations -Article 7	R-1	R-2
HUMAN CARE AND SOCIAL ASSISTANCE		
Adult Day Care Facilities (in private home)	S	S
Adult Day Care Facilities (not in private home)	S	S
Adult Foster Care Family Homes (6 or less adults)	R	R
Adult Foster Care Small Group Home (7-12 adults)	S	S
Child Day Care Services (see following)		
Family Child Care Home	R*	R*
Group Child Care Home	S*	S*
Child Care Center or Day Care Center	S*	S*
Nursery Schools	S*	S*
State-Licensed Residential Facilities (6 or less)	R	R

Sections 5.9 (RT):

B. Uses Permitted by Right & Special Land Uses (Human Care and Social Assistance section)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	RT
HUMAN CARE AND SOCIAL ASSISTANCE	
Adult Day Care Facilities (in private home)	S
Adult Day Care Facilities (not in private home)	S
Adult Foster Care Family Homes (6 or less adults)	R
Adult Foster Care Small Group Home (7-12 adults)	S
Child Day Care Services (see following)	
Family Child Care Home	R*
Group Child Care Home	S*
Child Care Center or Day Care Center	S*
Nursery Schools	S*
State-Licensed Residential Facilities (6 or less)	R

Sections 5.10 (RM-1 and RM-2):

B. Uses Permitted by Right & Special Land Uses (Human Care and Social Assistance section)

R = Permitted by right S = Permitted with a Special Use Permit *Uses with Supplemental Regulations -Article 7	RM 1	RM 2
HUMAN CARE AND SOCIAL ASSISTANCE		
Adult Day Care Facilities (in private home)	S	S
Adult Day Care Facilities (not in private home)	S	S
Adult Foster Care Family Homes (6 or less adults)	R	R
Adult Foster Care Small Group Home (7-12 adults)	S	S
Assisted Living Home	S*	S*
Child Day Care Services (see following)		
Family Child Care Home	R*	R*
Group Child Care Home	S*	S*
Child Care Center or Day Care Center	S*	S*
Nursery Schools	S*	S*
Nursing/Convalescent Home	S*	S*
Residential Human Care Facility	S	S
State-Licensed Residential Facilities (Adult Foster Care - 6 or less adults)	R	R

Section 5.11 (WD) Waterfront Development District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	WD
COMMUNICATIONS	
Amateur Radio Antennae (roof or ground mounted)	R*
Television/Radio Broadcasting Stations	R
Video & Sound Recording Studios	R
Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure	R*
Wireless communications facilities attached to monopole 75' or less in height	R*

Section 5.12 (CBD) Central Business District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	CBD
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof- or ground-mounted)</i>	R*
<i>Television/Radio Broadcasting Stations</i>	R
<i>Video & Sound Recording Studios</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>Wireless communications facilities attached to monopole 75' or less in height</i>	R*

Section 5.14 (CCD) Commercial Corridor District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	CCD
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof- or ground-mounted)</i>	R*
<i>Telecommunications Businesses (w/vehicle storage)</i>	S
<i>Television/Radio Broadcasting Stations</i>	R
<i>Video & Sound Recording Studios</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>Small Cell Wireless Facilities</i>	S*

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	CCD
HUMAN CARE AND SOCIAL ASSISTANCE	
<i>Adult Foster Care Small Group Home (7-12 adults)</i>	R
<i>Adult Foster Care Large Group Home (13-20 adults)</i>	R
<i>Adult Foster Care Congregate Facilities (over 20 adults)</i>	R
<i>Community/Emergency/ Relief Services</i>	R
<i>Assisted Living Home</i>	R*
<i>Health Care /Dental /Optical Clinics</i>	R
<i>Individual & Family Services</i>	R
<i>Nursing/Convalescent Home</i>	R*
<i>Residential Human Care Facility</i>	S*
<i>Vocational Rehabilitation Services</i>	R

Section 5.15 (OS-1) Office Service District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	OS1
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof- or ground-mounted)</i>	R*
<i>Television/Radio Broadcasting Stations</i>	R
<i>Video & Sound Recording Studios</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>Wireless communications facilities attached to monopole 75' or less in height</i>	R*
<i>Wireless Communications Facility with Support Structure (Tower) or Alternative Tower Structures (over 75' in height) or any other type of wireless facility which does not fall under any other category of wireless facility</i>	S*
<i>Small Cell Wireless Facilities</i>	S*

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	OS1
HUMAN CARE AND SOCIAL ASSISTANCE	
<i>Adult Day Care Facilities (not in private home)</i>	R
<i>Adult Foster Care Small Group Home (7-12 adults)</i>	R
<i>Adult Foster Care Large Group Home (13-20 adults)</i>	R
<i>Adult Foster Care Congregate Facilities (over 20 adults)</i>	R
<i>Assisted Living Home</i>	R*
<i>Child Day Care Services (see following)</i>	
<i>Child Care Center or Day Care Center</i>	R*
<i>Nursery Schools</i>	R*
<i>Community/Emergency/ Relief Services</i>	R
<i>Health Care /Dental /Optical Clinics</i>	R
<i>Hospitals</i>	S*
<i>Individual & Family Services</i>	R
<i>Nursing/Convalescent Home</i>	R*
<i>Residential Human Care Facility</i>	S*
<i>Vocational Rehabilitation Services</i>	R

Section 5.16 (B-1) Local Business District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B1
HUMAN CARE AND SOCIAL ASSISTANCE	
<i>Adult Day Care Facilities (not in private home)</i>	R
<i>Child Day Care Services (see following)</i>	
<i>Child Care Center or Day Care Center</i>	R*
<i>Nursery Schools</i>	R*
<i>Health Care /Dental /Optical Clinics</i>	R

Section 5.17 (B-2) General Business District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B2
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof- or ground-mounted)</i>	R*
<i>Telecommunications Businesses (w/vehicle storage)</i>	R
<i>Television/Radio Broadcasting Stations</i>	R
<i>Video & Sound Recording Studios</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>. Wireless communications facilities attached to monopole 75' or less in height</i>	R*
<i>Small Cell Wireless Facilities</i>	S*

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B2
HUMAN CARE AND SOCIAL ASSISTANCE	
<i>Adult Day Care Facilities (not in private home)</i>	R
<i>Child Day Care Services (see following)</i>	
<i>Child Care Center or Day Care Center</i>	R*
<i>Nursery Schools</i>	R*
<i>Community/Emergency/ Relief Services</i>	R
<i>Health Care /Dental /Optical Clinics</i>	R
<i>Hospitals</i>	S*
<i>Individual & Family Services</i>	R
<i>Residential Human Care Facility</i>	S*
<i>Vocational Rehabilitation Services</i>	R

Section 5.18 (B-3) Commercial District:

B. Uses Permitted by Right & Special Land Uses (Communications and Human Care and Social Assistance sections)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B3
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof or ground mounted)</i>	R*
<i>Telecommunications Businesses (w/vehicle storage)</i>	R
<i>Television/Radio Broadcasting Stations</i>	R
<i>Video & Sound Recording Studios</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>Wireless communications facilities attached to monopole 75' or less in height</i>	R*
<i>Wireless Communications Facility (ground mounted or not mounted to a support structure)</i>	R*
<i>Wireless Communications Facility with Support Structure (Tower) or Alternative Tower Structures (over 75' in height) or any other type of wireless facility which does not fall under any other category of wireless facility</i>	S*
<i>Small Cell Wireless Facilities</i>	S*

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B3
HUMAN CARE AND SOCIAL ASSISTANCE	
<i>Adult Day Care Facilities (not in private home)</i>	R
<i>Child Day Care Services (see following)</i>	
<i>Child Care Center or Day Care Center</i>	R*
<i>Nursery Schools</i>	R*
<i>Health Care /Dental /Optical Clinics</i>	R
<i>Hospitals</i>	S*
<i>Community/Emergency/ Relief Services</i>	R
<i>Individual & Family Services</i>	R
<i>Residential Human Care Facility</i>	S*
<i>Vocational Rehabilitation Services</i>	R

Section 5.19 (I-1) Light Industrial District:

B. Uses Permitted by Right & Special Land Uses (Communications section)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	I1
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof or ground mounted)</i>	R*
<i>Telecommunications Businesses (w/vehicle storage)</i>	R
<i>Television/Radio Broadcasting Stations</i>	R
<i>Video & Sound Recording Studios</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>Wireless communications facilities attached to monopole 75' or less in height</i>	R*
<i>Wireless Communications Facility (ground mounted or not mounted to a support structure)</i>	R*
<i>Wireless Communications Facility with Support Structure (Tower) or Alternative Tower Structures (over 75' in height) or any other type of wireless facility which does not fall under any other category of wireless facility</i>	S*
<i>Small Cell Wireless Facilities</i>	S*

Section 5.20 (I-2) General Industrial District:

B. Uses Permitted by Right & Special Land Uses (Communications section)

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	I2
COMMUNICATIONS	
<i>Amateur Radio Antennae (roof or ground mounted)</i>	R*
<i>Telecommunications Businesses (w/vehicle storage)</i>	R
<i>Wireless communication and supporting equipment facilities located on existing attachment structures where antenna is 35' or less above the highest point of the existing structure</i>	R*
<i>Wireless communications facilities attached to monopole 75' or less in height</i>	R*
<i>Wireless Communications Facility (ground mounted or not mounted to a support structure)</i>	R*
<i>Wireless Communications Facility with Support Structure (Tower) or Alternative Tower Structures (over 75' in height) or any other type of wireless facility which does not fall under any other category of wireless facility</i>	S*
<i>Small Cell Wireless Facilities</i>	S*

That the City of Alpena Zoning Ordinance, Article 7 (Supplemental Development Regulations) is hereby amended to read as follows:

Section 7.32 Accessory Dwelling Units



The purpose of this section is to allow a minor amount of space within a dwelling to be rented or leased as separate living quarters for extended family or non-family members in all residential neighborhoods within the City. These provisions are further intended to provide reasonable control in recognition of the high percentage of owner occupied single family homes in the City. The purpose of these standards is also to prevent the undesirable proliferation of permanent two-family units which would, over time, disrupt the character of single family neighborhoods. The following regulations shall apply:

- A. One (1) accessory dwelling unit is allowed per lot.
- B. The accessory dwelling unit shall be rented or leased so the tenants are permanent residents rather than transients.
- C. The accessory dwelling unit shall not exceed six hundred (600) square feet or twenty-five (25) percent of the total floor area of the home, whichever is less, so that it remains an accessory use to the primary dwelling and does not result in the creation of a duplex or apartment building.
- D. The accessory dwelling unit shall be provided electricity, plumbing, and heat.
- E. The accessory dwelling unit shall contain only one (1) bedroom.
- F. The accessory dwelling unit shall be a self-contained unit and shall be:
 - 1. located above a garage, or
 - 2. attached to the primary dwelling or garage, or
 - 3. totally within a primary dwelling, or
 - 4. a detached stand-alone structure.
- G. The accessory dwelling unit shall have a separate exterior entrance which shall not be visible from the front yard.
- H. The residents of the primary structure shall maintain the accessory dwelling unit and shall ensure that no excessive noise, traffic, or blight occurs on the property.
- I. The accessory dwelling unit shall conform to the building code standards adopted by the City.
- J. One and one-half (1½) parking spaces shall be provided on-site for each dwelling unit.
- K. **Detached Stand-Alone Structures** shall be considered accessory structures. The following regulations shall apply:
 - 1. Such structures shall be located in the rear yard and shall be consistent in appearance with the principal structure.
 - 2. Such structures shall be a maximum of six hundred (600) square feet in size with a minimum width of twenty (20) feet.
 - 3. The property owner must reside on-site.

4. Separate water and sewer service must be provided.

Section 7.37 Wireless Facilities

A. PURPOSE

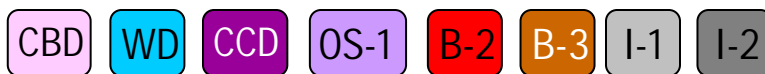
The purpose and intent of these regulations pertaining to wireless facilities including towers, antennas and structures (accessory buildings, structures, WIFI, antennas and other ground or pole mounted appurtenances) is to establish general guidelines for their location within the City and on individual lots or parcels. The City recognizes that it is in the public interest to permit the location of these facilities within its jurisdiction, while also recognizing the need to protect the adjacent and nearby properties from potential health, safety and aesthetic impacts that may result from the construction of such facilities. As such, these regulations seek to:

1. Protect residential areas from potential adverse impact of wireless facilities ~~towers and antennas~~;
2. Encourage the location of wireless facilities in nonresidential areas;
3. Minimize the total number of towers throughout the community;
4. Encourage the joint use of new and existing tower sites rather than the construction of additional towers;
5. Encourage developers of wireless facilities to configure them in a way that minimizes their adverse visual impact;
6. Enhance the ability of providers of wireless services to provide such services to the community quickly, effectively, and efficiently;
7. Consider the public health and safety of wireless facilities; and
8. Avoid potential damage to adjacent property from tower failure.
9. Amateur radio antenna: See [§7.3](#).

B. WIRELESS FACILITIES PERMITTED BY RIGHT WITH ADMINISTRATIVE REVIEW

The following wireless facilities shall be permitted by right following administrative review:

1. Wireless communication and supporting equipment facilities located on existing attachment structures within the OS-1, B-2, B-3, CBD, WD, CCD, I-1 and I-2 districts. Such antenna shall not extend more than thirty-five (35) feet above the highest point of the existing structure. Supporting equipment facilities shall be located within an enclosed structure and screened as necessary in accordance with the requirements of these regulations.



2. Wireless facilities attached to a monopole of seventy-five (75) feet or less in height and in compliance with the development standards of this Section within the OS-1, B-2, B-3, CBD, WD, I-1 and I-2 districts. An increase in total height by up to 20 feet may be approved upon review and approval by the Planning Commission following a determination that the additional height is necessary and will not negatively impact the neighborhood in which it is located.



3. Wireless facilities co-located on an existing supporting structure approved for co-location and with sufficient space available for the additional equipment.
4. Wireless antennas and supporting appurtenances located on existing utility poles located with public rights-of-ways or within dedicated easements, or on private buildings or structures approved by City staff (WIFI and other similar telecommunications technology).
5. Administrative decisions may be appealed to the **Zoning Board of Appeals**, which shall render a decision following a public hearing in accordance with [§9.6](#).

C. PLANNING COMMISSION REVIEW

All wireless facilities not permitted by right shall require review and approval by the Planning Commission as a Special Use based on the following considerations:

1. Whether the facility offers opportunities for co-location.
2. Whether all applicable development standards are met.
3. Compatibility of the facility with existing uses located on the site and surrounding properties.
4. The extent to which granting the Special Use would substantially serve the public safety and welfare.
5. The suitability of the site for the proposed use.
6. Demonstration of need for the facility to be located at the subject site.
7. Whether conditions may be imposed by the Planning Commission or commitments made by the applicant which are sufficient to mitigate any potential adverse effects on neighboring properties identified during the review process.
8. Other factors that the Planning Commission may deem relevant.

Such Special Uses may be permitted in the OS-1, B-3, I-1 and I-2 districts (with the exception of Wireless Communications Facilities (ground-mounted) which are not allowed in OS-1).



D. APPROVAL PROCESS

An application for approval of Wireless Communications Facilities described in subsection C above shall include all information required by **subsection F (below)**.

1. After an application is filed, the Zoning Administrator shall determine whether the application is administratively complete. The application shall be considered to be administratively complete when the Zoning Administrator makes that determination or fourteen (14) business days after the Zoning Administrator receives the application, whichever is first.
2. If, before the expiration of the 14-day period under **subsection D.1**, the Zoning Administrator notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the 14-day period under **subsection D.1** is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification.
3. **Administratively-Approved Wireless Communications Facilities.** After the application is deemed complete, the Zoning Administrator shall review the application and issue a zoning permit if all standards are met.
4. **Planning Commission-Approved Wireless Communications Facilities.**
 - a. After the application is deemed complete, a public hearing shall be held for wireless communications that are listed as a Special Land Use. The notice of the public hearing shall be given pursuant to **Section 9.6**.
 - b. The Planning Commission shall conduct a site plan review using the standards in **Section 6.6**, **Section 6.12 (for Special Land Uses)**, and **subsection E** below. The Planning Commission shall approve or deny the application not more than ninety (90) days after the application is considered to be administratively complete. If the Planning Commission fails to timely approve or deny the application, the application shall be considered approved and the Planning Commission shall be considered to have made any determination required for approval.

E. DEVELOPMENT STANDARDS

Notwithstanding any provision of this Zoning Ordinance, the following development standards shall apply to all Wireless Communication Facilities.

1. TOWER DESIGN

All ground mounted towers shall be either a self-supporting lattice or monopole design. Ground mounted towers requiring guy wires shall not be permitted. Guy wires for the support of antennas

located on the rooftops of buildings or on water towers may be approved upon review by staff or the Planning Commission.

2. HEIGHT

The maximum height of any Wireless Communications Facility shall be two hundred (200) feet above surface grade.

3. LOCATION ON PROPERTY

Wireless Communication Facilities with ground mounted towers shall be located in the rear yards of property. If no principal structure is located on the property, the Facility shall be located in the rear one-third (1/3) of the property.

4. SETBACKS

- a. **From Residential Districts:** Towers shall be located from any residential district a distance equal to twice the height of the proposed structure.
- b. **From Property Lines and Primary Electric Transmission Lines:** Towers shall be setback a minimum distance from adjoining properties and primary electric transmission lines equal to the height of the structure including antennas.
- c. **Ground Mounted Facilities/Other.** Ground-Mounted wireless communications facilities and other wireless communications facilities shall be set back at least one hundred seventy-five (175) feet from the outside edge of the equipment enclosure to each property line.
- d. The Planning Commission may reduce the setbacks specified in 4.a., 4.b, and 4.c above at its discretion based on a demonstrated need by the applicant and a determination that the health and safety of the public and adjacent properties is adequately protected.

5. FENCING AND LANDSCAPING

- a. **Fencing:** A solid fence/wall 8-feet in height constructed of painted, stained or treated lumber, textured concrete block or brick shall enclose the facility, including a locking gate complementary in design and color to the fence/wall. The enclosure shall be maintained in good repair.
- b. **Landscaping:** There shall be a minimum 4-foot wide landscape strip along the perimeter of the fence enclosure consisting of shrubs, flowers, groundcover and/or trees. This requirement may be waived or reduced if the enclosure is deemed to be adequately screened by existing vegetation and/or structures.

6. SIGNAGE

No signs other than signs required pursuant to federal, state or local law and ordinance shall be allowed on an antenna or tower or site.

7. AESTHETICS, PLACEMENT, MATERIALS AND COLORS

Wireless Communication Facilities shall be designed to be compatible with the existing structures and its surroundings to the extent feasible, including placement in a location which is consistent

with proper functioning of the Wireless Communications Facility, the use of compatible or neutral colors, or camouflage technology. Contrary color schemes shall be permitted only if mandated by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) or Michigan Aeronautics Commission (MAC). Written proof of such requirement shall be provided by the applicant.

8. LIGHTING

Wireless Communication Facilities shall not be artificially illuminated, directly or indirectly except for security and safety lighting, and other illumination as may be required by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) or Michigan Aeronautics Commission (MAC) or other applicable authority. All lighting shall be installed in a manner that will minimize impacts on adjacent properties. Lighting shall not be strobe lighting or other intermittent white lighting fixtures, unless expressly required by State or federal regulations. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to State or Federal regulations. Lighting may consist of a red top light that does not pulsate or blink.

9. MAINTENANCE INSPECTIONS

All guyed towers, including those installed prior to this ordinance, shall be inspected every two years. Self-supporting towers shall be inspected every four years. Each inspection shall be by a qualified professional engineer or other qualified inspector, and any inspector-recommended repairs and/or maintenance should be completed without unnecessary delay. A copy of the final inspection report shall be filed with the Building Official. At a minimum each inspection shall include the following:

- a. **Tower structure:** Including bolts, loose or damaged members, signs of unusual stress or vibration.
- b. **Guy wires and fittings:** Check for age, strength rust, wear, general condition and any other signs of possible failure.
- c. **Guy anchors and foundations:** Assess for cracks in concrete, signs of corrosion, erosion, movement, secure hardware, and general site condition.
- d. **Condition** of antennas, transmission lines, lighting, painting, insulators, fencing, grounding, and elevator, if any.
- e. **For guyed towers:** Tower vertical alignment and guy wire tension (both required tension and present tension).

10. RADIO FREQUENCY EMISSIONS/SOUND

The following radio frequency emissions standards shall apply to all Wireless Communications Facility installations.

- a. **Radio Frequency Impact:** The FTA gives the FCC Jurisdiction of the regulation of Radio Frequency (RF) emissions, and Wireless Communications Facilities that do not exceed the FCC standards shall not be conditioned or denied on the basis of RF impact.
- b. **FCC Compliance:** In order to provide information to its citizens, copies of ongoing FCC information concerning Wireless Communications Facilities and RF emissions standards may

be requested. Applicants for Wireless Communications Facilities shall be required to provide information with the application on the measurement of the effective radiated power of the facility and how this meets the FCC standards.

11. SOUND PROHIBITION

No unusual sound emissions such as alarms, bells, buzzers or the like are permitted.

12. STRUCTURAL INTEGRITY

Wireless Communications Facilities with Support Structures shall be constructed to the Electronics Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision F Standard entitled "Structural Standards for Steel Antennas Towers and Antenna Support Structures" (or equivalent), as may be updated and amended. Each Support Structure shall be capable of supporting multiple antenna arrays.

13. HISTORIC DISTRICTS AND DOWNTOWN DEVELOPMENT AUTHORITY DISTRICTS

- a. **Historic Districts:** Any Wireless Communication Facility proposed to be located within an established Historic District, including single site historic designations shall be subject to review by the City Historic District Commission (HDC). Review by the HDC shall be in accordance with procedures for a Certificate of Appropriateness. No administrative or Planning Commission review and action may occur unless a Certificate of Appropriateness has been granted.
- b. **Downtown Development Authority (DDA) District:** Any Wireless Communication Facility proposed to be located within the DDA District shall be subject to review by the DDA Board. No administrative or Planning Commission review and action may occur until a recommendation from the DDA is provided. Such recommendation shall be provided within thirty (30) days of its submittal by staff, otherwise the necessary review may proceed without DDA input.

F. APPLICATION REQUIREMENTS

All requests for a Zoning Permit or Special Use Permit regardless of Wireless Communications Facility type, including but not limited to a Temporary Wireless Communication Facilities, shall submit an application in accordance with the requirements of this section.

1. Application Contents

Each applicant requesting a Wireless Communication Facility or Temporary Wireless Communication Facility shall submit a complete set of drawings prepared by a licensed architect and/or engineer that will include a site plan, elevation view and other supporting drawings, calculations and other documentation showing the location and dimensions of the wireless communications facility and all improvements associated therewith, including information concerning specifications, antenna locations, equipment facility and shelters, curb cuts, parking, storm water retention, screening and landscaping. Applicants proposing to co-locate on an existing wireless communication facility shall include a Determination of Radio Frequency Compatibility with their application. The application shall be signed by both the Wireless Communication Facility owner and the property owner, if different.

2. Ownership

The Applicant shall provide documentation to the Planning Commission that clearly establishes the legal ownership of the tower. The applicant, its agents, successors, and assigns shall provide written notice to the Planning Staff of any changes in the legal ownership of the tower within thirty (30) days of the effective date of the change.

3. Proof of Filing FAA Form 7460-1, or as amended

A letter of receipt from the Federal Aviation Administration (FAA) providing proof of filing FAA Form 7460-1 and indicating the assigned AGL/File Number must be submitted along with application for all Wireless Communication Facilities within twenty thousand (20,000) feet of any airport runway, that exceed one hundred (100) feet in height.

4. Existing Network Locations

If a proposed Wireless Communication Facility is part of a larger network of similar facilities, a geographic and written depiction of all locations in this network shall accompany the petition for a proposed Wireless Communication Facility.

5. Affidavits of Co-location Agreement

All applicants for Wireless Communication Facilities must sign and provide the City of Alpena an Affidavit (if applicable) indicating:

- a. That no other co-location opportunities exist within a one-mile radius of the proposed facility, including proof that a good faith effort has been made; names, addresses, and telephone numbers of all owners of Wireless Communication Facilities to whom inquiries have been made; and
- b. Agreement to allow and reasonably market co-location (if applicable) of other Wireless Communication Facility users at rates that are comparable and competitive to those charged for location at comparable Wireless Communication Facilities. The statement shall include the applicant's policy regarding co-location of other providers and the methodology to be used by the applicant in determining reasonable rates to be charged to other providers. The Co-location Agreement shall be considered a condition of issuance of a Zoning Permit.

6. Application Fees

A plan review fee (administrative review) and a Determination of Radio Frequency Compatibility review fee (co-location applicants only), per the adopted Council Fee Schedule, shall accompany each application.

7. Technical Assistance

In the course of its consideration of an application, the Zoning Administrator, the Planning Commission or the Zoning Board of Appeals may deem it necessary, in complex situations, to employ an engineer(s) or other consultant(s) qualified in the design and installation of Wireless Communication Facilities (chosen by the City) to assist the City in the technical aspects of the application. In such cases, any additional reasonable costs incurred by the City not to exceed three thousand dollars (\$3,000) for the technical review and recommendation shall be reimbursed provided in the form of a cashier's check or money order by the applicant prior to the final hearing on filing a petition for the proposed Wireless Communication Facility.

G. CO-LOCATION POLICY

All new wireless communication facilities requiring a Special Use permit shall be engineered, designed and constructed to be capable of sharing the facility with other providers, to co-locate with other existing wireless communication facilities and to accommodate the future collocation of other wireless communication facilities. A Special Use permit shall not be issued until the applicant proposing a new wireless communication facility shall demonstrate that it has made a reasonable good faith attempt to locate its Wireless Communication Facility onto an existing structure. Competitive conflict and financial burden are not deemed to be adequate reasons against co-location.

All Wireless Communication Facilities with support structure up to a height of 150 feet shall be engineered and constructed to accommodate at least three (3) antenna array. All Wireless Communication Facilities with support structures greater than 150 feet in height shall be engineered and constructed to accommodate at least four (4) antenna array.

H. REMOVAL OF ABANDONED WIRELESS COMMUNICATIONS FACILITIES

Any Wireless Communication Facility that ceases operation for a continuous period of twelve (12) months shall be considered abandoned, and the City, at its election, may require the Wireless Communication Facility owner, or the property owner if the facility owner cannot be located or is no longer in business, to remove the Wireless Communication Facility within 90 days after notice from the City to remove the facility. If the abandoned Wireless Communication Facility is not removed within 90 days, the City may remove it and recover its costs from the facility's owner. At the time of construction the City may require a bond or letter of credit equal to the estimated cost to remove the tower. Such bond or letter of credit shall be of such duration, including renewals, equal to the estimated life of the tower. In the event the City does not require a bond or letter of credit, or the cost of removal exceeds the bond or letter of credit, the City shall invoice the owner for the amount due, and if not paid may be placed as a lien on the facility's property taxes.

If there are two or more users of a single Wireless Communication Facility, this provision shall not become effective until all providers cease to use the facility. If the owner of an abandoned Wireless Communication Facility cannot be located or is no longer in business, the requirements of this section shall be the responsibility of the landowner on whose property the Wireless Communication Facility is located.

I. REVOCATION PROCEDURE

Any Zoning or Special Use Permit issued for a Wireless Communication Facility pursuant to this Section may be revoked after a hearing as provided hereinafter. If the Planning and Zoning Staff finds that a permit holder has violated any provision of this Section, or has failed to make good faith reasonable efforts to provide or seek collocation, the Planning and Zoning Staff shall notify the permit holder in writing of the violations. The notice shall include the specific areas of non-compliance and specify the date by which such deficiencies must be corrected. The time for correction of deficiencies shall not exceed sixty (60) days. The permit holder shall provide the City with evidence that the required corrective action has been taken. Should the permit holder fail to correct any deficiencies in the time required, staff shall forward the violation to the Planning Commission for consideration, including a recommendation as to whether the permit should be revoked. The Planning Commission shall convene a public hearing pursuant to §9.6 of this Ordinance to consider revocation of the permit. After the appropriate public hearing, the Planning Commission may revoke the permit upon such terms and conditions, if any, that they may determine.

J. ZBA: See §8.2 (F)



K. Small Cell Wireless Facilities.

1. **Exempt Small Cell Wireless Facilities.** The co-location of a small cell wireless facility and associated support structure within a public right of way (ROW) is not subject to zoning reviews or approvals under this Ordinance to the extent it is exempt from such reviews under the **Small Wireless Communications Facilities Deployment Act, 2018 PA 365**, as amended. In such case, a utility pole in the ROW may not exceed forty (40') feet above ground level and a small cell wireless facility in the ROW shall not extend more than five (5') feet above a utility pole or wireless support structure on which the small cell wireless facility is co-located.
2. **Special Land Use Approval for Non-Exempt Small Cell Wireless Facilities.** The modification of existing or installation of new small cell wireless facilities or the modification of existing or installation of new wireless support structures used for such small cell wireless facilities that are not exempt from zoning review in accordance with **2018 PA 365**, as amended shall be subject to review and approval by the Planning Commission as a Special Land Use in accordance with the following procedures and standards:
 - a. The processing of an application is subject to all of the following requirements:
 - (1) Within thirty (30) days after receiving an application under this Section, the Planning Staff shall notify the applicant in writing whether the application is complete. The notice tolls the running of the 30-day period.
 - (2) The running of the time period tolled under **subsection (1)** resumes when the applicant makes a supplemental submission in response to the Planning staff's notice of incompleteness.
 - (3) The Planning Commission shall approve or deny the Special Land Use application and notify the applicant in writing within ninety (90) days after an application for a modification of a wireless support structure or installation of a small cell wireless facility is received or one hundred fifty (150) days after an application for a new wireless support structure is received. The time period for approval may be extended by mutual agreement between the applicant and Planning Commission.
 - b. The Planning Commission shall base their review of the request on the standards contained in **Sections 6.6** and **Section 6.12** provided, however, that a denial shall comply with all of the following:
 - (1) The denial is supported by substantial evidence contained in a written record that is publicly released contemporaneously.
 - (2) There is a reasonable basis for the denial.
 - (3) The denial would not discriminate against the applicant with respect to the placement of the facilities of other wireless providers.
 - c. In addition to the provisions set forth in **subsection b**, in the Planning Commission's review:

- (1) An applicant's business decision on the type and location of small cell wireless facilities, wireless support structures, or technology to be used is presumed to be reasonable. This presumption does not apply with respect to the height of wireless facilities or wireless support structures.
 - (2) An applicant shall not be required to submit information about its business decisions with respect to any of the following:
 - (a) The need for a wireless support structure or small cell wireless facilities.
 - (b) The applicant's service, customer demand for the service, or the quality of service.
 - (3) The Planning Commission may impose reasonable requirements regarding the appearance of facilities, including those relating to materials used or arranging, screening, or landscaping.
 - (4) The Planning Commission may impose spacing, setback, and fall zone requirements substantially similar to spacing, setback, and fall zone requirements imposed on other types of commercial structures of a similar height in a similar location.
- d. Within one (1) year after a zoning approval is granted, a small cell wireless provider shall commence construction of the approved structure or facilities that are to be operational for use by a wireless services provider, unless the Planning Commission and the applicant agree to extend this period or the delay is caused by a lack of commercial power or communications facilities at the site. If the wireless provider fails to commence the construction of the approved structure or facilities within the time required, the zoning approval is void.

L. Exemptions (Single-Use Towers and Masts).

Antenna towers and masts erected and operated as a residential or commercial accessory use serving only that property (devices covered by 47 CFR Section 1.4000) are exempt from this Section. An amateur radio service station antenna structure is regulated by **Section 7.3**. Other wireless structures may be erected at the minimum heights and dimensions sufficient to accommodate other such wireless transmissions. See **Over-the-Air Reception Devices (47 CFR Section 1.4000)**. Single-use tower and masts shall comply with all FCC rules and regulations in effect at the time they are erected. Property owners who erect single-use towers and masts shall notify the City prior to erecting such a tower. This exemption does not cover antennas used to transmit signals to and/or receive signals from multiple customer locations.

SECTION 2: SEVERABILITY

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

SECTION 3: SAVING CLAUSE

The City of Alpena Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

SECTION 4: EFFECTIVE DATE

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Matthew J. Waligora, Mayor

Anna Soik, Clerk/Treasurer

I, Anna Soik, Clerk for the City of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. 21-462 of the City of Alpena, adopted by at a meeting of the Alpena City Council held on September 7, 2021.

A copy of the complete ordinance text may be inspected or purchased at the Alpena City Hall, at 208 N. First Avenue, Alpena, Michigan.

First Reading: August 16, 2021
Adopted: September 7, 2021
Published: _____


William A. Pfeifer, City Attorney

Memorandum

Date: August 11, 2021

To: Mayor and City Council Members

Copy: Rachel Smolinski, City Manager
Anna Soik, City Clerk/Treasurer/Finance Director

From: Shannon Smolinski, Harbormaster 

Subject: City of Alpena Marina Travel Lift Agreement

On September 1, 2021, the City will assume operations at the City of Alpena Marina. This will include lift services using the City's travel lift and winter storage. As previously discussed, the Harbor Advisory Committee and several of our seasonal boaters have expressed concerns regarding the travel lift operation. Most of these conversations also included the boaters comfort level with the existing mechanics handling the boats as they have done it for over 20 years.

After approval from council, a contract was negotiated with Arlee Barker and Reed Wilson of All Marine and the City of Alpena. This contract with All Marine will allow a seamless continuation of services the boaters are used to and feel comfortable with.

All Marine and the City have negotiated the following compensation:

Normal Lifting Services	\$7/foot of boat
Emergency/After Hours Lifting Services	\$15/foot of boat
Mast Stepping Fee	\$175 per mast
Other Services at General Labor Fee	\$40/hour

The contract also allots workspace within the existing shop for All Marine to utilize during the first year of the contract as well as broadside dockage for their pontoon in exchange for continued availability of the vessel for City use.

Because of the change in operations, the City Marina will need to update its fee schedule previously approved within the 2021-2022 Annual Budget. The proposed fees are in line with what the boaters are currently used to paying at this time.

It is, therefore, my recommendation as the Harbormaster, to execute a contract with All Marine for travel lift operation and winter storage services as outlined above. I further recommend council approve the attached fee schedule for marina operations.

WATERWAYS

	<u>Date of Council Action</u>	<u>Type of Action</u>
Seasonal Moorage Rates at City of Alpena's Marina:	8-11-21	Resolution

Boat Length	Rate
< 32'	\$1,350.00
32' - 38'	\$1,702.00
39' - 45'	\$2,295.00
45' - 60'	\$3,120.00

Boats over 60' will be charged an additional \$52.00 per foot over 60'.

A maximum of three Ying-Lings may be moored per slip. Seasonal rate charged to each owner shall be proportional to the number of Ying-Lings moored and the length of slip.

Monthly dockage rates will be at 33% of the slip rate above.	7-06-10	Resolution
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The two month rate will be at 64% of the seasonal rate.	7-06-10	Resolution
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MICHIGAN STATE WATERWAYS COMMISSION 2021 TRANSIENT SLIP RATE D SCHEDULE

Length	Rate	Length	Rate	Length	Rate	Length	Rate	Length	Rate
25	\$31	35	\$43	45	\$56	55	\$68	65	\$81
26	\$32	36	\$45	46	\$57	56	\$69	66	\$82
27	\$33	37	\$46	47	\$58	57	\$71	67	\$83
28	\$35	38	\$47	48	\$60	58	\$72	68	\$84
29	\$36	39	\$48	49	\$61	59	\$73	69	\$86
30	\$37	40	\$50	50	\$62	60	\$74	70	\$87
31	\$38	41	\$51	51	\$63	61	\$76	71	\$88
32	\$40	42	\$52	52	\$64	62	\$77	72	\$89
33	\$41	43	\$53	53	\$66	63	\$78	73	\$91
34	\$42	44	\$55	54	\$67	64	\$79	74	\$92

Seasonal Moorage Rates at City Property along the Thunder Bay River:	3-19-90	Resolution
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Seasonal or transient dockage along City's dock frontage in the Thunder Bay River	On half of the established rate in the City of Alpena's Marina for the same craft.
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Boat Launching Fees for City of Alpena's Marina and North Riverfront Park:

Resolution

Seasonal - \$50.00 - effective 01-01-17

Seasonal - City Residence - \$25.00 - effective 05-04-20

Individuals must verify City residency with a state issued id and address on their boat registration.

For boaters who have more than one boat, a second permit may be issued at no additional cost if the owner's name and address are listed on both registrations. This reduction is for a second boat only. Additional boats must be permitted and pay a separate fee.

Daily \$ 7.00 - effective 01-01-17

Failure to pay launch fee. Any person or persons who shall fail to pay the established boat launch fee shall be subject to a penalty of twenty-five (\$25.00) for each and every violation thereof. Penalties shall be payable at the traffic violations bureau

3-06-00

Ordinance

***Travel Lift Services Rate-**

Seasonal Lift and Lower \$10/foot

Non Seasonal Lift and Lower \$10/foot

Emergency After Hours Service \$15/foot

8-16-21

Resolution

***Winter Storage/Services Rates-**

Length x Beam x \$2.50

Mast Stepping Fee - \$175

Mast Storage Fee - Boats 30' and under - \$150, Boats over 30' - \$200

8-16-21

***Boats will not be placed into winter storage prior to September 1st. All boats are required to be removed from the Marina basin prior to formation of ice.**

Summer boat storage in parking lot as approved by City Manager.

	<u>Date of Council Action</u>	<u>Type of Action</u>
Transient Slip Rental Rate Schedule	8-16-21	Resolution
Sewage Pump-Out Fee:	7-01-15	Resolution
\$5.00 Recreation Boats		
\$10.00 Commercials Boats		
Daytime Temporary Moorage - \$5.00	5-06-91	Resolution
Seasonal Broadside Dockage	7-01-13	Resolution
All fees are for recreational and charter boats.	7-01-13	Resolution

Memorandum



Date: August 11, 2021

To: Mayor and City Council Members

Copy: Rachel Smolinski, City Manager
Anna Soik, City Clerk/Treasurer/Finance Director

From: Shannon Smolinski, Harbormaster

Subject: City of Alpena Marina Gas and Fuel Bid Recommendation

On August 10, 2021, the City received and opened bids for the purchase and delivery of recreation gas and diesel fuel for the City of Alpena Marina. These products will be sold dockside by the City beginning September 1, 2021, as part of the marina operations.

Bid documents were sent to various firms and plan rooms with three bids received from local providers. The results of the bids are posted below:

	Blarney Castle		Propane Plus		Crystal Flash	
	Rec Gas	Diesel	Rec Gas	Diesel	Rec Gas	Diesel
Base Price - August 3, 2021	\$2.8310	\$2.1945	\$2.7730	\$2.3080	\$2.5318	\$2.2268
Base Terminal	Marathon - Flint	Marathon - Flint	US Oil - Cheboygan	US Oil - Rogers City	Ferrysburg	Ferrysburg
Mark-Up / Gallon	\$0.175	\$0.175	\$0.250	\$0.240	\$0.350	\$0.350
Minimum deliver (gallons)	500	500	500	500	500	500
Maximum Delivery (gallons)	none	none	2800	2800	5500	5500
Upcharge - Below Minimum	none	none	\$50.00	\$50.00	\$125.00	\$125.00
Upcharge - After Hours	none	none	\$100.00	\$100.00	\$250.00	\$250.00

Because of the continual price fluctuation of recreation gas and diesel fuel, the suppliers are requested to bid based on their markup to the base price of these products at the time of delivery. In addition, prices are also requested for below minimum, after hours, Sunday and Holiday deliveries. Blarney Castle is the low bid with a markup of \$0.175 per gallon delivered to the marina. In addition, this price is below the State Purchasing Program price of \$0.21 per gallon. There is no upcharge for under minimum or after-hours deliveries and the markup price will hold through December 31, 2022.

It is my recommendation, as the Harbormaster, to award the supply and delivery of recreation gas and diesel fuel for the City of Alpena Marina to Blarney Castle of Alpena, MI, for the mark up price of \$0.175 plus the base price at the time of delivery.

Attachments



City of Alpena

Bid Name: 2021 City of Alpena Marina Fuel & Gas

Bid Open Date: 08/10/2021 @ 2:00 p.m.

Bidder	Addendum	Bid Security	Base Bid	Remarks
Crystal Flash Grand Rapids, MI	#1	NA	\$ 2.5318 Rec Gas 2.2268 Diesel Markup .35 each	Er Deliver \$250 2.50 each Below minimum \$1.25
Propane Plus, Alpena, MI	#1	NA	2.773 Rec Gas \$ 2.308 Diesel Markup .25 Rec .24 Diesel	Er Delivery \$100 each Below minimum \$50
Blarney Castle Oil Co.	#1	NA	2.8310 Rec Gas \$ 2.1945 Diesel Markup .175 each	Er Delivery no upcharge Below minimum - no upcharge

Unofficial – “As-Read” Results – Subject to Verification

Bids Due: August 10, 2021
Time: 2:00 p.m.

BID LIST
2021 City of Alpena Marina Fuel and Gas Provider

Alpena Oil
235 Water Street
Alpena, MI 49707
989-356-1098
aocarnchris@hotmail.com

Propane Plus
1141 US 23 North
Alpena, MI 49707
989-595-2913
Cliff@propaneplusinc.com

Crystal Flash
16309 County Rd 451
Hillman, MI 49746
800-875-4851
jtefft@crystalflash.com

Blarney Castle
12218 West St.
P.O. Box 246
Bear Lake, MI 49614
jlabell@blarneycastleoil.com

Gary's Oil
5130 N. US-23
Oscoda, MI 48750
989-739-9231
garyoil@garyoil.com


Memorandum



Date: August 11, 2021

To: Mayor and City Council Members

Copy: Rachel Smolinski, City Manager
Anna Soik, City Clerk/Treasurer/Finance Director

From: Stephen J Shultz, City Engineer 

Subject: 2021 Valve Replacement

On August 10, 2021, the City received and opened bids for the 2021 Valve Replacement Project. Every year the City budgets funds to replace existing valves and install new valves within the system that are deficient, or would allow for smaller areas of disruption, in the event of a water shut off.

This year the City is targeting 11 valves to either isolate large shut off areas by installing new valves or replace deficient valves throughout the City. This year's project includes replacing three valves at the intersection of Chisholm Street and Second Avenue in advance of the MDOT resurfacing project of Chisholm Street next year.

Due to the numerous businesses in the downtown district including several restaurants, the decision was made to install the three valves in the Chisholm and Second intersection during overnight hours to limit the impact of the shutoff to our water customers and motorists. The preliminary plan includes shutting down the intersection beginning at 6:00 p.m., shutting water off at 9:00 p.m., installing the valves and restoring water service and opening the street by 7:00 a.m., the following morning. This will require a variance to the noise ordinance allowing construction after 10:00 p.m.

Bid documents were posted on the City website, sent to five (5) local firms and plan rooms with three (3) bids received as listed below:

Team Elmer's, Hillman	\$61,100
MacArthur Construction, Hillman	\$62,800
Bedrock Contracting, Alpena	\$73,232

Adequate funding in the amount of \$130,000 has been established for the replacement of main valves in this year's budget to cover both the cost of the valves and assorted materials required as well as the installation cost reflected in the Team Elmer's unit bid prices.

It is my recommendation, as City Engineer, that the project be awarded to Team Elmer's for the bid unit prices totaling \$61,100 and grant a variance to the noise ordinance to complete the project.

Attachments





City of Alpena

Bid Name: 2021 Valve Replacement Bid Open Date: 08/10/2021 @ 2:00 p.m.

Bidder	Addendum	Bid Security	Base Bid	Remarks
MacArthur Construction Lachine, MI	N/A	✓	\$ 62,800	
Team Elmer's Alpena, MI	N/A	✓	\$ 61,100	
Bedrock Contracting Alpena, MI	N/A	✓	\$ 73,232	
Alpena Supply			\$11,410	materials only

Unofficial – "As-Read" Results – Subject to Verification

2021 Valve Replacement

Bid Tab

	Qty	Unit	Team Elmers		MacArthur Construction		Bedrock	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
Mobilization	1	LS	\$4,200.00	\$4,200.00	\$8,000.00	\$8,000.00	\$1,800.00	\$1,800.00
Install Gate Valve and Box, 6 inch	5	Each	\$4,600.00	\$23,000.00	\$5,000.00	\$25,000.00	\$4,800.00	\$24,000.00
Install Gate Valve and Box, 8 inch	1	Each	\$6,100.00	\$6,100.00	\$5,800.00	\$5,800.00	\$4,925.00	\$4,925.00
Install Gate Valve and Box, 10 inch	1	Each	\$6,800.00	\$6,800.00	\$7,000.00	\$7,000.00	\$4,975.00	\$4,975.00
Install Gate Valve and Box, 6 inch (Chisholm Street)	2	Each	\$6,000.00	\$12,000.00	\$5,000.00	\$10,000.00	\$9,383.00	\$18,766.00
Install Gate Valve and Box, 12 inch (Chisholm Street)	1	Each	\$9,000.00	\$9,000.00	\$7,000.00	\$7,000.00	\$18,766.00	\$18,766.00
			\$61,100.00		\$62,800.00		\$73,232.00	

Bids Due: August 10, 2021
Time: 2:00 p.m.

BID LIST
2021 Valve Replacement

MacArthur Construction
1835 Gamage Road
Hillman, MI 49746
Ph: (989) 379-4024
adrianmacarthur@hotmail.com

Environmental Excavating
3555 M-32 W.
Alpena, MI 49707
Ph: (989) 356-1161
Jhansen5@charter.net

Bedrock Contracting
2040 Hamilton Road
Alpena, MI 49707
(989)358-2400
office@bedrockcon.com

Team Elmer's
704 E. Progress
Hillman, MI 49746
(989) 742-4531
jallen@teamelmers.com

Everett Goodrich
3851 Werth Road
Alpena, MI 49707
(989) 356-1791
goodrich_paving@yahoo.com

From: [Hess, Amber](#)
To: [Waligora, Matt](#)
Cc: [Smolinski, Rachel](#); [Bill Pfeifer External Email](#)
Subject: Upcoming Resignation from Council
Date: Thursday, August 5, 2021 9:54:40 PM

August 5, 2021

Dear Mayor Waligora,

Good evening Matt. It is an honor and a pleasure to serve on the City of Alpena Council. I have truly appreciated your leadership as Mayor and the willingness of all council members to work together respectfully as we represent the citizens of Alpena. I have served as a councilwoman for over three and a half years now and truly have enjoyed representing the citizens of Alpena.

I had intended to run for another term this year, but recently have decided that a move to the country is the right choice for me at this time. I will still be in Alpena County once I move, but no longer within the City of Alpena limits. Therefore, I will be resigning from City Council due to no longer being eligible based on residency requirements.

I am respectfully requesting that you and Council accept my resignation from Council effective Friday, August 20, 2021.

It has truly been a pleasure working with you and others on Council over the years. I wish the best to you, the other Council members, and the entire community always. Alpena is my home, and even though my address will change a little, I shall always consider myself to be Alpena Amber (and please note that I claimed that name before Austin Brothers named their beer the same).

Best regards,
Amber Hess
Councilwoman

Amber Hess
Councilwoman
City of Alpena
989.255.8489

from my iPad