

ALPENA CITY COUNCIL MEETING

October 19, 2015 - 7:00 p.m.

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Minutes – Special Session of October 1, 2015, and Regular Session of October 5, 2015.
4. Modifications to the Agenda.
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. Consent Agenda.
 - A. Bills to be Allowed, in the Amount of \$340,914.57.
 - B. Two Council Reappointments to the Zoning Board of Appeals for a Three-Year Term Expiring October 1, 2018 (Elwood Anderson and Mike Lamble).
 - C. Rescind Council Policy Number 15 – Alpena Civic and Convention Center.
 - D. Amended Local Government Support of an Application by GNL, LLC dba Pjetris' Fine Food for a new Class C Liquor License.
7. Presentations.
 - A. Recognition – Firefighter/Paramedic Jeremiah Misiak.
8. Announcements.
 - A. Halloween Trick or Treat Hours 5:30 p.m. to 7:30 p.m. on Saturday, October 31, 2015.
9. Mayoral Proclamation.
10. Public Hearings.
 - A. Public Hearing - Thunder Bay Chrysler Jeep Dodge Auto Expansion Brownfield Plan.
 - 1) Open Public Hearing.
 - 2) Report by City Manager and Otwell Mawby, P.C. on behalf of Thunder Bay Chrysler Jeep Dodge.
 - 3) Open Public Comment.
 - 4) Request Written Comments Received in the City Treasurer's Office.
 - 5) Close Public Hearing.

6) Council Discussion.

7) Resolution No. 2015-10 – A Resolution Approving the Thunder Bay CJD Auto Expansion Brownfield Plan for the City of Alpena.

8) Approval of Standard Development Agreement.

B. Public Input - Proposed Long Lake Avenue – Johnson Street Truck Route.

1) Report by City Engineer.

2) Open Public Input Session.

3) Request Written Comments Received.

4) Close Public Input Session.

5) Council Discussion.

11. Report of Officers.

A. Bids.

1) Public Safety Facility Roof and Soffit Repair/Replacement Project.

12. Communications and Petitions..

13. Unfinished Business.

A. Resolution No. 2015-11 – Redevelopment Ready Communities Commitment.

B. Second Amendment to Recycling Interlocal Agreement

14. New Business.

Greg E. Sundin
City Manager

COUNCIL PROCEEDINGS

October 1, 2015

The Municipal Council of the City of Alpena met in special session upon the call of the City Clerk, at the Sanborn Township Hall on the above date and was called to order at 7:00 p.m. by the Mayor.

Present: Mayor Waligora, Councilmembers Nowak, Nielsen, Johnson and Sexton.

Absent: None.

The Municipal Council met in a special workshop session with the Alpena County Board of Commissioners and Alpena County Township Supervisors to present updates and exchange information on current activities in the community. The facilitators for the meeting were Carlene Przykucki and Tim Kuehnlein.

PUBLIC COMMENTS

Joe Lukasiewicz spoke of the importance of a baccalaureate-granting university for the Alpena region, which would provide economic benefits of a better educated work force and strengthened community. He requested a resolution of support from each of the governmental units to pursue a baccalaureate-granting university for Northeast Michigan.

Carlene Przykucki, Partners in Prevention, spoke of the importance of learning Adverse Childhood Experiences (ACE's) and what is currently being done to build awareness and promote trauma-informed services.

GOVERNMENTAL ENTITY REPORTS

Ken Gauthier, Sanborn Township Supervisor, gave a governmental report on

activities in Sanborn Township. He reminded everyone of the October 10 & 11 Heritage Route Activities. He introduced Nancy Rechtsteiner who is replacing Lynda VanDusen as Sanborn Township Clerk. Lynda retired after serving the township for 17 years. Appreciation was expressed to the County for the First Responder Ambulance revenue.

Howard Lumsden, Long Rapids Supervisor, gave an update on the Thunder Bay River. Camper's Cove expressed concern with allowing canoes to launch because there is too much brush on the river to get rescue boats through. He has formed a group of volunteers, including Green and Maple Ridge Township to start cleaning out the river. Their goal is to get the river passable for rescue boats. Also, Long Rapids Township has a 7-acre park and they are re-activating their recreation committee to get the walking trails in better shape and improve launch sites for canoes. They have plenty of people interested in supporting this project.

Matt Waligora, Mayor, gave a governmental report on behalf of the City. The IT contract was renewed with the County of Alpena. Animal Control Ordinances were initiated. The City is seeing many new activities such as outdoor movie nights, and restaurants offering outdoor dining. Target Alpena Development and Convention Visitor's Bureau agreements were renewed. In support of recycling, the City of Alpena paid a portion of the cost for the Alpena clean-up day in May of 2015. Art in the Loft is currently raising funds for the mural in the pocket park that is next to the Olde Owl Tavern & Grille—currently they have \$5,600 of the \$12,000 that needs to be raised.

Greg Sundin, City Manager, reported on the Olde Owl Tavern & Grille which is being remodeled on the inside and outside for outdoor dining in the Pocket Park. There is also continuing development of apartments above businesses located in the downtown area.

Cam Habermehl, Alpena County Chairman, reported that the county is beginning to work on the budget. They applied for grants to improve facilities at Beaver Lake and Long Lake. The county is looking at refunding some of the recycling tipping fees to each county. Eric Lawson, County Commissioner, stated that the search for an Equalization Director is continuing, currently the county is contracting with the Presque Isle Equalizer. There was a resolution passed by the commissioners to keep the mentally ill out of the jail system. Alpena Regional Medical Center is anticipating a letter of intent for the new partner they have selected, this process will probably take about one year to complete.

Bonnie Friedrich, County Clerk, discussed the new election equipment changes for the upcoming 2016 and 2017 elections. At this point it is unclear as to how much each entity will need to pay, the total cost to be split between the entities is projected to be \$7,000 to \$85,000. For Alpena County the cost is approximately \$4,500 per machine. There may be some cost savings with the new election equipment.

Stanley Mischley, Alpena Township Trustee, stated that the recycling program is extremely successful, in August of 2011 there were 40 roll-offs to date, as of today there are 82 roll-offs. The biggest challenge of recycling is that garbage is going into the recycling bins. To correct this problem they are working on better signage and sending out newsletters with the winter 2015 Tax Bills. The committee is looking at forming an authority.

PRIORITY TOPIC DISCUSSION/PRESENTATION

ALPENA COUNTY REGIONAL AIRPORT

Airport Manager, Steve Smigelski, spoke on the changes that have begun at

Alpena County Regional Airport including a small business center area for business people to work at while waiting for enplanement, the addition of an ATM machine, grab-n-go food vendors, investigating how to maximize equipment to be multi-functioning, and re-establishing the airline's Minneapolis link.

He is also pursuing the Federal Aviation Administration to assist in a new 18,000 square foot terminal building with updated features. The Federal Aviation Administration requires 10,000 enplanements annually. Currently we are losing approximately 20,000 enplanements annually to other areas, such as Traverse City, Saginaw, Detroit and Pellston. The more we use our local airport, the more flights that can be offered and prices can be reduced. The Federal Aviation Administration timeline for a new terminal begins with the design phase in 2017, ground breaking for 2018 and ribbon cutting for 2019.

Councilmember Shawn Sexton left the meeting at 8:50 p.m.

The Alpena Intergovernmental Council will meet again on February 4, 2016, and will be hosted by City of Alpena at the Aplex.

On motion of Councilmember Nowak, seconded by Councilmember Nielsen, the Council adjourned at 9:00 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Karen Hebert
City Clerk

COUNCIL PROCEEDINGS

October 5, 2015

The Municipal Council of the City of Alpena met in regular session in the City Hall on the above date and was called to order at 7:00 p.m. by the Mayor.

Present: Mayor Waligora, Councilmembers Nielsen, Nowak, Sexton and Johnson.

Absent: None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The minutes of the regular session of September 21, 2015, and the closed session of September 21, 2015 were approved as printed.

CONSENT AGENDA

Moved by Councilmember Nowak, seconded by Councilmember Sexton, that the following Consent Agenda item be approved:

1. Bills Allowed – in the amount of \$256,235.63 be allowed and the Mayor and City Clerk authorized to sign warrants in payment of same.

Carried by unanimous vote.

COUNCIL POLICY NO. 47

AUTOMATED CLEARING HOUSE (ACH) AND ELECTRONIC TRANSACTIONS

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, that the proposed changes to Council Policy Statement No. 47, Automated Clearing House (ACH) and Electronic Transactions; which includes protected information as defined by the Automated Clearing House Rules Amendment, be approved.

Carried by unanimous vote.

REDEVELOPMENT READY COMMUNITIES PROGRAM

Representatives from the Michigan Economic Development Corporation reported on the evaluation of the City's procedures for redevelopment and investment in the community based on best practices by experts in the private and public sectors.

FIBER LEASE AGREEMENT – MERIT NETWORK, INC.

Moved by Councilmember Sexton, seconded by Councilmember Nowak, that staff be directed to develop a lease agreement for the fiber optic cables between the County of Alpena, Merit Network, Inc., and the City of Alpena that runs adjacent to Airport Road from M-32 to the County Snow Removal Equipment building.

Carried by unanimous vote.

**EXTENSION OF CONTRACT WITH
THUNDER BAY MARINE**

Moved by Councilmember Nowak, seconded by Councilmember Sexton, that the City of Alpena's Marina Management and Operations agreement with Thunder Bay Shores Marine be extended by one year from December 31, 2015 to December 31, 2016.

Carried by unanimous vote

AMENDMENT TO RECYCLING INTERLOCAL AGREEMENT

Moved by Councilmember Sexton, seconded by Councilmember Johnson, that the Interlocal Agreement between the City and the County be amended to increase the surcharge from \$10.00 to \$20.00 per household, and confirm the deadline to opt out of the recycling surcharge is October 21, 2015 for the winter 2015 tax bill. The amended contract will have an effective ending date of November 30, 2016.

Carried by unanimous vote.

On motion of Councilmember Sexton, seconded by Councilmember Johnson, the Municipal Council adjourned at 7:45 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Karen Hebert
City Clerk

INVOICE REGISTER

6.A.

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EXP CHECK RUN DATES 10/20/2015 - 10/20/2015
 BOTH JOURNALIZED AND UNJOURNALIZED
 OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
4 IMPRINT INC	4198617	PROMOTIONAL GIVEAWAYS - DDA	647.58
ADMIRAL PETROLEUM COMPANY	44944	GAS/FUEL - DPW	2,093.94
AETNA HEALTH PLANS	AP15-1817	AMBULANCE REFUND	689.50
AIRGAS USA LLC	9043879029	SUPPLIES - AMB DISP	60.73
AIRGAS USA LLC	9043987570	MAINT - WATER	10.08
AKT PEERLESS	40603	ENERGY AUDIT - PUBLIC SAFETY BLDG	405.00
ALLEGRA ALPENA	136873	ADVERTISING - VISITORS GUIDE	410.00
ALPENA AREA CHAMBER OF COMM	101415	TRAINING REG - MGR/POLICE	120.00
ALPENA AREA CHAMBER OF COMM	102015	TRAINING REG - MGR/C/T/PW/POL	320.00
ALPENA AREA CHAMBER OF COMM	12143	MONTHLY EXPENSES - DDA	880.77
ALPENA AUTO ELECTRIC	54124	VEH MAINT #74	225.00
ALPENA COUNTY TREASURER	101215	IT CONTRACTED SVCS 10/15	7,000.00
ALPENA DIESEL SERVICE	47924	VEH MAINT - AMB	48.72
ALPENA GLASS CO INC	385466	VEH MAINT #89	18.00
ALPENA NEWS PUBLISHING CO	DC1107 09/15	PUBLISHING/ADVERTISING	1,628.05
ALPENA PAPER & SUPPLY CO	463194	SUPPLIES - AMB DISP	235.58
ALPENA POWER COMPANY	102015	ELECTRIC	34,372.44
ALPENA REGIONAL MEDICAL CENTER	100515	SUPPLIES - AMB DISP	690.00
ALPENA SPORTSMENS CLUB	100515	2015-16 RANGE FEES - POLICE	350.00
ALPENA SUPPLY CO	2191082	MAINT - CEMETERY	4.33
ALPENA SUPPLY CO	2191370	VEH MAINT #38	7.22
ALPENA SUPPLY CO	2192178	MAINT - PUBLIC SAFETY BLDG	15.60
ALPENA SUPPLY CO	2192180	MAINT - BOAT HARBOR	8.40
ALPENA SUPPLY CO	2193156	VEH MAINT #36	249.92
ALPENA SUPPLY CO	2193446	MAINT - PUBLIC SAFETY BLDG	98.93
ALPENA SUPPLY CO	2196313	SUPPLIES - FIRE/AMB	11.37
ALPENA TOWNSHIP	101315	PERMIT FEE - WOODWARD TRAIL	1,221.00
ALPENA TRIM LLC	100715	MAINT - BOAT HARBOR	120.00
AMERICAN MESSAGING	Z2535843PJ	PAGER FEES	31.12
ARROW INTERNATIONAL INC	93377298	SUPPLIES - AMB DISP	306.37
ARROW UNIFORM	1485265	SUPP/MAINT - CH/PSF/PW/EQUIP	357.50
BALL TIRE & GAS INC	109931	VEH MAINT - DPW	48.45
BALL TIRE & GAS INC	109932	VEH MAINT - CAR 2	276.32
BALL TIRE & GAS INC	110004	VEH MAINT #48	276.32
BALL TIRE & GAS INC	110614	VEH MAINT #84	37.50
BALL TIRE & GAS INC	110816	VEH MAINT - DPW	150.00
BALL TIRE & GAS INC	111008	VEH MAINT #59	1,146.48
BEDROCK CONTRACTING &	2015-05	2015 CITY CONCR PROG	8,806.89
BILL FORBUSH	092415	TRAVEL EXPENSE - FIRE/AMB	35.54
BP	45599718	GAS/FUEL - FIRE/AMB/EQ/MICU	4,693.73
CARQUEST AUTO PARTS	279724	SUPPLIES - FIRE	33.92
CARQUEST AUTO PARTS	279749	VEH MAINT - AMB	439.55
CARQUEST AUTO PARTS	279758	VEH MAINT - AMB	298.17
CARQUEST AUTO PARTS	279913	VEH MAINT - AMB	(170.28)
CARQUEST AUTO PARTS	279908	VEH MAINT #18	276.30
CARQUEST AUTO PARTS	279917	VEH MAINT #16	23.15
CARQUEST AUTO PARTS	279928	VEH MAINT #16	19.80
CARQUEST AUTO PARTS	280184	VEH MAINT #16	124.72
CARQUEST AUTO PARTS	280815	VEH MAINT - POL/AMB/PW	(152.05)
CARQUEST AUTO PARTS	280795	VEH MAINT - AMB	50.88
CARQUEST AUTO PARTS	280804	VEH MAINT - POLICE	92.25
CARQUEST AUTO PARTS	281457	VEH MAINT - FIRE EQ	40.96
CARQUEST AUTO PARTS	281540	VEH MAINT - CAR 1	22.79
CITY OF ALPENA	9364-001 0915	SEW/WATER - BANDSHELL IRR	189.45
CITY OF ALPENA	4212-001 0915	SEW/WATER - SEWAGE	1,687.26
CITY OF ALPENA	4211-001 0915	SEW/WATER - CITY HALL	3,594.62
CITY OF ALPENA	4211-002 09/15	SEW/WATER - CITY HALL	1,397.00
CITY OF ALPENA	214-002 0915	SEW/WATER - THOMPSON PK	729.00
CITY OF ALPENA	1028-001 0915	SEW/WATER - BANDSHELL	49.09
CITY OF ALPENA	1027-001 0915	SEW/WATER - FLOATING DOCKS	1,049.21
CITY OF ALPENA	1021-001 0915	SEW/WATER - BH RESTROOMS	625.55
CITY OF ALPENA	1020-001 0915	SEW/WATER - FISH CLN STN	5,538.49
CITY OF ALPENA	1019-001 0915	SEW/WATER - HARBOR DR	424.53
CITY OF ALPENA	1018-001 0915	SEW/WATER - BOAT HARBOR	116.93
CITY OF ALPENA	1017-001 0915	SEW/WATER - MARINA N	1,106.39
CITY OF ALPENA	1016-001 0915	SEW/WATER - MARINA S	289.59
CITY OF ALPENA	1016-002 0915	SEW/WATER - MARINA IRR	923.53
CLIFF ANSCHUETZ CHEVROLET	CTCS148541	VEH MAINT - AMB	42.02
CLIFF ANSCHUETZ CHEVROLET	CVW212120	VEH MAINT - AMB	111.72
CLIFF ANSCHUETZ CHEVROLET	CVW212199	VEH MAINT - FIRE EQ	13.47
CLIFF ANSCHUETZ CHEVROLET	CVW212228	VEH MAINT - POLICE	326.07
COMPASS MINERALS	71384174	STORES - ROAD SALT	28,855.11

INVOICE REGISTER

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EXP CHECK RUN DATES 10/20/2015 - 10/20/2015
 BOTH JOURNALIZED AND UNJOURNALIZED
 OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
DANIEL HIBNER	100915	TRAVEL ADVANCE - AMB	480.00
DEBRA SCHULTZ	AP15-1310C	AMBULANCE REFUND	200.00
DOGPOOPBAGS.COM LLC	6102	SUPPLIES - CEM/PKS/BH	617.90
DTE ENERGY	102015	GAS	2,226.92
EAST SHORE ASPHALT PAVING	2015-05	HMA PATCHING 2015	4,185.00
EJ USA	3889317	STORES - HYDRANTS/VALVES	4,573.46
FASTENAL COMPANY	MIALP128495	MAINT - WATER	33.29
FASTENAL COMPANY	MIALP12498	VEH MAINT - DPW	56.61
FASTENAL COMPANY	MIALP128615	BRIDGE MAINT - MAJ ST	7.97
FASTENAL COMPANY	MIALP128640	BRIDGE MAINT - MAJ ST	48.48
FASTENAL COMPANY	MIALP128644	BRIDGE MAINT - MAJ ST	(35.20)
FEDERAL EXPRESS	5-178-89053	SHIPPING FEES	24.23
FRANCIS ROSINSKI	093015	ELECTRICAL INSP SVCS 09/15	1,373.00
FRONTIER	9535 10/15	TELEPHONE - SEWER	516.48
FRONTIER	4175 10/15	TELEPHONE - FIRE/AMB	37.27
FRONTIER	5445 10/15	TELEPHONE - FIRE/AMB	64.87
FRONTIER	2793 10/15	TELEPHONE - POL/FIRE/AMB	97.16
GBS GOVT BUSINESS SYSTEMS	15-231111	SUPPLIES - ELECTION	304.15
GREAT LAKES FIRE & SAFETY INC	61844	SUPPLIES - PUBLIC WORKS	31.90
GREENWAY FUELS LLC	093015	RECYCLING 09/15	165.00
GREENWAY/L & N DISPOSAL	093015	DUMPSTER CHARGES 09/15	1,039.75
GREG SUNDIN	100815	TRAVEL EXPENSE - MGR	147.20
HANSEN SALES & SERVICE	20154	VEH MAINT #38	156.49
HELPNET	12441	EMP ASST PROGRAM 10/15	199.88
HELPNET	12441A	EMP ASST PROGRAM 11-12/15	410.28
HURON DISTRIBUTORS	461403	CHOWDER EXPENSE - DDA	189.00
INK AND TONER ALTERNATIVE	15-43902	SUPPLIES - IT	889.96
INK AND TONER ALTERNATIVE	15-44065	SUPPLIES - IT	219.97
INK AND TONER ALTERNATIVE	15-44066	SUPPLIES - IT	49.99
JCI JONES CHEMICAL	669032	SODIUM HYPOCHLORITE - WATER	4,486.00
JOEL W JETT	100515	TRAVEL EXPENSE - POLICE	24.73
JOHN BRODZIAK	102015	SAFETY SHOE ALLOW - PW	75.25
JOHN NYE	102015	SAFETY SHOE ALLOW - PKS	75.25
KENDALL ELECTRIC INC	S104055264.001	MAINT - LIGHTS	15.03
KENDALL ELECTRIC INC	S104064201.001	MAINT - PARKS	65.17
KENDALL ELECTRIC INC	S104080119.001	MAINT - LIGHTS	14.77
KENDALL ELECTRIC INC	S104076844.002	MAINT - LIGHTS	235.13
KENDALL ELECTRIC INC	S104110025.001	MAINT - CITY HALL	180.32
MASTERS & LALONDE SHOES	31598	UNIFORMS - FIRE/AMB	92.00
MASTERS & LALONDE SHOES	31640	UNIFORMS - FIRE/AMB	92.00
MASTERS & LALONDE SHOES	31737	UNIFORMS - FIRE/AMB	92.00
MASTERS & LALONDE SHOES	31872	UNIFORMS - FIRE/AMB	175.99
MASTERS & LALONDE SHOES	31968	UNIFORMS - FIRE/AMB	92.00
MCDONALD AUTO SUPPLY INC	791501	VEH MAINT - AMB	25.13
MICHAEL C MISCHLEY	102015	WORK APPAREL ALLOW - PKS	43.96
MICHIGAN CAT	SD5645304	VEH MAINT #74	605.47
MIDWESTERN BROADCASTING COMPANY	19192-1	ADVERTISING - DDA	80.00
MILLER OFFICE MACHINES	25014	SUPPLIES - IT	496.00
MILLER OFFICE MACHINES	25025	COPIER MAINT 09/15	182.50
MUNICIPAL CODE CORPORATION	261112	ORDINANCE SUPPLEMENTS	542.00
OFFICE DEPOT	791274329001	SUPPLIES - POLICE	62.89
OFFICE DEPOT	791567136001	SUPPLIES - POLICE	217.56
OFFICE DEPOT	795776822001	SUPPLIES - POLICE	19.48
OFFICE DEPOT	796042861001	SUPPLIES - FIRE/AMB	14.56
ON PINS & NEEDLES	922553	UNIFORMS - FIRE/AMB	44.00
PHYSIO-CONTROL INC	116043372	SUPPLIES - AMB	566.50
PITNEY BOWES INC	384383	POSTAGE METER RENT 07-09/15	252.00
PLANNING & ZONING CENTER INC	093015	SUBSCRIPTION - ATTY/MGR	273.00
PLUNKETT COONEY	10618985	ATTY FEES - POLICE	1,515.14
PRIORITY ONE EMERGENCY	70012537	VEH MAINT - AMB	185.86
PROBUILD - ALPENA	30237560	MAINT - BOAT HARBOR	9.01
PVS TECHNOLOGIES INC	16257	FERROUS CHLORIDE - SEWER	2,333.87
RAPID RESULTS	4269	DRUG SCREEN - PUBLIC WORKS	100.00
RAPID RESULTS	4274	DRUG SCREEN - PUBLIC WORKS	100.00
RS TECHNICAL SERVICES INC	12029	METERING PUMP - WATER	2,652.25
RYAN HENDRICKS	092915	PARKING ATTENDANT SVCS - DDA	554.60
RYAN HENDRICKS	100915	PARKING ATTENDANT SVCS - DDA	180.00
SCHINDLER ELEVATOR CORPORATION	8104097503	ELEVATOR MAINT - CITY HALL	2,256.00
SHELL FLEET PLUS	79036133510	UNLEADED GAS/FUEL-POL/FI/GEN/MICU	1,567.53
SHORELINE WESLEYAN CHURCH	101015	SOUND SYSTEM RENTAL - DDA	100.00
SPRINGHILL SUITES PITTSBURGH	100915	LODGING - AMB	1,920.00
STANDARD ELECTRIC CO	424389-00	SUPPLIES - FIRE/AMB	56.60

INVOICE REGISTER

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EXP CHECK RUN DATES 10/20/2015 - 10/20/2015
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 OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
STANDARD ELECTRIC CO	424506-00	MAINT - PARKS	11.28
STANDARD ELECTRIC CO	424761-00	MAINT - PUBLIC SAFETY BLDG	63.88
STANDARD ELECTRIC CO	425651-00	SUPPLIES - ELECTION	12.26
STANDARD ELECTRIC CO	425863-00	MAINT - CITY HALL	119.04
STAPLES ADVANTAGE	8036165403	SUPPLIES - CITY HALL	54.19
STAPLES ADVANTAGE	8036281122	SUPPLIES - ELECTION	117.02
STEVENS CUSTOM FABRICATION	I-100615-1	MAINT - PUBLIC SAFETY BLDG	170.00
STEVENS CUSTOM FABRICATION	I-100615-2	VEH MAINT - FIRE EQ	197.50
STRALEY LAMP & KRAENZLEIN PC	23095	MONTHLY FEE 08/15	3,055.00
SUPERIOR FABRICATING INC	14238	VEH MAINT #40	77.00
SUPERIOR IMAGE CLEANING LLC	093015	CLEANING-CH/PSF/PW/PKS/BH	3,104.73
SURE SOURCE LLC	P415084301019	SUPPLIES - PUBLIC WORKS	43.85
TED FESTERLING LLC	4947	VEH MAINT - DPW	340.17
TERMINAL SUPPLY CO	54620-00	VEH MAINT - DPW	581.76
THE BANK OF NEW YORK MELLON	252-1896426	BOND FEE - 1998/2012 S/W BONDS	200.00
THE UPS STORE 5054	8170	SHIPPING FEES	9.15
THOMPSONS LINEN SERVICE	70483 09/15	UNIFORMS-PW/CE/PKS/EQ	319.84
THUNDER BAY ELECTRIC INC	223811	CONTRACTUAL SERVICES	1,105.50
THUNDER BAY ELECTRIC INC	223812	MAINT - LIGHTS	414.00
THUNDER BAY ELECTRIC INC	223813	MAINT - LIGHTS	419.09
THUNDER BAY ELECTRIC INC	223814	MAINT-PUBLIC SAFETY BLDG	143.59
THUNDER BAY ELECTRIC INC	223827	TRAFF SIGNAL MAINT - MAJ ST	115.89
THUNDER BAY WINERY	423	CHOWDER EXPENSE - DDA	89.60
TON O SUDS LAUNDROMAT	276	LAUNDRY/UNIFORMS - FIRE/AMB	411.00
TRUGREEN PROCESSING CENTER	39476211	MAINT - CEMETERY	35.00
TYLER SUSZEK	100915	TRAVEL ADVANCE - AMB	480.00
UNITED WATER NACO LLC	201525049	CONT OPERATIONS 09/15	131,725.37
UNITED WATER NACO LLC	201525142	CONT OPERATIONS 09/15	27,469.55
UNIVERSITY OF PITTSBURGH	100915	TRAINING REG - AMB	1,025.00
VISA/ELAN FINANCIAL SERVICES	1790 10/15	CONFERENCE REG - POLICE	740.00
VISA/ELAN FINANCIAL SERVICES	8703 10/15	SUPP/PROMO - DDA	205.20
VISA/ELAN FINANCIAL SERVICES	6116 10/15	SUPP/TR EXP/MBRSHIP/LIGHT BAR - F/A	1,262.08
VISA/ELAN FINANCIAL SERVICES	7337 10/15	CONFERENCE REG - PLAN	380.00
VISA/ELAN FINANCIAL SERVICES	8471 10/15	TR EXP/SUPP/TR REG - ENG/IT/PW	778.32
VISA/ELAN FINANCIAL SERVICES	8489 10/15	TRAVEL EXPENSE - MGR	578.50
WEINKAUF PLUMBING & HEATING INC	71461	MAINT - MICH-E-KE-WIS	75.00
WOLVERINE POWER SYSTEMS	0106720-IN	MAINT - PUBLIC WORKS	657.08
YOUNG GRAHAM ELSENHEIMER &	18773	WATER RATE NEGOTIATIONS	7,068.00

Total: 340,914.57

Boards, Commissions, Committees Appointment and Reappointment Requests
October 19, 2015

	NAME	BOARD	TERM	New Ex. Date	APPT AUTH
REAPPOINT	Elwood Anderson	Zoning Board of Appeals	3	10/1/2018	Council
REAPPOINT	Mike Lamble	Zoning Board of Appeals	3	10/1/2018	Council



Memorandum

Date: October 14, 2015

To: Mayor Waligora and City Council

Copy: Karen Hebert, Clerk/Treasurer/Financial Director

From: Kathy Himes, Human Resources Administrator

Subject: Rescind Council Policy 15, Alpena Civic and Convention Center

Council Policy 15 addresses the use and fee structure of the Alpena Civic and Convention Center. As you all know, the Alpena Civic and Convention Center no longer exists, as it was demolished in 2012. Therefore, the existing policy is not relevant at this time.

It is my recommendation to Council to rescind the attached Council Policy 15, Alpena Civic and Convention Center.

Memorandum



Date: October 12, 2015
To: Mayor Waligora and Council Members
From: Karen Hebert, City Clerk/Treasurer/Finance Director
Subject: Liquor License – GNL, LLC

At the September 8, 2015, Council Meeting, a request for local government approval of a Liquor License Application from GNL, LLC was brought before council. The request was approved and submitted to the State. However, the State wanted the Assessor's Affidavit to be specific on citing the Section of the Michigan Liquor Control Code which pertains to GNL, LLC.

The Affidavit brought to Council on September 8, 2015, cited Section 521a. To comply with the State's request, the specific section is 521a(1)(b). This section requires that, 1) the amount expended for the rehabilitation or restoration of the building must be not less than \$75,000 over a period of the preceding 5 years or a commitment for a capital investment of at least that amount in the building that houses the licensed premises, which must be expended before the issuance of the license, and (2) that the licensed business is engaged in dining, entertainment or recreation, that is open to the general public, with a seating capacity of not less than 50 persons.

Resolution No.2015-08 and an amended Affidavit are attached for Council's approval.

RESOLUTION NO. 2015-08

CITY OF ALPENA

DOWNTOWN REDEVELOPMENT PROJECT LIQUOR LICENSE

WHEREAS, the City of Alpena has established the Alpena Downtown Development Authority Area as its redevelopment project area as required in Public Act 501 of the Public Acts of 2006; and

WHEREAS, the City of Alpena has received a request for a liquor license from Gordon John Sowden, GNL, LLC, dba: Pjetris' Fine Food at 150 W. Washington Avenue, located within the Alpena Downtown Development Authority Area; and

WHEREAS, the City Assessor, the Building Official and Director of the Alpena Downtown Development Authority have reviewed the request and have determined that the proposed establishment will be providing dining not less than five days a week, has a seating capacity for 50, will be open to the public not less than ten hours a day five days a week; and will be investing approximately \$155,000 into the restaurant; and

WHEREAS, it has been determined that the City of Alpena has no other liquor licenses available;

THEREFORE, it is the consensus of this legislative body that the application be recommended for issuance.

NOW, THEREFORE, BE IT RESOLVED the City of Alpena by copy of this resolution submits to the Michigan Liquor Control Commission the request from GNL LLC for a Class C Liquor License with Dance/Entertainment and Sunday Service to be located at 150 W. Washington, Alpena, Michigan, 49707, Alpena County, and to be

"Approved Above All Others" to pursue a liquor license available under MCL 436.1521a(1)(b) of Public Act 501 of 2006.

Councilmember _____ moved adoption of the above resolution and it was seconded by Councilmember _____.

Ayes:

Nays:

Absent:

Resolution Declared Adopted.

I, Karen Hebert, City Clerk of the City of Alpena, **DO HEREBY CERTIFY:** that the above is a true and complete copy adopted by the City Council at a Regular Meeting held _____, 2015.

Karen Hebert

Alpena City Clerk

Dated: _____, 2015

County of Alpena))ss
State of Michigan)

1. This Affidavit is made in accordance Section 521a(1)(b) of the Michigan Liquor Control Code of 1998, being MCL 436.1521a.
2. The City of Alpena has established a redevelopment project area as depicted on Exhibit A, which defines and outlines the location of the redevelopment project area.
3. The Applicant, GNL, LLC, dba Pjetris Fine Food, is located at 150 W. Washington Avenue, which is located within the redevelopment project area.
4. The total amount of investment in real and personal property in the redevelopment project area from 2010 through 2014 is \$ **2,916,635** as reflected in the following table:

	2010	2011	2012	2013	2014	Total
Personal Property	159,400	\$292,000	\$176,600	\$8,200	\$269,600	\$905,800
Real Property	\$121,130	\$193,335	\$694,558	\$603,542	\$398,270	\$2,010,835
Total	\$280,530	\$485,335	\$871,158	\$611,742	\$667,870	\$2,916,635

- Jeff Shea, Assessor MAAO R-3041
City of Alpena

Paddy A. LaBrosse


Date: 10-9-2015

Karen Hebert, City Clerk

Memorandum



To: Honorable Mayor Waligora and Council

From: Bill Forbush, Chief 

Date: October 13, 2015

Re: Recognition: Firefighter/Paramedic Jeremiah Misiak

Firefighters are really never truly off-duty – they are always ready to aid if needed.

On September 19, Firefighter-Paramedic Jeremiah Misiak was camping in Gladwin when he was approached by another camper to check on a friend nearby. He found a 55 year old man just slipping into cardiac arrest. Misiak began CPR and continued basic life support care for thirty minutes before local EMS arrived. He then assisted the responding paramedics in stabilizing the patient and packaging him for transport.

Their efforts were successful. The patient was transported to the small hospital in Gladwin, and subsequently transferred to Midland where he underwent surgery. Shortly after returning to his room, he suffered a second heart attack and died.

The American Heart Association recommends switching rescuers out every two minutes because of the tremendous physical effort needed to maintain quality CPR at 100 compressions per minute. The fact that Jeremiah maintained quality CPR for thirty minutes is exceptional.

This kind of dedication, skill and willingness to help is a common trait among our Alpena firefighter-paramedics and one that Jeremiah certainly demonstrated that Saturday afternoon. He will be commended at the October 19th Municipal Council meeting for his extraordinary efforts.



*Provider of Fire, Rescue and Emergency Services for the City of Alpena
and Advanced Life Support Ambulance for Alpena County*



Memorandum

Date: October 12, 2015

To: Mayor Matthew J. Waligora
Alpena City Council

From: Greg Sundin, City Manager *JS*
Executive Director, City of Alpena Authority for Brownfield Redevelopment (ABR)

RE: Request from the ABR for Approval of the Thunder Bay CJD Auto Expansion Brownfield Plan

Thunder Bay CJD is proposing to embark on an expansion of its current facility on Chisholm Street. The former Mike's Hardware has been purchased for additional vehicle display area and a second floor expansion of the current main building is also proposed. The properties currently owned by the dealership – the hardware site, the adjacent current main facility, and the property across the street (former dry cleaners) all qualify as eligible properties under the Brownfield Redevelopment Act.

Consequently, a Brownfield Plan was prepared and presented to the City of Alpena Authority for Brownfield Redevelopment Board at a meeting on October 8, 2015. Following a presentation by Thunder Bay's environmental consultant, Mac McClelland of Otwell Mawby, the Board voted 4-0 to adopt the attached resolution approving the Plan and forwarding it to Council for its consideration at a public hearing.

All taxing jurisdictions were notified of the public hearing via hand delivery or certified mail, and of their right to review the Plan in the City Clerk's Office and comment either in writing or at the public hearing. A legal notice of the Public Hearing was also published in the Alpena News on October 9, 2015.

The Brownfield Plan utilizes a 10-year TIF. Eligible activities include:

- Demolition
- Lead and Asbestos Abatement
- 15% Contingencies
- Site Work
- Interest
- Work Plan Development, Review and Administrative Costs

Total costs for all eligible activities is estimated at \$166,982. Total estimated tax capture (local taxes only) during the ten year duration of the TIF is estimated at \$182,724. Any

\$182,724. Any amount in excess of the cost of eligible activities will be deposited in the Authority's Site Remediation Fund for use on future projects.

If Council concurs with the ABR's recommendation, staff requests, upon completion of the public hearing and Council deliberation, that the following attached documents be approved:

- **Resolution No. 2015-10 approving the Thunder Bay CJD Auto Expansion Brownfield TIF Plan.**
- **Standard Development Agreement outlining the responsibilities of all parties and the procedures for reimbursement.**

Since the capture of school taxes (24 mils) is not included in the Plan, no approval by the state MEGA Board is required. Consequently, the Brownfield Plan will immediately go into effect upon its adoption by the Council.

Alcona Health Center
177 North Barlow Road | Lincoln, MI

Class fee \$25. Scholarships available.
Limited enrollment. Preregistration is required.
To register, please contact Denise at 989.736.8157 x9871.

SAFE
SITTER

AHC

alcona citizens for health, inc.
alcona health centers

options on punishing students internally can be tricky. Responding to critics' arguments that campus sexual assaults are underreported, state governments and even Congress are beginning to take steps to better monitor those crimes, and are specifically including overseas study programs.

readmit a student expelled for a sexual offense that occurred over country has not been. The accuser came from another school; the student was studying abroad in a program run by Vassar School for International Training.

The Middlebury College student referred to in court

Israel bar

JERUSALEM (AP) — A Palestinian stabbed an Israeli with a screwdriver on Thursday before

NOTICE OF PUBLIC HEARING

City of Alpena, Michigan

ADOPTION OF BROWNFIELD PLAN

for

Thunder Bay Chrysler Jeep Dodge Auto Expansion West Chisholm Street Alpena, Michigan

In accordance with Public Act 381 of 1996, as amended, the Alpena City Council will conduct a public hearing on a request by the City of Alpena Authority for Brownfield Redevelopment to adopt the below identified Brownfield Plan. The hearing will be held on Monday, October 19, 2015 at 7:00 p.m. in the Council Chambers, Alpena City Hall, 208 North First Avenue, Alpena, Michigan 49707.

The Brownfield Plan contains the requirements by which a property may be included in the Plan to be eligible to receive economic incentives to assist in the redevelopment of the property. The location and identification of the Eligible Property included in the Brownfield Plan is as follows:

Brownfield Plan/Address: Thunder Bay CJD Auto Expansion Brownfield Plan
832 W. Chisholm Street, Alpena, Michigan 49707

General Description:

Parcel Code #	Address
093-637-000-550-00	800 W. Chisholm
093-637-000-554-00	808 W. Chisholm
093-637-000-556-00	832 W. Chisholm
093-637-000-635-00	901 W Chisholm
093-637-000-633-00	909 W Chisholm
093-637-000-631 -00	913 W Chisholm

At the public hearing all citizens, taxpayers and representatives or officials from any taxing jurisdiction shall be afforded the opportunity to be heard regarding the Brownfield Plan.

Copies of maps, plats (if applicable) and the Brownfield Plan are available for public inspection during normal business hours in the City Clerk's Office located in City Hall, 208 North First Avenue, Alpena, Michigan. Questions regarding the plan may be directed to Greg Sundin, City Manager and Authority Executive Director, at 989-354-1700 or at gregs@alpena.mi.us.

This notice is given in accordance with the notice and approval requirements set forth in Public Act 381 of 1996, as amended.

Karen Hebert
City Clerk

COM



hearthstonestove
Handcrafted Ori

ULT
DEAL
EXPI

THUN

CHRYSLER

CHRYSLER J

WE LEAVE THE

EXPRESS

FAST, CONVEN
Competitive Price

★ Express Oil and Filter
★ Complimentary M

832 W. Chisholm • Alpena



City Hall
208 North First Avenue
Alpena, Michigan 49707
www.alpena.mi.us

NOTICE TO ALL TAXING JURISDICTIONS

THE CITY OF ALPENA PROPOSES TO APPROVE A BROWNFIELD PLAN PURSUANT TO AND IN ACCORDANCE WITH ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

The City of Alpena has established a Brownfield Redevelopment Authority (the "Authority") in accordance with the Brownfield Redevelopment Act, Act No. 381 of the Michigan Public Act of 1996, as amended (the "Act").

The Act was enacted to provide a means for local units of government to facilitate the revitalization of contaminated, blighted, functionally obsolete, or designated historic properties. The Authority Board has prepared a Brownfield Plan for the Thunder Bay Chrysler Jeep Dodge Expansion located on West Chisholm Street between 9th and 10th Streets, Alpena, Michigan.

This document serves to notify local taxing units of the City's intent to approve a Brownfield Plan for the noted property. The Eligible Property includes the parcel along the southwest side of West Chisholm Street between 9th and 10th Streets and the north corner of West Chisholm and 10th Street.

The Act permits the use of tax increment financing in order to provide the Authority with the means of financing the Eligible Activities included in a Brownfield Plan. Tax increment financing allows the Authority to capture tax revenues attributable to increases in the taxable value of real and personal property located on the Brownfield Eligible Property, which may include certain adjacent or contiguous parcels. Taxes levied on the current taxable value continue to be paid to the taxing jurisdictions. Increases in taxable value may be attributable to various factors, including new construction, rehabilitation, remodeling, alterations, additions, and the installation of personal property on the contaminated site. The Authority intends to capture all available incremental local tax revenue generated from new investment made on the Thunder Bay Chrysler Jeep Dodge properties to finance Non-Environmental Eligible Activities described in the Thunder Bay CJD Auto Expansion Brownfield Plan for up to 10 years. State taxes will not be captured.

The plan will be presented at a public hearing and for consideration of adoption by the Alpena City Council at its regular meeting to be held at **7:00 p.m., Monday, October 19, 2015 in the City Council Chambers, Alpena City Hall, 208 N. First Avenue, Alpena, MI 49707.** If you have any questions or comments concerning the Brownfield Plan you may attend the meeting and express those comments during the public hearing. A copy of the Brownfield Plan is available for public inspection during normal business hours in the City Clerk's Office located in City Hall, 208 North First Avenue, Alpena, Michigan. You may also direct inquiries to Greg Sundin, City Manager and Authority Executive Director at 989.354.1700 or at gregs@alpena.mi.us.

Dated: 10-6-2015

A handwritten signature in black ink, appearing to read "K. Hebert", written over a horizontal line.

Karen Hebert
City Clerk

I, Karen Hebert, City Clerk of the City of Alpena, DO HEREBY CERTIFY that the attached "Notice of Public Hearing" on the Adoption of the Alpena Holiday Inn Express Brownfield Plan was mailed by certified mail to the following on Tuesday, October 6, 2015.

Mr. Jeff Shea (hand delivered)
City Assessor
City Hall
Alpena, MI 49707

City of Alpena (hand delivered)
Municipal Council
City Hall
Alpena, MI 49707

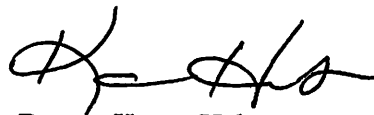
Alpena County Board of Commissioners
Alpena County Courthouse
720 W. Chisholm Street
Alpena, MI 49707

Alpena Public Schools Board of Education
2373 Gordon Road
Alpena, MI 49707

Alpena Community College Board of Trustees
666 Johnson Street
Alpena, MI 49707

Alpena-Montmorency-Alcona Educational Service District
Board of Education
2118 US 23 South
Alpena, MI 49707

CITY OF ALPENA

A handwritten signature in black ink, appearing to read 'K. Hebert', is written over a horizontal line.

By: Karen Hebert
City Clerk

**Brownfield Plan
Thunder Bay CJD Auto Expansion
Alpena, Michigan**

October 2015

**Prepared with the assistance of:
Otwell Mawby, P.C.**

**Approved by Alpena Authority for
Brownfield Redevelopment: October 8, 2015**

Public Hearing: October 19, 2015

**Approved by Alpena
City Council: October 19, 2015**

**Brownfield Plan
Thunder Bay CJD Auto Expansion
Alpena, Michigan**

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Figure 1	Eligible Property Location Map
Figure 2	Eligible Property Site Map

ATTACHMENTS

Alpena Authority for Brownfield Redevelopment Brownfield Plan Approval Resolution
Alpena City Council Brownfield Plan Approval Resolution

PROJECT SUMMARY

Thunder Bay Chrysler-Jeep-Dodge (Thunder Bay CJD) is considering expansion of its existing operations on Chisholm Street. As part of the expansion, 800 - 804 Chisholm, the former Mike's Hardware, has been acquired to provide additional vehicle inventory capacity and provide for the vertical expansion of the current building at 832 W. Chisholm, as well as improvements to the annex building across the corner of Chisholm and Tenth. The project is anticipated to create 3 – 5 new jobs with an anticipated private investment of over \$1.0 million.

Project Name: Thunder Bay CJD Auto Expansion

Project Location: The eligible property is located between 9th and 10th Street on W. Chisholm and across the corner of 10th Street and Chisholm in Alpena, Michigan.

Property Tax ID #:	Parcel Code #	Address	Qualifying Status
	093-637000-550-00	800 W. Chisholm	Functionally Obsolete
	093-637-000-554-00	808 W. Chisholm	Adjacent
	093-637-000-556-00	832 W. Chisholm	Adjacent
	093-637-000-635-00	901 W Chisholm	Part 201 Facility
	093-637-000-633-00	909 W Chisholm	Part 201 Facility
	093-637-000-631-00	913 W Chisholm	Part 201 Facility

Type of Eligible Property: Functionally Obsolete, Part 201 Facility, Adjacent

Eligible Activities: Demolition, Lead Asbestos Abatement, Site Preparation, Interest, Brownfield Plan Development and Approval Expenses, and Administrative and Operating Expenses

Eligible Activity Costs:
(Including interest and admin costs) \$166,982

Years to Complete
Eligible Activity Payback: 10 years

Estimated Eligible Investment: \$1,000,000

Annual Tax Revenue
Before Project: \$15,429

Estimated Annual Tax Revenue
in First Year After Project: \$58,208

BROWNFIELD PLAN
THUNDER BAY CJD AUTO EXPANSION
CITY OF ALPENA, ALPENA COUNTY, MICHIGAN
ALPENA AUTHORITY FOR
BROWNFIELD REDEVELOPMENT

Introduction

Act 381, P.A. 1996, as amended, was enacted to promote the revitalization, redevelopment and reuse of contaminated, tax reverted, blighted or functionally obsolete property through incentives adopted as part of a Brownfield Plan. The Brownfield Plan outlines the qualifications, costs, impacts, and incentives for the project.

The Brownfield Plan must be approved by the brownfield redevelopment authority established under Act 381 and the governing body of the authority's municipality in order to take effect. The state must approve the eligible activities if state taxes are to be captured. State tax capture will not be pursued for this project due to the project not fitting the narrow criteria of the Michigan Strategic Fund for traditional downtown projects and the length of time necessary for State approval.

The Alpena City Council established the Alpena Authority for Brownfield Redevelopment under the procedures required under Act 381 in March 1997.

This Brownfield Plan is for the Thunder Bay CJD Auto Expansion located in the City of Alpena, Alpena County, Michigan, consistent with Act 381. The Brownfield Plan describes the public purpose and qualifying factors for determining the site as an eligible property, the eligible activities and estimated costs, the impacts of tax increment financing, and other project factors.

Public Purpose (MCL 125.2664(1):

Thunder Bay Chrysler Jeep Dodge has acquired the former Mike's Hardware at 800 – 804 W. Chisholm to remove the existing functionally obsolete building to provide for additional lot space and

provide for expansion of the existing operation on the adjacent parcel. The Eligible Property includes six parcels that qualify as either Functionally Obsolete, Part 201 Facility, or adjacent property. The former Mike's Hardware property at 800 – 804 W. Chisholm is classified as functionally obsolete under the definition of Act 381 and as certified by Jeff Shea, Alpena City Assessor, a Level III assessor. A copy of an affidavit signed by Mr. Shea is provided in the Appendix. The demolition of a vacant and functionally obsolete building and the expansion of the current auto dealership and service center will stimulate private investment, produce short-term construction and long-term employment opportunities and increase taxable value and tax base.

The Project is anticipated to invest over \$1.0 million and is anticipated to more than double the existing taxable value. Construction of this project will remove the former building and provide for the vertical expansion of the current auto dealership and service center that will provide jobs and increased tax base. Construction of the new building will generate 10 construction jobs and 3-5 new permanent jobs.

The project will add to the local and state tax base. When completed, property taxes are estimated to total over \$56,000 per year (following the retirement of Brownfield obligations), as compared to the present use of the site which generates approximately \$17,500 in annual tax revenue.

Description of Project and Plan Costs (MCL 125.2663(1)(a):

Thunder Bay Chrysler Jeep Dodge has acquired the former Mike's Hardware at 800 – 804 W. Chisholm to remove the existing functionally obsolete building to provide for additional lot space and provide for expansion of the existing operation on the adjacent parcel.

Eligible Activities include lead and asbestos abatement and demolition, and interest. Brownfield plan development and approval, and administrative and operating costs have also been included as Eligible Activities under this plan.

The maximum MSF Non-Environmental Eligible Activity costs are estimated at \$136,982 (which may include up to \$17,094 in interest cost) and \$30,000 in Brownfield Plan development and approval costs

and Administrative and Operating Costs, for a total obligation of \$166,982. While the anticipated reimbursement timeframe is ten years, the maximum term provided by the AABR, any additional local tax capture funds after reimbursement may be deposited into the Local Site Remediation Revolving Fund (LSRRF) within the ten year timeframe of the Brownfield Plan.

Summary of Eligible Activities (MCL 125.2663(1)(b):

Act 381 provides for the costs of certain eligible environmental and non-environmental activities to be reimbursed through tax increment financing. The following is a summary of MDEQ Environmental Eligible Activities and MSF Non-Environmental Activities.

MDEQ Environmental Eligible Activities:

There are no MDEQ Environmental Eligible Activities proposed under this Brownfield Plan.

MSF Non-Environmental Eligible Activities:

Lead and Asbestos Abatement: The potential for lead and cadmium based paint and asbestos-containing building materials exists due to the age of the building located on the subject property. Lead and cadmium were common ingredients in paints prior to 1978, which during building demolition have the potential to become an occupational health exposure hazard during building demolition. Surfacing materials and thermal system insulation in buildings constructed prior to January 1, 1981 must be considered presumed asbestos-containing materials (PACM). Asphalt and vinyl-flooring material installed prior to January 1, 1981 must also be treated as PACM. Employers or building owners may demonstrate that PACMs do not contain asbestos by properly testing materials in accordance with OSHA standards. The demolition or remodeling of buildings that contain lead, cadmium and/or asbestos is subject to regulations to protect the health of the persons that may be affected. In addition, demolition can impact the concentration of lead, cadmium and/or asbestos in the soils that are in close proximity to the building. The scope of work includes abatement, contract administration, and air monitoring to prevent a potential exposure to site workers or adjacent residents. Lead and asbestos abatement was approved by the AABR at their September 9, 2015 meeting prior to

the approval of the Brownfield Plan, as provided in Act 381, as long as such Eligible Activity is included in the Brownfield Plan.

Demolition: In preparation for site redevelopment, the former Mike's Hardware building, unusable utilities and remaining historical infrastructure has been demolished and removed from the eligible property. The demolition was approved by the AABR at their September 9, 2015 meeting. The scope of work includes engineering specifications, procurement, demolition of buildings, foundations and unusable infrastructure, and construction contract administration.

Site Preparation: There are site preparation activities that are reasonable, necessary, and Eligible Activities under Act 381 for the redevelopment of the site. These activities include engineering plans and field staking directly related to site preparation Eligible Activities, site controls to ensure property protection and public health and safety, land balancing for preparation of subbase, alternative stormwater management systems to effectively manage stormwater flow, and sheeting and shoring to protect adjacent property. Some of these Eligible Activities have been completed and approved by the AABR as described above.

Other Activities: Brownfield Plan and Work Plan: The preparation and approval of the Brownfield Plan are included as eligible activities.

Administrative and Operating Costs: An estimate of reasonable and actual administrative and operating costs of the AABR is included as eligible activities, designated for local tax capture only.

Estimated Cost of Eligible Non Environmental Activities

<u>Eligible Activities</u>	<u>Estimated Cost</u>
Lead and Asbestos Abatement	\$12,000
Demolition	\$45,000
Site Preparation	\$47,250
Subtotal	\$104,250
Contingencies (15%)	\$15,638
Subtotal	\$119,888
Interest Total	\$17,094
Eligible Activities Subtotal	\$136,982
Work Plan Development and Review Cost	\$10,000
AABR Administrative and Operating Cost	\$20,000
MEGA Eligible Activities Total	\$166,982

Estimate of Captured Taxable Value and Tax Increment Revenues (MCL 125.2663(1)(c):

The initial taxable value for the eligible property will be set at the taxable value as of the approval date of this plan, as shown by the most recent assessment roll for which equalization has been completed. The initial taxable value is established by this brownfield plan as the value as of December 31, 2014 and is \$334,232. For the purposes of this Brownfield Plan, eligible activity cost is estimated at \$136,982 (which may include up to \$17,094 in interest). Other Eligible Activity costs include Brownfield Plan and Work Plan Development and Approval Costs and Administrative and Operating Costs of \$30,000 for a total Brownfield Plan cost of \$166,982. For the purposes of this Brownfield Plan, a conservative estimate of investment of \$1.0 million was used as a basis to determine the taxable value necessary to meet the Eligible Activity obligation.

Table 2 identifies taxable values for real and personal property, including tax increment revenues for the eligible property. The cash flow analysis for the project indicates payoff of the obligation in *ten*

(10) years from 2016. Eligible Activities are anticipated to be in 2015, with additional construction in 2016 with tax increment capture beginning in 2017. Table 3 provides a graphic representation of the tax capture and tax increment revenues. The actual tax increment captured will be based on taxable value set through the property assessment process by the local unit of government and equalized by the County and the millage rates set each year by the taxing jurisdictions.

The estimated tax increment captured by the Authority is summarized in the table below and detailed in Table 2.

Estimated Tax Increment Capture by the Authority

Year	Total Tax Revenues	Captured Taxes	Year	Total Tax Revenues	Captured Taxes
2017	\$45,472	\$15,234	2032	\$65,857	\$0
2018	\$46,609	\$15,865	2033	\$67,504	\$0
2019	\$47,774	\$16,512	2034	\$69,191	\$0
2020	\$48,968	\$17,175	2035	\$70,921	\$0
2021	\$50,193	\$17,855	2036	\$72,694	\$0
2022	\$51,448	\$18,552	2037	\$74,511	\$0
2023	\$52,734	\$19,266	2038	\$76,374	\$0
2024	\$54,052	\$19,998	2039	\$78,283	\$0
2025	\$55,403	\$20,749	2040	\$80,241	\$0
2026	\$56,788	\$21,518	2041	\$82,247	\$0
2027	\$58,208	\$0	2042	\$84,303	\$0
2028	\$59,663	\$0	2043	\$86,410	\$0
2029	\$61,155	\$0	2044	\$88,571	\$0
2030	\$62,684	\$0	2045	\$90,785	\$0
2031	\$64,251	\$0	2046	\$93,054	\$0
(1) Local Tax Capture Ends			Total	\$1,996,348	\$182,725

Method of Financing Plan Costs (MCL 125.2663(1)(d):

The Eligible Activities will be funded by the developer through internal or external sources, with anticipation of reimbursement upon redevelopment of the property.

Maximum Amount of Indebtedness (MCL 125.2663(1)(e):

The maximum amount of indebtedness will be \$166,982, which includes \$136,982 in MSF Non-Environmental Eligible Activities, (which may include up to \$17,094 in interest), and \$30,000 in Brownfield Plan and Work Plan Development and Administrative and Operating Costs.

Duration of Brownfield Plan (MCL 125.2663(1)(f):

Act 381 provides that the duration of the Brownfield Plan will be the lesser of the time to capture taxes in an amount equal to the Eligible Activity obligation or thirty (30) years from the original adoption date, whichever is sooner. The Alpena Authority for Brownfield Redevelopment has established a guideline of ten (10) years for the period of tax capture. As shown on Table 2, based on the projected Eligible Activity costs and estimated Brownfield Tax Increment Revenues, the total costs of all Eligible Activities on the property redevelopment are anticipated to be repaid through tax increment financing within 10 years for Local Tax Capture. State taxes will not be captured for the project. Any balance of Local Tax Capture after reimbursement of Eligible Activities within the ten year period of capture will be deposited in the Local Site Remediation Revolving Fund.

Estimate of Impact of Tax Increment Financing on Taxing Jurisdictions (MCL 125.2663(1)(g):

Table 2 identifies annual and total tax revenues projected for capture from the increase in property tax valuations. Individual tax levies within each taxing jurisdiction are also presented on Table 2. Table 4 presents the allocation of tax capture and the total tax increment for the maximum duration of the plan, 30 years. Taxing jurisdictions will continue to receive their attendant tax allocation for the project beyond the duration of the plan.

The total tax capture is estimated for Eligible Activity costs at \$166,982. After the brownfield obligation is met, tax revenues will accrue to the taxing jurisdictions in an amount estimated at \$58,208 for the first year, and continue into the future.

Legal Description, Location, and Determination of Eligibility (MCL 125.2663(1)(h):

Legal Description: The legal description for the eligible property is provided below:

Parcel ID #	Address	Legal Description
093-637-000-550-00	800 W. Chisholm	800-804 W. CHISHOLM ST. COM AT THE MOST ELY COR OF LOT 1 BLK 24; TH NWLY ALONG SWLY LINE OF CHISHOLM ST 99 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG SELY 4 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG SELY 25 FT; TH AT RT ANG NELY 60 FT; TH AT RT ANG SELY 70 FT TO A PT ON 9TH AVE; TH AT RT ANG NELY TO THE POB BEING PART OF LOTS 1 & 2 BLK 24 OF THE VILLAGE NOW CITY
093-637-000-554-00	808 W. Chisholm	808 W. CHISHOLM ST. COM AT MOST NLY COR OF LOT 2 BLK 24; TH SELY ON LINE OF CHISHOLM ST 33 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG SELY 3 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG NWLY 36 FT; TH AT RT ANG NELY TO THE POB BEING PART OF LOT 2 BLK 24 OF THE VILLAGE NOW CITY
093-637-000-556-00	832 W. Chisholm	832 W. CHISHOLM ST. LOTS 3, 4, 5 & 6 BLK 24 OF THE VILLAGE NOW CITY
093-637-000-635-00	901 W Chisholm	901 W CHISHOLM ST. LOT 12 BLK 28 OF THE VILLAGE NOW CITY
093-637-000-633-00	909 W Chisholm	909 W CHISHOLM ST. LOT 11 BLK 28 OF THE VILLAGE NOW CITY
093-637-000-631-00	913 W Chisholm	913 W CHISHOLM ST. LOT 10 BLK 28 OF THE VILLAGE NOW CITY

Location: A map depicting the location of the parcel that comprises the eligible property is included in the Appendix.

Eligibility Determination: The former Mike's Hardware has been declared functionally obsolete under the definition of Act 381 and as certified by Jeff Shea, Alpena City Assessor, a Level III assessor. A copy of an affidavit signed by Mr. Shea is provided in the Appendix. The property at 901 – 913 W. Chisholm is a Part 201 Facility, as identified in a Baseline Environmental Assessment conducted on behalf of Eric Stewart Properties, LLC. in 2004. The other parcels included in the Brownfield Plan qualify as adjacent properties.

Estimate of Number of Persons Residing on Eligible Property (MCL 125.2663(1)(i):

There are currently no residential dwellings or residences that occupy the Eligible Property.

Plan for Residential Relocation (MCL 125.2663(1)(j):

The Eligible Property does not currently contain any residential dwellings; therefore, a plan for residential relocation is not applicable.

Provision of Costs of Relocation (MCL 125.2663(1)(k):

The eligible property does not currently contain any occupied residential dwellings, thus relocation is not necessary.

Strategy to Comply with Relocation Assistance Act, MCL 213.321 to 213.332

(MCL 125.2663(1)(l):

There is no relocation anticipated under this Brownfield Plan.

Description of Proposed Use of the Local Site Remediation Revolving Fund

(MCL 125.2663(1)(m):

Use of the Local Site Remediation Fund will be consistent with the requirements of Act 381, including expenses for eligible activities on eligible property.

Other Material Required by the Authority or Governing Body (MCL 125.2663(1)(n):

Eligibility Determination

Affidavit for Determination of Functional Obsolescence

Tables

Table 1 MSF Non-Environmental Eligible Activities Costs

Table 2 Cash Flow Statement

Table 3 Captured Taxes and Tax Revenues

Table 4.1 Impact on Tax Jurisdictions

Table 4.2 Brownfield Tax Capture and Revenue

Table 4.3 Brownfield Tax Capture and Revenue Allocations

Figures

Figure 1 - Eligible Property Location Map

Figure 2 – Eligible Property Site Map

Attachments

Brownfield Plan Approval Resolutions

Affidavit-Certification For Brownfield Functional Obsolescence

Date: September 10, 2015

Project: Mike's Hardware Demolition

Project/Property Address: 802 W. Chisholm Street, Alpena Michigan

Property Legal Description: T31N R8E, Section 22, City of Alpena, Alpena County, Michigan. Commencing at the most easterly corner of lot 1, block 24; thence northwesterly along the southwesterly line of Chisholm Street 99 feet; thence at right angle southwesterly 70 feet; thence at right angle southeasterly 4 feet; thence at right angle southwesterly 70 feet; thence at right angle southeasterly 25 feet; thence at right angle northeasterly 60 feet; thence at right angle southeasterly 70 feet to a point on Ninth Avenue; thence at right angle northeasterly to the Point of Beginning. Being part of lots 1 and 2, block 24, of the Village Now City of Alpena.

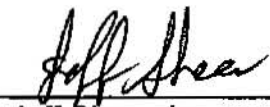
Parcel Number: Part of 04-093-637-000-550-00

Assessor Certification

The property is declared to be "functionally obsolete", as defined in MCL 125.2652, Section 2, (p) as a result of an investigation into the history of this property and a physical inspection of the property conducted in June of 2015 by a level III assessor currently employed by the City of Alpena, for the following reasons:

1. The building was intended to be used as a retail store and the building has deteriorated due to lack of maintenance and lack of modern innovations to the point no retail establishment would be able to use it without major remodeling.
2. The basement area which is required for extra storage is only accessible by a 3 foot door and stairway, which would render it unusable to a potential retailer.
3. The second floor of the building is also difficult to access and would need major reconfiguration to make it usable.
4. Substantial investment is required to rehabilitate the building in accordance with current building codes, ADA requirements, and use specifications.

Signed: _____



Jeff Shea, Assessor, City of Alpena
R-3041, MAAO III

TABLE 1
MSF ELIGIBLE ACTIVITIES COSTS
THUNDER BAY CJD AUTO EXPANSION
ALPENA AUTHORITY FOR BROWNFIELD REDEVELOPMENT
ALPENA, MICHIGAN

Eligible Activity Description	TOTAL ELIGIBLE ACTIVITIES
<i>Lead and Asbestos Abatement</i>	
Survey	\$2,000
Abatement	<u>\$10,000</u>
<i>Subtotal</i>	<u>\$12,000</u>
<i>Demolition</i>	
Site Demolition	\$2,500
Building Demolition	<u>\$42,500</u>
<i>Subtotal</i>	<u>\$45,000</u>
<i>Site Preparation</i>	
Engineering/Staking	\$4,500
Site Controls	\$19,750
Land Balancing	\$3,000
Alternative Stormwater	\$10,000
Sheeting/Shoring	<u>\$10,000</u>
<i>Subtotal</i>	<u>\$47,250</u>
<i>Subtotal Totals</i>	\$104,250
<i>Contingencies (15%)</i>	<u>\$15,638</u>
MSF ELIGIBLE ACTIVITIES SUBTOTAL	<u>\$119,888</u>
INTEREST	\$17,094
<i>Work Plan Development and Approval Costs</i>	
Brownfield Plan and Work Plan Development and Approval	<u>\$10,000</u>
Administrative and Operation Costs	<u>\$20,000</u>
<i>Subtotal</i>	<u>\$30,000</u>
MSF ELIGIBLE ACTIVITIES SUBTOTAL	\$166,982

TABLE 2
CASH FLOW STATEMENT
Thunder Bay CJD Expansion
Alpena Authority for Brownfield Redevelopment

												Local Tax Capture Eligible Activities						
REVENUE YEAR		2016	1 2017	2 2018	3 2019	4 2020	5 2021	6 2022	7 2023	8 2024	9 2025	10 2026	11 2027	12 2028	13 2029	14 2030	15 2031	16 2032
ANNUAL VALUE ADDITIONS																		
Buildings/Land																		
	TOTAL	\$1,000,000	\$1,000,000	\$0	\$0													
CUMULATIVE VALUE - TOTAL																		
	TOTAL	\$668,464	\$1,685,176	\$1,727,305	\$1,770,488	\$1,814,750	\$1,860,119	\$1,906,622	\$1,954,287	\$2,003,144	\$2,053,223	\$2,104,553	\$2,157,167	\$2,211,096	\$2,266,374	\$2,323,033	\$2,381,109	\$2,440,637
TAXABLE VALUE - TOTAL																		
	TOTAL	\$334,232	\$842,588	\$863,652	\$885,244	\$907,375	\$930,059	\$953,311	\$977,144	\$1,001,572	\$1,026,611	\$1,052,277	\$1,078,584	\$1,105,548	\$1,133,187	\$1,161,517	\$1,190,555	\$1,220,318
REVENUES																		
SCHOOL TAXES		\$8,022	\$20,222	\$20,728	\$21,246	\$21,777	\$22,321	\$22,879	\$23,451	\$24,038	\$24,639	\$25,255	\$25,886	\$26,533	\$27,196	\$27,876	\$28,573	\$29,288
NON-SCHOOL TAXES		\$9,285	\$23,406	\$23,991	\$24,591	\$25,206	\$25,836	\$26,482	\$27,144	\$27,823	\$28,518	\$29,231	\$29,962	\$30,711	\$31,479	\$32,266	\$33,072	\$33,899
ISD TAXES		\$731	\$1,844	\$1,890	\$1,937	\$1,986	\$2,035	\$2,086	\$2,138	\$2,192	\$2,246	\$2,303	\$2,360	\$2,419	\$2,480	\$2,542	\$2,605	\$2,670
TOTAL TAXES		\$18,038	\$45,472	\$46,609	\$47,774	\$48,968	\$50,193	\$51,448	\$52,734	\$54,052	\$55,403	\$56,788	\$58,208	\$59,663	\$61,155	\$62,684	\$64,251	\$65,857
CAPTURED TAXES																		
LSRRF												\$15,743						
LOCAL ONLY			\$15,234	\$15,865	\$16,512	\$17,175	\$17,855	\$18,552	\$19,266	\$19,998	\$20,749	\$5,775						
TOTAL BROWNFIELD CAPTURED TAXES			\$15,234	\$15,865	\$16,512	\$17,175	\$17,855	\$18,552	\$19,266	\$19,998	\$20,749	\$21,518						
CUMULATIVE BROWNFIELD CAPTURED TAXES																		
LSRRF			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$15,743	\$15,743	\$15,743	\$15,743	\$15,743	\$15,743	\$15,743
LOCAL ONLY			\$15,234	\$31,099	\$47,612	\$64,787	\$82,642	\$101,194	\$120,461	\$140,459	\$161,208	\$166,982	\$166,982	\$166,982	\$166,982	\$166,982	\$166,982	\$166,982
BROWNFIELD TIF YET TO CAPTURE																		
LOCAL ONLY		\$166,982	\$151,748	\$135,883	\$119,370	\$102,195	\$84,340	\$65,788	\$46,521	\$26,523	\$5,774	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)	(\$0)
NET TO CITY, COUNTY, ISD			\$10,016	\$10,016	\$10,016	\$10,016	\$10,016	\$10,016	\$10,016	\$10,016	\$10,016	\$10,016	\$32,322	\$33,130	\$33,958	\$34,807	\$35,678	\$36,570
NET TO SCHOOLS			\$20,222	\$20,728	\$21,246	\$21,777	\$22,321	\$22,879	\$23,451	\$24,038	\$24,639	\$25,255	\$25,886	\$26,533	\$27,196	\$27,876	\$28,573	\$29,288
NET TOTAL			\$30,238	\$30,744	\$31,262	\$31,793	\$32,337	\$32,895	\$33,467	\$34,054	\$34,655	\$35,271	\$58,208	\$59,663	\$61,155	\$62,684	\$64,251	\$65,857
ANNUAL VALUE INCREASE		2.5%	MILLAGE RATE															
PERCENTAGE NON-HOMESTEAD		100%	COUNTY TOTAL* 8.3974															
			CITY 16.8816															
			LIBRARY															
			COMM COLLEGE 2.5000															
			ESD 2.1882															
			SCHOOL OPERATING 18.0000															
			SCHOOL SET 6.0000															
			TOTAL 53.9672															
			DEBT MILLAGE (NOT CAPTURED UNDER BROWNFIELD)															
			School Debt 1.8000															
			TOTAL 55.7672															
			*Includes Transit, Library, Ambulance, Recreation, Veterans															

Table 3 Captured Taxes and Revenues Thunder Bay CJD - Alpena

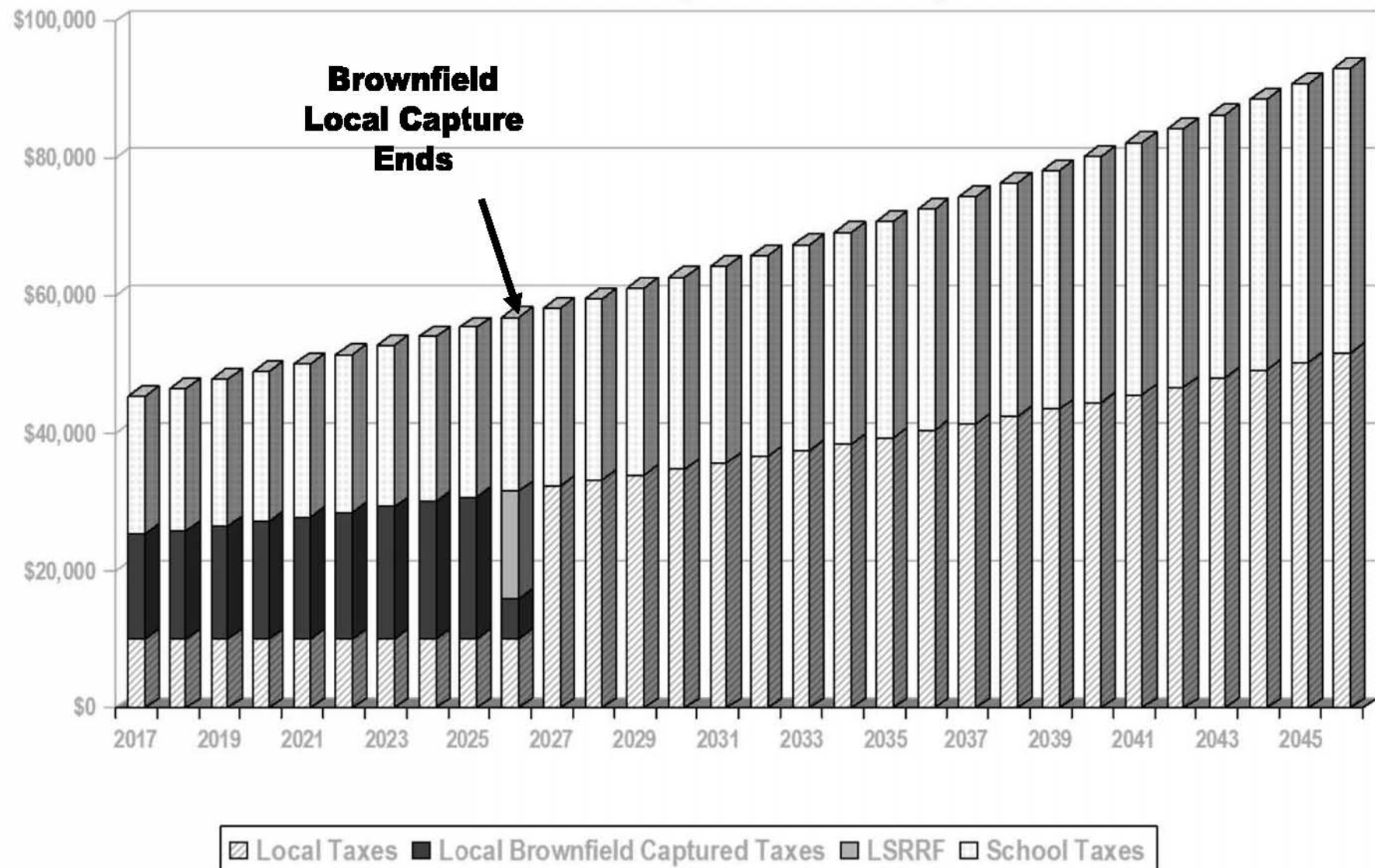
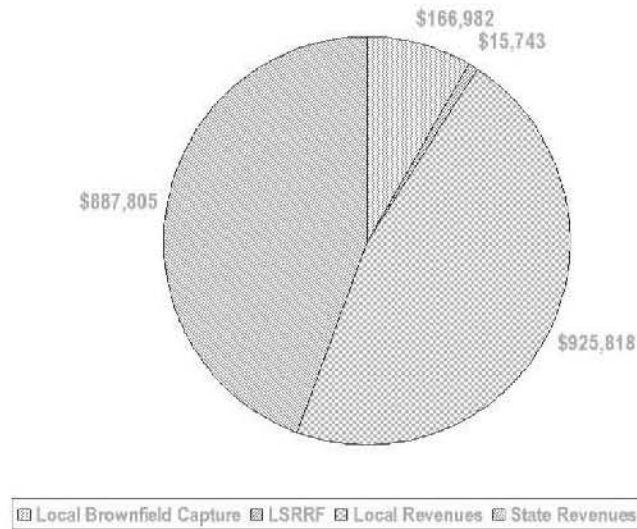


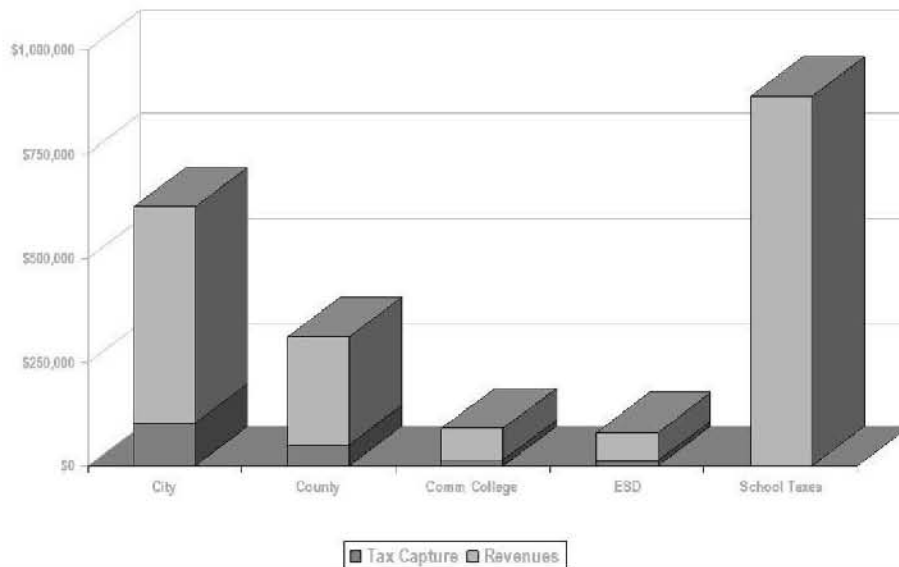
Table 4.1 Impact on Taxing Jurisdictions
Brownfield Plan - Thirty Year Duration
Thunder Bay CJD Expansion - Alpena Authority for Brownfield Redevelopment

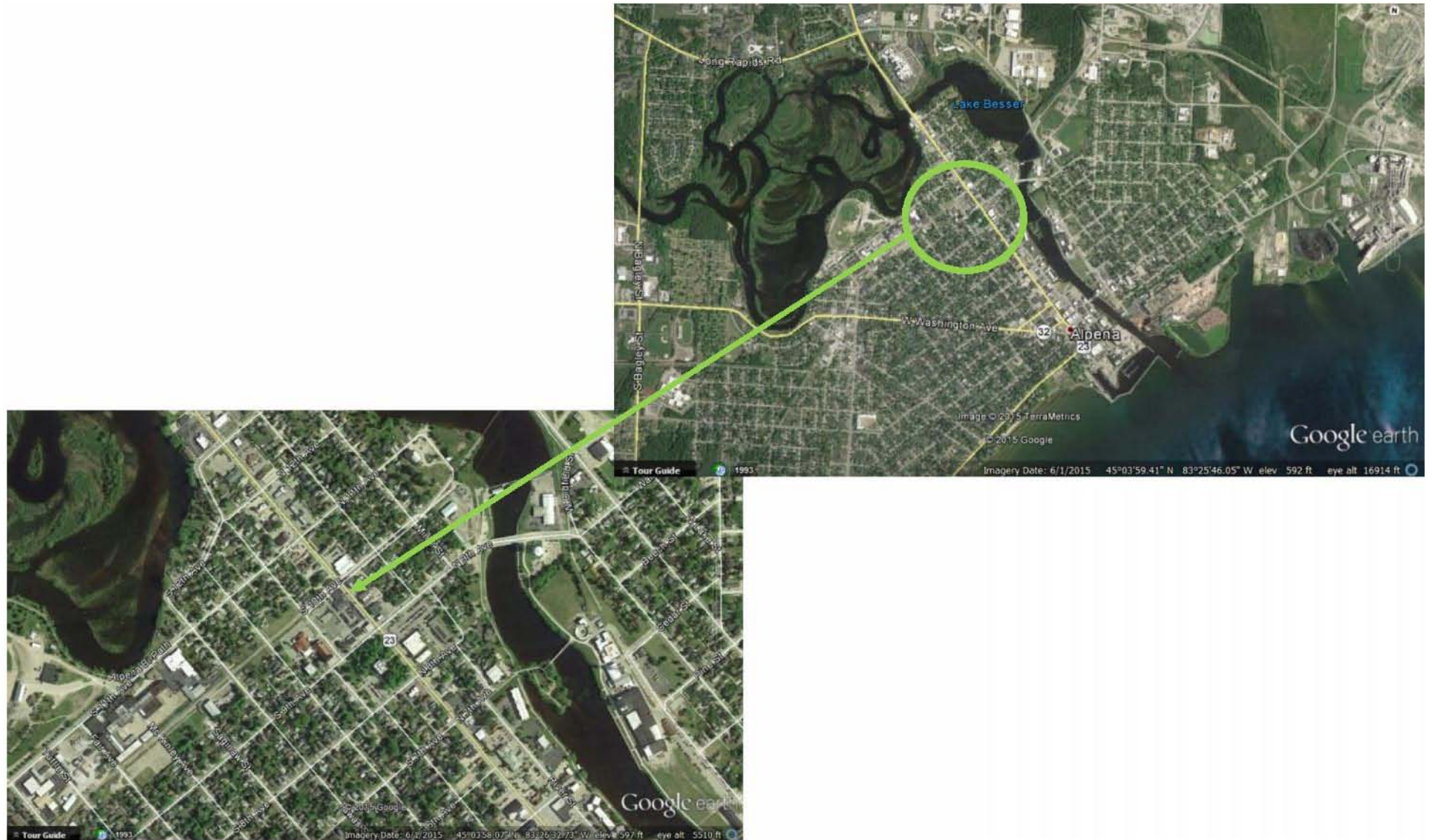
	Millages	Millage Total	Percent Allocation	Total Capture \$182,725	Total Revenues \$1,813,623
City of Alpena		16.88160	56.33%	\$102,936	\$521,546
Allocated	16.23160				
Transit	0.65000				
Alpena County		8.39740	28.02%	\$51,203	\$259,432
Allocated	4.80040				
Ambulance	0.97200				
Library	1.00000				
Recreation	0.50000				
Veterans	0.12500				
Hospital Bond Issue	1.00000				
Community College	2.50000	2.50000	8.34%	\$15,244	\$77,236
Alpena Public Schools			0.00%		
School Debt*	1.80000				
ESD	2.18820	2.18820	7.30%	\$13,343	\$67,603
Local Taxes Total	31.76720	29.96720	100.00%	\$182,725	\$925,818
State Taxes		24.00000		\$0	\$887,805
School Operating	18.00000				
State Educ Tax	3.00000				
State Brownfield Fund	3.00000			\$0	
Total	55.76720	53.96720		\$182,725	\$1,813,623

**Table 4.2 Brownfield Tax Capture and Revenue
Thunder Bay CJD Expansion – Alpena**



**Table 4.3 Brownfield Tax Capture/Revenue Allocations
Thunder Bay CJD Expansion - Alpena**





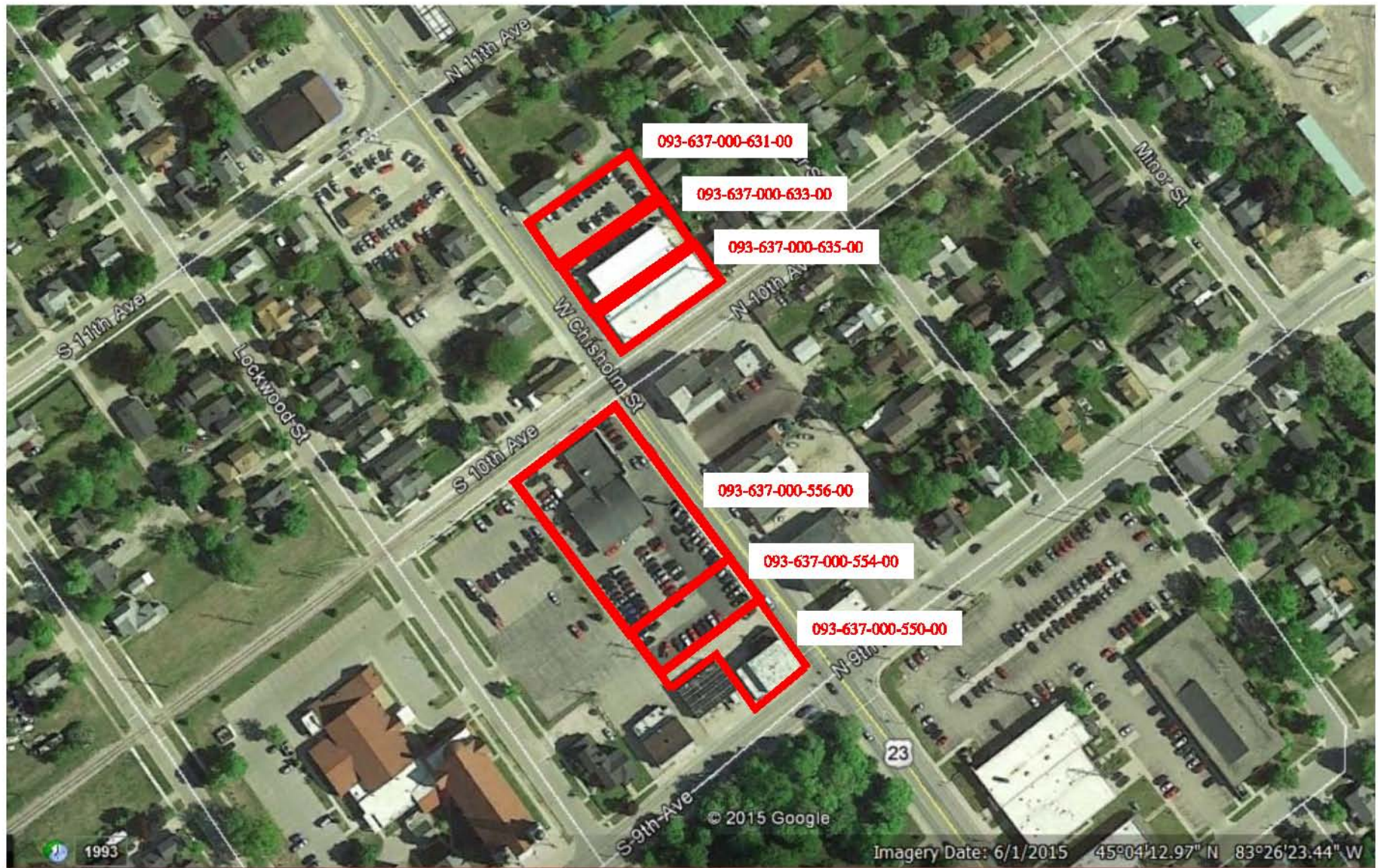
**Thunder Bay Expansion
Brownfield Plan**

Figure 1: Eligible Property Site Location Map



Alpena Authority for Brownfield Redevelopment

**Date:
October 2015**



**Thunder Bay Expansion
Brownfield Plan**

Figure 2: Eligible Property



Alpena Authority for Brownfield Redevelopment

**Date:
October 2015**

DEVELOPMENT AND REIMBURSEMENT AGREEMENT

THIS DEVELOPMENT AND REIMBURSEMENT AGREEMENT (the "Agreement") is made October 19, 2015, between the **CITY OF ALPENA**, a Michigan municipal corporation (the "City"), the **CITY OF ALPENA AUTHORITY FOR BROWNFIELD REDEVELOPMENT**, a Michigan public body corporate (the "Authority"), the address of both of which is 208 North First Avenue, Alpena, Michigan 49707, and **Thunder Bay CJD LLC**, a Michigan corporation, whose address is 832 W. Chisholm Street, Alpena, Michigan 49707 ("**Thunder Bay CJD**").

RECITALS

A. The Authority was created by the City pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of Michigan of 1996 as amended ("Act 381"), and, pursuant to Act 381, the Authority has prepared a brownfield plan which was duly approved by the City Council of the City (the "Brownfield Plan").

B. **Thunder CJD, LLC** has purchased property located at 802 W. Chisholm Street and shall perform eligible activities as described in the Thunder Bay CJD Auto Expansion Brownfield TIF Plan (the "Plan") approved by the Authority Board on October 8, 2015 and the Alpena City Council on October 19, 2015. All properties included in the Plan are qualified as eligible properties under Act 381. Additionally, **Thunder Bay CJD, LLC** will invest in that property and the adjacent current facility to develop an expanded new and used auto and truck dealership and related site improvements (the "Project"). Eligible activities will result in a reimbursable cost not to exceed \$136,982, including interest, as listed in the Plan. The Project and the Improvements will have the effect of redeveloping a functionally obsolete property and redeveloping an adjacent existing building, creating 3-5 new permanent jobs, stimulating further private investment and redevelopment in the area and otherwise enhancing the economic vitality and quality of life in the City.

C. Act 381 permits the use of the real property tax revenues generated from the incremental increase in property value of a redeveloped brownfield site constituting "eligible property" under Act 381 to pay or to reimburse the payment of costs of conducting activities that meet the requirements under Act 381 of "eligible activities" (hereinafter "Eligible Costs").

D. In order to make the Improvements on the Property, **Thunder Bay CJD, LLC** will incur Eligible Costs which will include costs associated with the Eligible Activities, and costs of preparation of the Work Plan and its review by the AABR and City Council estimated at \$10,000 (the "Work Plan Costs"), all as identified in the Brownfield Plan.

E. The Authority has incurred and will incur certain eligible administrative expenses associated with the Brownfield Plan (the "Administrative Costs"), for which it seeks reimbursement from Tax Increment Revenues (as defined below).

F. Following reimbursement of all amounts due **Thunder Bay CJD, LLC** and the Authority from applicable Tax Increment Revenues, additional Local Tax Increment Revenues will be deposited into the local site remediation revolving fund until completion of the Plan in 2026.

G. In accordance with Act 381, the parties desire to use the property tax revenues that are generated from an increase in the taxable value of the Property resulting from its redevelopment (the "Tax Increment Revenues") to reimburse **Thunder Bay CJD, LLC** for the Eligible Costs and Work Plan Costs, to pay for Administrative Costs of the Authority and to fund a local site remediation revolving fund pursuant to Act 381.

TERMS AND CONDITIONS

Therefore, in exchange for the consideration in and referred to by this Agreement, the parties agree as follows:

1. Capture of Taxes. The City shall during the term of this Agreement collect all possible Tax Increment Revenues from the Property, and transmit such Tax Increment Revenues to the Authority for use as provided in this Agreement.

2. Submission of Costs. For those Eligible Costs and Work Plan Costs for which **Thunder Bay CJD, LLC** seeks reimbursement from the Authority, **Thunder Bay CJD, LLC** shall submit to the Authority:

- (a) a written statement detailing the costs,
- (b) a written explanation as to why they are Eligible Costs or Work Plan Costs,
- (c) copies of invoices from contractors, engineers or others who provided such services, or, for **Thunder Bay CJD, LLC** personnel for whose services reimbursement is being sought, detailed time records showing the work performed by such individuals,
- (d) an Affidavit from **Thunder Bay CJD, LLC** stating that all third party contractors, engineers or others, who performed the eligible activities resulting in the eligible costs to be reimbursed under this Agreement, have been paid and copies of lien waivers provided, and
- (e) any other information which may be reasonably required by the Authority.

3. Payments.

- (a) All Tax Increment Revenues received by the Authority shall be paid to **Thunder Bay CJD, LLC** as reimbursement for the Eligible Costs and the actual Work Plan Costs plus, upon payment in full of the Eligible Costs and actual Work Plan Costs,

also simple interest thereon at the rate of two and one-half percent (2.5%) per annum from the date **Thunder Bay CJD, LLC** secures a Certificate of Occupancy from the City until the date of full reimbursement including interest by the Authority. Interest shall be calculated on the unpaid balance as of December 31 of each year. All such costs to **Thunder Bay CJD, LLC** shall not exceed \$146,982.

(b) Any funds to be retained by the Authority for Administrative Costs and the Site Remediation Revolving Fund shall not be so retained until all approved eligible reimbursements due **Thunder Bay CJD, LLC** are completed.

(c) Unless it disputes whether such costs are Eligible Costs or Work Plan Costs or the accuracy of such costs, the Authority shall pay pursuant to paragraph 3(a) to **Thunder Bay CJD, LLC** the amounts or partial amounts for which submissions have been made pursuant to paragraph 2 of this Agreement by the end of the calendar year for which property taxes were levied and captured. Such annual payments shall continue until the balance owed **Thunder Bay CJD, LLC**, including any accrued interest, shall be fully paid. **Thunder Bay CJD, LLC** agrees to pay all property taxes levied during a calendar year by December 20 of that calendar year.

(c) Interest on the unpaid balance of the obligation of the Authority to **Thunder Bay CJD, LLC** for reimbursement of Eligible Costs and Work Plan Costs shall be calculated annually as of December 31 of each year.

(d) Notwithstanding anything contained herein to the contrary, the Authority shall have no obligations to make any payments under this Agreement from any source other than tax increment revenues collected with respect to the Property as to the 2016 through 2026 tax years.

4. Property Tax Payment Status. Throughout the term of this Agreement **Thunder Bay CJD, LLC**, or any of its successors, assigns or others responsible for paying real and personal property taxes related to the Property, shall remain current on all property taxes it shall owe on the Property. For purposes of this Agreement, to be current, taxes must be paid before the date on which they can no longer be paid without penalties or interest. Failure to remain so shall result in the following:

(a) No payment of received and approved invoices shall be made if at the time of invoice submittal, and for partial payments thereafter due by December 31 of each year of the TIF Plan, the applicant is not current on all property taxes due on the TIF property(s).

(b) Interest shall not accrue or be paid if at the time of payment or accrual the applicant is not current on the payment of all real and personal property taxes for the TIF property(s). Once interest accrual or payment is lost due to failure to remain current, the lost interest will not be re-instated retroactively upon payment of all arrear property taxes (including interest and penalties).

5. Appeal of Property Tax Assessment. The ability of an approved Brownfield Plan to meet its obligations is dependent on the accuracy and reliability of the established base taxable value and future incremental increases in the taxable value of the TIF property resulting from the new development. Therefore, significant adjustments to these figures due to the appeal of any tax assessment or reassessment may negatively impact scheduled reimbursements both for a given year and over the term of the TIF. At the same time, the City recognizes the right of a property owner to appeal an assessment or reassessment that it considers incorrect or unfair. Consequently, **Thunder Bay CJD, LLC** agrees to abide to the following during the term of the Brownfield TIF and the immediate three (3) years following the termination of the TIF:

(a) Any appeal and resulting reassessment of the base year assessment shall be made prior to the approval of the Brownfield Plan by the Authority and Alpena City Council.

(b) Once the Brownfield Plan is approved and in effect, assessment appeals shall be limited to the current year and shall be made prior to the distribution of any captured incremental tax revenues for that year.

(c) No appeals shall be permitted for prior year(s) assessments.

In the event an appeal reduces the total revenue generated by the TIF below the level necessary to meet all the obligations included in the Brownfield TIF Plan, the Authority shall not be obligated to make any payments beyond the maximum term of the TIF as established in the TIF Plan. The Authority may also proportionally reduce payments for all eligible activities, including interest and the Authority's Remediation Fund, based on the impact of the new assessment(s) on future TIF revenues.

If, due to an appeal of any tax assessment or reassessment of any portion of the Property or for any other reason the Authority is required to reimburse any Tax Increment Revenues to the City or any other tax levying units of government, the Authority may deduct the amount of any such reimbursement, including interest and penalties, from any amounts due and owing **Thunder Bay CJD, LLC**. (Under the circumstances described in the prior sentence, if all amounts due **Thunder Bay CJD, LLC** under this Agreement are current or have been fully paid or the Authority is no longer obligated to make any further payments to **Thunder Bay CJD, LLC**, the Authority shall invoice **Thunder Bay CJD, LLC** for the amount of such reimbursement and **Thunder Bay CJD, LLC** shall pay the Authority such invoiced amount within thirty (30) days of its receipt of the invoice.)

Nothing in this Agreement shall limit the right of **Thunder Bay CJD, LLC** to appeal any tax assessment.

5. Development. **Thunder Bay CJD, LLC** shall commence work on the Project as soon as possible after obtaining City Council approval of the Brownfield Plan. Total estimated cost for the completed project is \$1,000,000. **Thunder Bay CJD, LLC** will use its reasonable best efforts to substantially complete its portion of the Project no later than December 31, 2016.

6. Eligible Activities. **Thunder Bay CJD, LLC** shall undertake the Eligible Activities in accordance with all applicable rules and regulations.

7. Indemnification. Pursuant to Act 381, the Brownfield Plan is required to comply with certain requirements related to the relocation of persons displaced by the Project including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, 84 Stat. 1894 and the Relocation Assistance Act, Act 227 of the Public Acts of Michigan of 1972 (collectively, the "Relocation Requirements"). To the extent any Relocation Requirements are applicable to the Project, **Thunder Bay CJD, LLC** agrees to indemnify the Authority and the City and their respective board members, commissioners, officers, employees and agents (the "Indemnified Parties" or "Indemnified Party") against, and save the Indemnified Parties harmless from, any and all liabilities, obligations, damages, penalties, costs and expenses, including reasonable attorneys' fees, paid or incurred by the Indemnified Parties and arising from the Relocation Requirements. If any action is brought against an Indemnified Party, by reason of any such claim, **Thunder Bay CJD, LLC** will, at its own expense, resist or defend such actions or proceedings by counsel approved by the Indemnified Party in writing. **Thunder Bay CJD, LLC** shall not be responsible for the indemnification obligations set forth above with respect to any Indemnified Party to the extent that an Indemnified Party has waived a defense, which was otherwise available to it by law.

8. Interpretation. This Agreement is the entire agreement between the parties as to its subject. It shall not be amended or modified except in writing signed by the parties. It shall not be affected by any course of dealing and the waiver of any breach shall not constitute a waiver of any subsequent breach of the same or any other provision.

9. Binding. This Agreement and the rights and obligations under this Agreement shall not be assigned or otherwise transferred by any party without the consent of the other parties, which shall not be unreasonably withheld. It shall, however, be binding upon any successors or permitted assigns of the parties.

10. Term. This Agreement shall terminate the earlier of the date when all reimbursements required under this Agreement have been made or the Brownfield Plan has expired.

WHEREFORE, this Agreement has been executed as of the date first written above.

Thunder Bay CJD, LLC

By: _____
Eric Stewart, Member

CITY OF ALPENA

By: _____
Matthew J. Waligora
Mayor

By _____
Karen Hebert
City Clerk/Treasurer/Finance Director

**CITY OF ALPENA AUTHORITY FOR
BROWNFIELD REDEVELOPMENT**

By: _____
Joseph Garber
Chair

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY 800, 808, 832, 901, 909 and 913 West Chisholm Street, City of Alpena

Parcel ID #	Address	Legal Description
093-637-000-550-00	800 W. Chisholm	800-804 W. CHISHOLM ST. COM AT THE MOST ELY COR OF LOT 1 BLK 24; TH NWLY ALONG SWLY LINE OF CHISHOLM ST 99 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG SELY 4 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG SELY 25 FT; TH AT RT ANG NELY 60 FT; TH AT RT ANG SELY 70 FT TO A PT ON 9TH AVE; TH AT RT ANG NELY TO THE POB BEING PART OF LOTS 1 & 2 BLK 24 OF THE VILLAGE NOW CITY
093-637-000-554-00	808 W. Chisholm	808 W. CHISHOLM ST. COM AT MOST NLY COR OF LOT 2 BLK 24; TH SELY ON LINE OF CHISHOLM ST 33 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG SELY 3 FT; TH AT RT ANG SWLY 70 FT; TH AT RT ANG NWLY 36 FT; TH AT RT ANG NELY TO THE POB BEING PART OF LOT 2 BLK 24 OF THE VILLAGE NOW CITY
093-637-000-556-00	832 W. Chisholm	832 W. CHISHOLM ST. LOTS 3, 4, 5 & 6 BLK 24 OF THE VILLAGE NOW CITY
093-637-000-635-00	901 W Chisholm	901 W CHISHOLM ST. LOT 12 BLK 28 OF THE VILLAGE NOW CITY
093-637-000-633-00	909 W Chisholm	909 W CHISHOLM ST. LOT 11 BLK 28 OF THE VILLAGE NOW CITY
093-637-000-631-00	913 W Chisholm	913 W CHISHOLM ST. LOT 10 BLK 28 OF THE VILLAGE NOW CITY

EXHIBIT B

BROWNFIELD PLAN

(See attached Brownfield Plan Dated October 2015)

City of Alpena

Authority for Brownfield Redevelopment

RESOLUTION APPROVING AND AUTHORIZING TRANSMITTAL OF THE THUNDER BAY CJD AUTO EXPANSION BROWNFIELD PLAN

WHEREAS, the City of Alpena Authority for Brownfield Redevelopment (the "Authority") has been duly incorporated by the City of Alpena (the "City") pursuant to Act No 381 of the Public Acts of Michigan of 1996, as amended (the Act") and the Authority has been duly appointed and sworn into office; and

WHEREAS, the Authority has received and reviewed a Brownfield Plan (including the Development and Reimbursement Agreement) meeting the requirements of the Act ("the Brownfield Plan") for the Thunder Bay Chrysler Jeep Dodge Auto Expansion; and

WHEREAS, this Authority approves the Brownfield Plan, a copy of which is attached to this Resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CITY OF ALPENA AUTHORITY FOR BROWNFIELD REVELOPMENT as follows:

1. The Thunder Bay CJD Expansion Brownfield Plan attached hereto as Exhibit A is hereby approved for submission to the Alpena City Council as required by the Act.
2. The Alpena City Council is requested to hold a public hearing on the Brownfield Plan as required by the Act.
3. The Chairperson of the Authority is authorized to transmit the Brownfield Plan to the Alpena City Council.

Board Member Mahler moved to adopt the above resolution, seconded by Board Member Glowinski.

Ayes: Garber, Glowinski, Mahler, Klarich

Nays: None

Abstain: None

Absent: Waligora

Resolution declared adopted.

The undersigned being duly qualified and Chair of the City of Alpena Authority for Brownfield Redevelopment hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Board at a special meeting held on October 8, 2015, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records of the proceedings of the Board, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made as required thereby.

10/8/15
Date

Joe Garber
Joe Garber, Chair

RESOLUTION 2015-10

A RESOLUTION APPROVING THE THUNDER BAY CJD AUTO EXPANSION BROWNFIELD PLAN FOR THE CITY OF ALPENA PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

WHEREAS, The Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historically designated property through tax increment financing of eligible environmental and/or non-environmental activities; and

WHEREAS, The Alpena City Council established the City of Alpena Authority for Brownfield Redevelopment and filed with the Secretary of State on March 21, 1997; and

WHEREAS, The City of Alpena Authority for Brownfield Redevelopment has reviewed and approved by resolution the Brownfield Plan for the Thunder Bay Chrysler Jeep Dodge Auto Expansion for property located on West Chisholm Street at their October 8, 2015 meeting and recommends approval by the Alpena City Council; and

WHEREAS, The Alpena City Council has made the following determinations and findings:

- A. The Brownfield Plan constitutes a public purpose of job creation, increased private investment and economic development and increased property tax value;
- B. The Brownfield Plan meets all the requirements for a Brownfield Plan set forth in Section 13 of Act 381
- C. The cost of the Eligible Activities proposed in the Brownfield Plan are reasonable and necessary to carry out the purposes of Act 381; ; and
- D. The Brownfield Plan calls for the capture of local taxes only.

WHEREAS, a public hearing on the Brownfield Plan has been noticed and held on October 19, 2015 and notice to taxing jurisdictions has been provided in compliance with the requirements of Act 381;

NOW THEREFORE, BE IT RESOLVED that the Alpena City Council hereby approves the Brownfield Plan for the Thunder Bay CJD Auto Expansion.

Councilmember _____ moved to adopt the above resolution, seconded by Councilmember _____.

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Karen Hebert, City Clerk of the City of Alpena, **DO HEREBY CERTIFY** that the above is a true copy of a resolution adopted by the Municipal Council at a regular meeting held on October 19, 2015.

Karen Hebert
City Clerk




Memorandum

Date: October 13, 2015

To: Greg Sundin, City Manager

Copy: Karen Hebert, City Clerk/Treasurer/Finance Director

From: Rich Sullenger, City Engineer 

Subject: Proposed Long Lake Av – Johnson Street Truck Route Public Input

On Monday October 19, 2015, at the City Council Meeting, public input will be solicited for the proposed Long Lake Av – Johnson Street Truck Route bypass. Staff will present the proposed route for this bypass and solicit input from concerned citizens and business owners regarding the need and benefit for this route. Following the public input, staff will request direction from Council as to whether or not to move forward with the project. This would include funding, roadway easements, design, and implementation.

The attached public notice was sent to the media and property owners along, or impacted by, the route.

Attachment



City of Alpena

**News Release of
October 14, 2015**



City of Alpena Seeks Public Input on New Segment of Truck Route

Over the last year, City staff has been working with the Chamber of Commerce and various trucking companies to develop a truck route bypass within City limits. This will alleviate long distance travel for truck trips within the City limits or to the south and west of the City.

The City has secured a Category “A” Grant from Michigan Department of Transportation to help pay for a portion of this project. Staff now requests input and comments from citizens and businesses regarding the need for, and the potential impact of, this new segment of the truck route.

On Monday, October 19, 2015, at 7:00 p.m. in the Alpena City Hall Council Chambers, City Council will conduct a public input session at which time a brief presentation will be given and public comment received. All interested citizens are invited and encouraged to attend.

CONTACT

Rich Sullenger
City Engineer
City of Alpena
989-354-1730
richs@alpena.mi.us

Anyone with questions prior to the October 19, 2015, meeting may contact Rich Sullenger, City Engineer, at (989) 354-1730 or by email at richs@alpena.mi.us.



Memorandum

Date: October 14, 2015

To: Greg Sundin, City Manager

Copy: Karen Hebert, City Clerk/Treasurer/Finance Director
Richard Sullenger, City Engineer

From: Michael J. Kieliszewski, Asst. City Building Official

Subject: Public Safety Facility Roof and Soffit Repair/Replacement Project

On October 12, 2015 bids were opened for the Public Safety Facility Roof and Soffit Repair/Replacement project.

The job scope consists of:

1. Repairs to the existing standing seam roof panel's hip\ridge caps.
2. Replacement of roofing over flat areas of the building.
3. Repair\replacement of rain gutter system, including down spouts.
4. Installation of snow retention system on the standing seam metal roof.
5. Repairs to roof drain piping system.
6. Installation of ice melt heat cable.
7. Various caulking and sealing.

Currently, the standing seam roof is leaking in various areas of the building resulting in damage to insulation and ceiling tiles. Areas of the gutter system are damaged, ineffective, and diverting water against the building resulting in additional damage. The roof drain system travels through unconditioned (not heated) areas before entering the building drainage system. With winter freezing the pipes have disconnected, are broken, and water drains into the soffit system resulting in damage to the soffit system and lighting.

One bid was received from Meridian Contracting Services totaling \$128,919. The funding for this project was intended to come from the Public Safety Construction Fund. However, the estimated balance in the fund is \$84,895. In speaking with Meridian Contracting Services and reviewing the highest priority items, we were able to agree on items that could be repaired in future budget(s).

It is my recommendation, as City Assistant Building Official that City Council award the Roof Repair Project, less the flat roof replacement and soffit repair\replacement, to Meridian Contracting for \$85,638. Funds to come from the Public Safety Building Construction Fund and balance from the Public Safety Police, Fire and Ambulance building maintenance budget in the general fund.

Attachments



CITY OF ALPENA

BID NAME: P.S. Facility Roof Repair and soffit BID OPENING DATE: 10-12-15

Bidder	Addendum	Bid Security	Base Bid	Remarks
Meridian Contracting Alpena, MI	✓	✓	128,919 ⁰⁰	

Original Bid Sheet & Bids – Clerk's Office
Copy of Bids – Dept. Head initiating bid

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

Bids Due: October 12, 2015
Time: 2:00 p.m.

BID LIST
Public Safety Facility Roof and Soffit Repair/Replacement

- | | |
|---|---|
| 1. Meridian Contracting Svs.
304 W. Chisholm Street
Alpena, MI 49707
Ph: 989-354-4825
Fax: 989-354-4338 | 8. Ryan Woodruff Construction
2105 N. Partridge Pt. Road
Alpena, MI 49707 |
| 2. Timm Construction
P.O Box 307
Alpena, MI 49707
Ph: 989-356-4640
Fax: 989-356-4514 | 9. Tessmer Construction
8090 US 23 South
Ossineke, MI 49766
Ph: 989-471-5076 |
| 3. DeVere Construction
1030 DeVere Drive
Alpena, MI 49707
Ph: 989-356-4411 | 10. John's Home Maintenance
574 S. Second Avenue
Lincoln, MI 48742 |
| 4. DGI Roofing
518 Mac Avenue
Alpena, MI 49707
Ph: 989-657-6544 | 11. David J. Zolnierrek
25009 S. US 23 Highway
Presque Isle, MI 49777 |
| 5. Bloxsom Roofing
3733 Blair Townhall
Traverse City, MI 49685
Ph: 231-943-8781 | 12. VanWagoner Builders
2663 S. Third Avenue
Alpena, MI 49707 |
| 6. Great Lakes Roofing
P.O. Box 193
Walloon Lake, MI 49796
Ph: 231-943-9430 | |
| 7. Lumsden Builders
6251 Leer Road
Lachine, MI 49753 | |

Memorandum



Date: October 14, 2015

To: Mayor Matt Waligora and City Council

Copy: Greg Sundin, City Manager

From: Adam Poll, Planning and Development Director

Subject: Resolution No. 2015-11 Redevelopment Ready Communities Commitment

The City of Alpena has been working with the Redevelopment Ready Community (RRC) program for over a year. On October 5, staff from the RRC program presented their Report of Findings for the City of Alpena. The RRC program now requires a resolution of the City's commitment to meet their recommended best practices and work towards RRC certification.

This program appears to be beneficial for the City and that continuing to work to meet their best practices, which attempt to maximize transparency, citizen participation, and consistency, would be in the best interest of the City and its Citizens.

With the approval of the attached resolution, the City commits to working towards meeting the RRC best practices and towards RRC certification.

Attachments



RESOLUTION NO. 2015-11

A RESOLUTION AUTHORIZING THE IMPLEMENTATION OF RECOMMENDATIONS NECESSARY TO RECEIVE REDEVELOPMENT READY COMMUNITIES CERTIFICATION FROM THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC)

WHEREAS, the City of Alpena has participated in the MEDC Redevelopment Ready Communities (RRC) Program, including entering into a Memorandum of Understanding with the MEDC and undergoing an evaluation of the City's redevelopment practices as reported in the Redevelopment Ready Communities Report of Findings presented to City Council on October 5, 2015; and

WHEREAS, the MEDC has developed a program for certifying Redevelopment Ready Communities, and the City of Alpena desires to achieve certification by implementing best practices and recommended strategies for redevelopment; and

WHEREAS, Redevelopment Ready Communities best practices are designed to increase consistency, transparency, and public participation in municipal processes; and

WHEREAS, after review of the RRC assessment report, the City of Alpena is willing to complete the tasks outline; and

WHEREAS, the RRC program requires a resolution of commitment from the City to actively work toward meeting their best practices with the eventual goal of obtaining RRC Certification;

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The City of Alpena will actively work toward meeting the best practices of the RRC program with the eventual goal of RRC Certification.
2. This resolution shall take effect upon authorization by the Alpena City Council.

Councilmember _____ moved to adopt the above resolution, seconded by Councilmember _____.

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Karen Hebert, City Clerk of the City of Alpena, **DO HEREBY CERTIFY** that the above is a true copy of a resolution adopted by the Municipal Council at a regular meeting held October 19, 2015.

Karen Hebert
City Clerk