

ALPENA CITY COUNCIL MEETING

January 18, 2022 – 6:00 p.m.

AGENDA

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

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

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

Access Code: 667-050-061

1. Call to Order.
2. Pledge of Allegiance.
3. Approval and Modification of the Agenda.
4. Approve Minutes – Regular Session of January 4, 2022.
5. Citizens Appearing Before Council on Agenda and Non-Agenda Items (Citizens Shall be Allowed a Maximum of Five (5) Minutes Each to Address Their Concerns. This is the Only Time During a Council Meeting that Citizens are Allowed to Address the Council).
6. Public Hearing.
7. Consent Agenda.
Bills to be Allowed, in the Amount of \$348,179.57.
8. Presentations.
Eastern Michigan University Staff and Command Recognition – Rob Edmonds, Deputy Fire Chief.
9. Announcements.
10. Mayoral Proclamation.
11. Report of Officers.
 - A. First Reading of Ordinance 22-469, an Ordinance to Amend the City of Alpena Zoning Map – Bill Pfeifer, City Attorney.
 - B. First and Second Reading of Ordinance 22-470, an Ordinance to Amend the City of Alpena Zoning Certificate Articles 2, 5 and 7 – Bill Pfeifer, City Attorney.
12. Communications and Petitions.
 - A. Huron Humane Society Semi-Annual Report – Mary Eagan.
 - B. Target Alpena Semi-Annual Report – Michael Mahler, Economic Development Director.
13. Unfinished Business.
14. New Business.

15. Adjourn.

A handwritten signature in blue ink that reads "Rachel K. Smolinski". The signature is written in a cursive style with a large initial 'R'.

Rachel Smolinski
City Manager

COUNCIL PROCEEDINGS

January 04, 2022

The Municipal Council of the City of Alpena met in regular session in person on the above date and was called to order at 6:01 p.m. by the Mayor Pro Tem.

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

Absent: Mayor Waligora.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the agenda.

Motion carried 4-0, 1 absent.

MINUTES

The minutes of the regular and closed sessions of December 20, 2021, were approved as printed.

CONSENT AGENDA

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, that the following Consent Agenda items be approved:

- A. Bills to be allowed, in the amount of \$237,739.97.
- B. Collection of 2022 property taxes for Alpena Public Schools.
- C. Approval of the November 01, November 15, and December 06, 2021, minutes, as amended.
- D. Approval of the Ice Fest event, organized by the Thunder Bay Arts Council, to be held Saturday, February 12, 2022, from 10 a.m. to 4 p.m. and located at the Mich-e-ke-wis warming shelter.
- E. Approval of the Prevention of Child Abuse Flags event, organized by the

Exchange Club, to be held in April 2022.

Motion carried 4-0, 1 absent.

FY21 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to receive and file the FY21 Comprehensive Annual Financial Report, as presented by Straley Lamp & Kraenzlein, P.C.

Motion carried 4-0, 1 absent.

ORDINANCE 21-468

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to adopt ordinance 21-468 which amends the City of Alpena Zoning Ordinance Article 10, as modified.

Motion carried 4-0, 1 absent.

MAYOR PRO TEM APPOINTMENT

Moved by Councilmember Walchak, seconded by Councilmember Mitchell, to nominate Councilmember Cindy Johnson as Mayor Pro Tem.

Motion carried 4-0, 1 absent.

COMMITTEE APPOINTMENTS – MAYOR MATTHEW WALIGORA

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the following committee appointments for Mayor Matthew Waligora: H.U.N.T. Advisory Commission, Alpena Authority for Brownfield Redevelopment, Board of Review, Election Commission, Northeast Michigan Council of Governments Board (alternate), and Art Alpena (alternate).

Motion carried 4-0, 1 absent.

COMMITTEE APPOINTMENTS – MAYOR PRO TEM JOHNSON

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the following committee appointments for Mayor Pro Tem Johnson: Retirement Board, Alpena County Resource Recovery Board, Historic District Study Committee, Board of Review, Huron Humane Society, and the Park Foundation.

Motion carried 4-0, 1 absent.

COMMITTEE APPOINTMENTS – COUNCILMEMBER MITCHELL

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the following committee appointments for Councilmember Mitchell: D.A.R.E., Thunder Bay National Marine Sanctuary Advisory Council, Board of Review, Northeast Michigan Council of Governments Board, River Center Board, Target Alpena (alternate), and H.U.N.T. Advisory Commission (alternate).

Motion carried 4-0, 1 absent.

COMMITTEE APPOINTMENTS – COUNCILMEMBER WALCHAK

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the following committee appointments for Councilmember Walchak: Art Alpena, Historic District Study Committee, Board of Review, and Thunder Bay National Marine Sanctuary Advisory Council (alternate).

Motion carried 4-0, 1 absent.

COMMITTEE APPOINTMENTS – COUNCILMEMBER NOWAK

Moved by Councilmember Mitchell, seconded by Councilmember Walchak, to approve the following committee appointments for Councilmember Nowak: Alpena County Central Dispatch, Retirement Board, Historic District Commission, Board of

Review, Target Alpena, and the Emergency Management Advisory Committee.

Motion carried 4-0, 1 absent.

CONVERSION OF TENNIS COURTS AT MCRAE PARK

Moved by Councilmember Nowak, seconded by Councilmember Walchak, to authorize the project at McRae Park to covert two (2) tennis courts into six (6) pickleball courts with all coordination through Mr. Ron Fusina.

Motion carried 4-0, 1 absent.

Moved by Councilmember Nowak, seconded by Councilmember Walchak, to authorize \$10,000 be budgeted in FY22/23 to assist in the McRae Park conversion.

Motion carried 4-0, 1 absent.

ADJOURN

On motion of Councilmember Walchak, seconded by Councilmember Mitchell, the Municipal Council adjourned at 6:37 p.m.

Cindy Johnson
Mayor Pro Tem

ATTEST:

Anna Soik
City Clerk

INVOICE REGISTER

Page: 1/2

EXP CHECK RUN DATES 01/19/2022 - 01/19/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
AETNA SENIOR SUPPLEMENTAL	AP20-3539	AMBULANCE REFUND	96.93
ALPENA AREA CHAMBER OF COMM	21698	TARGET FY 21-22 EDC SVCS	20,000.00
ALPENA COUNTY TREASURER	011022	IT CONTRACTED SVCS 01/22	8,118.00
ALPENA GLASS CO INC	393813	MAINT - MARINA	61.05
ALPENA SUPPLY CO	S100391397.001	SUPPLIES - FIRE/EMS	3.48
ALPENA SUPPLY CO	S100392495.001	VEH MAINT - EQ	9.99
AMAZON CAPITAL SERVICES INC	1QLJ-D1Y3-F6N3	MAINT - LIGHTS	1,698.00
AMAZON CAPITAL SERVICES INC	1W46-T643-DJYW	SUPPLIES - PUBLIC WORKS	223.92
ANNE GENTRY	011322	REIMB ADVERTISING EXP - DDA	50.00
ASCAP	200009998220	COPYRIGHT LICENSE FEE	389.19
BALL TIRE & GAS INC	201750	VEH MAINT #42	34.26
BALL TIRE & GAS INC	201782	VEH MAINT - FIRE/EMS	20.00
BOLLENZ JEWELRY	89269-001	CWP PLAQUE PLATES - HR	57.00
BRUCE TILLINGER	123121	MECHANICAL INSP SVCS 12/21	2,572.00
BRUCE TILLINGER	123121A	PLUMBING INSP SVCS 12/21	619.20
CALGON CARBON CORPORATION	40004998	CARBON LEASE - WATER	32,360.00
CARQUEST AUTO PARTS	449409	VEH MAINT #66	223.53
CARQUEST AUTO PARTS	449452	VEH MAINT - FIRE EQ	207.97
CARQUEST AUTO PARTS	449502	VEH MAINT - FIRE EQ	20.23
CARQUEST AUTO PARTS	449731	VEH MAINT - FIRE EQ	140.00
CARQUEST AUTO PARTS	449752	VEH MAINT - POL/EQ	65.52
CARQUEST AUTO PARTS	449963	VEH MAINT - EQ	146.24
CARQUEST AUTO PARTS	450028	VEH MAINT - FIRE EQ	4.16
CARQUEST AUTO PARTS	450134	VEH MAINT - FIRE/EMS	131.39
CARQUEST AUTO PARTS	450265	VEH MAINT - EQ	11.19
CARQUEST AUTO PARTS	450364	SUPPLIES - FIRE/EMS	24.67
CARQUEST AUTO PARTS	450624	VEH MAINT - FIRE/EMS	12.05
CARQUEST AUTO PARTS	450634	VEH MAINT - FIRE/EMS	62.15
CARQUEST AUTO PARTS	450636	SUPPLIES - EQ	50.59
CARQUEST AUTO PARTS	450750	VEH MAINT - FIRE/EMS	(250.00)
CARQUEST AUTO PARTS	450700	VEH MAINT - EMS	943.71
CARROLL BROADCASTING	2875-00002-0000	ADVERTISING - COUNCIL	75.00
CHEMTRADE CHEMICALS US LLC	93236773	ALUMINUM SULFATE - WATER	4,832.27
CONTINENTAL LINEN SERVICE	70483 12/21	RUG/UNIFORM CONT 12/21	1,594.76
CONTROL SOLUTIONS INC	1058CW	BLDG MAINT - PSF	200.00
CONTROL SOLUTIONS INC	1568CW	MAINT - CITY HALL	85.00
CONTROL SOLUTIONS INC	1609CW	MAINT - CITY HALL	312.50
DE LAGE LANDEN FINANCIAL SERVICES	74980394	COPIER LEASE - DDA	56.55
DECLAN HIGGINS	010822	SAFETY SHOE/WORK APPAREL ALLOW - CEM	117.01
FAMILY ENTERPRISE EMBROIDERY	66245	SUPPLIES - COUNCIL	20.00
FRANCIS ROSINSKI	123121	ELECTRICAL INSP SVCS 12/21	1,847.20
FRONTIER	4175 01/22	TELEPHONE - FIRE/EMS	40.88
FRONTIER	5445 01/22	TELEPHONE - FIRE/EMS	77.48
FRONTIER	7204 01/22	ELEVATOR TELEPHONE - CITY HALL	57.69
FRONTIER	7430 01/22	ELEVATOR TELEPHONE - PUBLIC SAFETY	57.78
GIAMARCO MULLINS & HORTON PC	38	ATTY FEES - GEN/FIRE/EMS	1,120.50
GILMET CONSTRUCTION SERVICES	123121	BUILDING/ZONING/CODE/PLANNING SVCS 12	2,910.00
HALLS SERV-ALL	123121	RENTAL FEE - PARKS	248.75
HURON HUMANE SOCIETY	011022	FY 21-22 CONTRIBUTION	5,000.00
INTERSTATE BATTERY MID MICHIGAN	23427159	VEH MAINT - EQ	255.00
JANE MELVILLE	AP21-1950C	AMBULANCE REFUND	38.81
KAREN PAGE	AP21-3458C	AMBULANCE REFUND	200.00
KENDALL ELECTRIC INC	S111065504.001	SUPPLIES - PARKS	33.55
KENDALL ELECTRIC INC	S111089181.001	SUPPLIES - PARKS	70.48
KENDALL ELECTRIC INC	S111126172.001	MAINT - LIGHTS	79.04
LARRY SANDERSON	9602399	SNOW REMOVAL - DDA	405.00
LEAVESLEY CONSTRUCTION	1106	DOCK IMPROVEMENT - MARINA	4,394.12
MERIDIAN CONTRACTING SERVICES LLC	2318	ODOR CONTROL STACK - WWTP	14,629.15
MILLER OFFICE MACHINES	AR17815	COPIER MAINT - CH/PSF	409.31
NORTHERN CLEANING & MAINTENANCE	010122	MAINT - DDA	60.00
NORTHERN MICHIGAN CODE	010122	2022 MEMBERSHIP DUES	100.00
OFFICE DEPOT	20655836	SUPPLIES - CITY HALL	114.78
PRESQUE ISLE ELECTRIC & GAS CO	5633800001 12/21	ELECTRIC - AIR BASE	39.36
PROPANE PLUS INC	169375	PROPANE - CEMETERY	406.56
PROPANE PLUS INC	170128	PROPANE - TRAILHEAD	351.01
SUEZ WATER ENVIRONMENTAL SERVICES	202144374	CONT OPERATIONS 12/21	130,101.45
SUEZ WATER ENVIRONMENTAL SERVICES	202144426_427	CONT OPERATIONS 12/21	33,801.89
SUPERIOR IMAGE CLEANING	010522	CITY CUSTODIAL SERVICES	2,892.16
TELNET WORLDWIDE	238757	TELEPHONE	349.62
TERRI CURTIS	120621	TRAVEL ADVANCE - POLICE	120.00
THE ALPENA NEWS	100089	PUBLISHING/ADVERTISING	937.10
THE ALPENA NEWS	100090	PUBLISHING/ADVERTISING	155.00

INVOICE REGISTER

Page: 2/2

EXP CHECK RUN DATES 01/19/2022 - 01/19/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
THE ALPENA NEWS	100108	PUBLISHING/ADV - DDA	300.00
TRACTOR SUPPLY CREDIT PLAN	200015434	SUPPLIES - FIRE/EMS	22.77
TRUE NORTH RADIO NETWORK	21120398	ADVERTISING - DDA	300.00
UTILITY SERVICE CO INC	550817	MAINT - WATER TANKS	12,057.75
UTILITY SERVICE CO INC	550818	MAINT - WATER TANKS	9,509.44
VISA/ELAN FINANCIAL SERVICES	1418 01/22	BLDG MAINT - PSF	703.12
VISA/ELAN FINANCIAL SERVICES	2432 01/22	REVIEW FEE - CLERK/TREAS	460.00
VISA/ELAN FINANCIAL SERVICES	3610 01/22	SUPP/PROMO/UTIL - DDA	101.50
VISA/ELAN FINANCIAL SERVICES	5087 01/22	TR REG/FOOD/SERV/LOG-IN - MGR	84.68
VISA/ELAN FINANCIAL SERVICES	5279 01/22	UNIFORMS/SUPP/TR REG/EXP/DUES - POLIC	2,068.75
VISA/ELAN FINANCIAL SERVICES	6116 01/22	SUPP/VEH MAINT/TRACKER - FIRE/EMS	269.54
VISA/ELAN FINANCIAL SERVICES	7299 01/22	TRAIN REG/DUES - PLANNER	196.00
WALMART-CAPITAL ONE	120121	SUPPLIES - PUBLIC WORKS	5.88
WALMART-CAPITAL ONE	122021	SUPPLIES - POLICE	33.88
Total:			302,816.49

CHECKS RAN ON 01/06/22
(INVOICES PAID ATTACHED)

45,363.08

TOTAL FOR 02/18/22 MEETING

348,179.57

INVOICE REGISTER

Page: 1/1

EXP CHECK RUN DATES 01/06/2022 - 01/06/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ALPENA POWER COMPANY	010622	ELECTRIC	31,754.48
BP	61402206	GAS/FUEL - FIRE/EMS/EQ	4,635.09
FRONTIER	9535 01/22	ALARM PHONE LINES - SEWER	707.10
WEX BANK/SPEEDWAY	77296845	GAS/FUEL-POL/FIRE/EMS/EQ/SUEZ	8,266.41
		Total:	45,363.08



Alpena Fire Department
Alpena County EMS
501 W Chisholm Street
Alpena, Michigan 49707
www.alpena.mi.us

Fire/EMS

To: Honorable Mayor Waligora and Council
From: Bill Forbush, Fire Chief
Date: January 10, 2022
Re: EMU Staff and Command Recognition

Eastern Michigan University's prestigious School of Fire Staff and Command is designed to prepare the professional fire officer to effectively manage their fire agency.

This management-oriented program consists of 350 hours of competency-based education spread over 10 months. The program takes the fire officer beyond traditional operation methods and exposes them to conceptual thinking and problem solving.

The School of Fire Staff and Command education/training program targets those fire officers destined for senior leadership within their departments. With technology advancing at such a rapid rate, senior fire officers must be prepared with the knowledge, skills and abilities afforded private industry, which are often not adequately addressed in public service.

In the 150 year history of the Alpena Fire Department, only six officers have completed this program, signaling a new era in professional fire/EMS administration in Alpena. These officers are Chief Ken Hubbard (retired), Chief Bill Forbush, Deputy Chief Rob Edmonds, Captain Mike Manchester (retired) and at Mondays Council meeting, we'd like to recognize our latest graduates – **Captains Andy Marceau and Brett Miller.**

Both of these individuals have completed the EMU program, working with a network of senior officers from around the state and beyond, and learning the latest techniques in public safety administration. They were presented their diplomas by program director JillAnne Bauer and State Fire Marshal Kevin Sehlmeier at a formal ceremony in Ypsilanti and we would like to recognize their significant achievement at the January 18 Municipal Council meeting. Regrettably, I'll be out of town, but Deputy Chief Edmonds will address Council at that time.

Thank you very much for your continued cooperation and support as we continue to advance the Alpena Fire Department and provide the best possible emergency and risk reduction services for our community.





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

Planning, Development, & Zoning

To: Alpena Municipal Council
From: Montiel Birmingham, Director
cc: Rachel Smolinski, City Manager
Date: January 12, 2022
RE: Zoning Ordinance Amendments

Content covered and approved during the Planning Commission meeting on January 11th, 2022, included two amendments to the current zoning ordinance. The amendments are as follows:

1. Ordinance No. 22-470 – Adult Use Marihuana
 - a. Adult Use Marihuana was added to the following zones as Permitted with a Special Use Permit and Supplemental Regulations.
 - b. Marihuana Microbusiness is a 6th establishment type that was not previously present for medical.

TABLE OF PERMITTED USES & SPECIAL LAND USES																
R = Permitted by right S = Permitted with a Special Use Permit	R1	R2	RT	RM 1	RM 2	OS1	CBD	CCD	B1	B2	B3	I1	I2	P1	WD	CR
COMMERCIAL/BUSINESS/SERVICE																
Adult Use Marihuana Establishments:																
Marihuana Growers												S*	S*			
Marihuana Processors												S*	S*			
Marihuana Retailers						S*		S*		S*	S*	S*	S*			
Marihuana Microbusiness						S*		S*		S*	S*	S*	S*			
Marihuana Safety Compliance Facilities						S*		S*		S*	S*	S*	S*			
Marihuana Secure Transporters												S*	S*			

2. Ordinance No. 22-469 – Rezoned parcel at 124 E Clark St R-2 to R-T
 - a. Parcel is located to the south of the Salvation Army on 2nd Ave (Zone OS-1)

Montiel Birmingham is available to review the amendments and City Attorney, Bill Pfeifer will conduct the first reading of each ordinance. The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.



**City of Alpena
Ordinance No. 22-469**

An ordinance to amend the City of Alpena Zoning Map.

City of Alpena, Alpena County, Michigan ordains:

SECTION 1: AMENDMENT TO THE CITY OF ALPENA ZONING MAP

That the City of Alpena Zoning Ordinance Zoning Map is hereby amended as follows:

The parcel located at 124 E Clark St. shall be rezoned from R-2 to R-T.

SECTION 2: SEVERABILITY

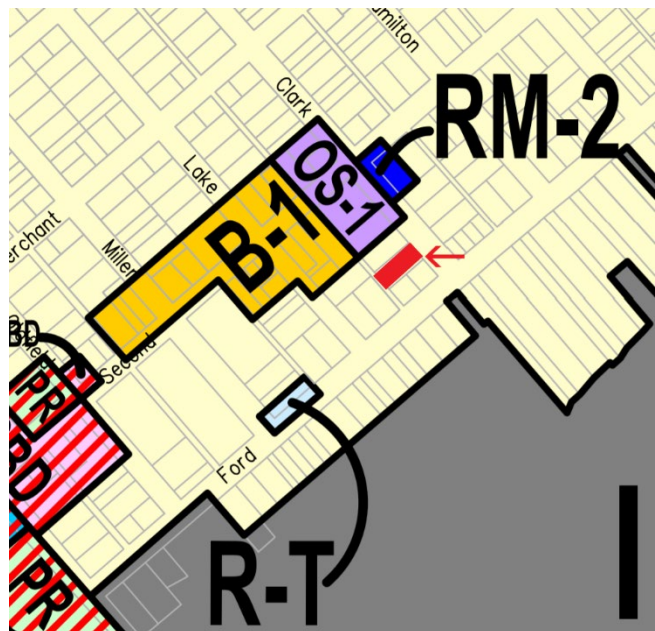
If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence,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

SECTION 3: SAVING CLAUSE

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

SECTION 4: EFFECTIVE DATE

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



Matthew J. Waligora, Mayor

Anna Soik, Clerk/Treasurer/Finance Director

I, Anna Soik, Clerk/Treasurer/Finance Director for the City of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. 22-469 of the City of Alpena, adopted at a meeting of the Alpena City Council held on _____.

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

First Reading: _____

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.

City of Alpena Ordinance No. 22-470

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

City of Alpena, Alpena County, Michigan ordains:

SECTION 1: AMENDMENT TO THE CITY OF ALPENA ZONING ORDINANCE

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

Section 2.1 Definitions

(Add the following definitions)

MARIHUANA ESTABLISHMENTS (ADULT USE): An enterprise at a specific location at which a licensee is licensed to operate under **Initiated Law 1 of 2018, Medical Regulation and Taxation of Marihuana Act, MCL 333.27951 et seq.**; including a marihuana grower, marihuana microbusiness, marihuana processor, marihuana retailer, marihuana secure transporter, or marihuana safety compliance facility.

- A. **MARIHUANA GROWER.** A person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.
- B. **MARIHUANA MICROBUSINESS.** A person licensed to cultivate not more than one hundred fifty (150) marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are twenty-one (21) years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.
- C. **MARIHUANA PROCESSOR.** A person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.
- D. **MARIHUANA RETAILER.** A person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are twenty-one (21) years of age or older.
- E. **MARIHUANA SECURE TRANSPORTER.** A person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.
- F. **MARIHUANA SAFETY COMPLIANCE FACILITY.** A person licensed to test marihuana, including certification for potency and the presence of contaminants.

All other definitions pertaining to Adult Use Marihuana are defined by **Initiated Law 1 of 2018, MCL 333.27951 et seq., as amended.**

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

Section 5.14 CCD COMMERCIAL CORRIDOR DISTRICT

Add the following uses:

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	CCD
COMMERCIAL/BUSINESS/SERVICE	
<i>Adult Use Marihuana Establishments:</i>	
<i>Marihuana Retailers</i>	S*
<i>Marihuana Microbusiness</i>	S*
<i>Marihuana Safety Compliance Facilities</i>	S*

Section 5.15 OS-1: OFFICE SERVICE DISTRICT

Add the following uses:

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	OS-1
COMMERCIAL/BUSINESS/SERVICE	
<i>Adult Use Marihuana Establishments:</i>	
<i>Marihuana Retailers</i>	S*
<i>Marihuana Microbusiness</i>	S*
<i>Marihuana Safety Compliance Facilities</i>	S*

Section 5.17 B-2: GENERAL BUSINESS DISTRICT

Add the following uses:

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B-2
COMMERCIAL/BUSINESS/SERVICE	
<i>Adult Use Marihuana Establishments:</i>	
<i>Marihuana Retailers</i>	S*
<i>Marihuana Microbusiness</i>	S*
<i>Marihuana Safety Compliance Facilities</i>	S*

Section 5.18 B-3: COMMERCIAL DISTRICT

Add the following uses:

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	B-2
COMMERCIAL/BUSINESS/SERVICE	
<i>Adult Use Marihuana Establishments:</i>	
<i>Marihuana Retailers</i>	S*
<i>Marihuana Microbusiness</i>	S*
<i>Marihuana Safety Compliance Facilities</i>	S*

Section 5.19 I-1: LIGHT INDUSTRIAL DISTRICT

Add the following uses:

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	I-1
COMMERCIAL/BUSINESS/SERVICE	
Adult Use Marihuana Establishments:	
Marihuana Growers	S*
Marihuana Processors	S*
Marihuana Retailers	S*
Marihuana Microbusiness	S*
Marihuana Safety Compliance Facilities	S*
Marihuana Secure Transporters	S*

Section 5.20 I-2: GENERAL INDUSTRIAL DISTRICT

Add the following uses:

R = Permitted by right S = Permitted with a Special Use Permit *uses with Supplemental Regulations -Article 7	I-2
COMMERCIAL/BUSINESS/SERVICE	
Adult Use Marihuana Establishments:	
Marihuana Growers	S*
Marihuana Processors	S*
Marihuana Retailers	S*
Marihuana Microbusiness	S*
Marihuana Safety Compliance Facilities	S*
Marihuana Secure Transporters	S*

Section 5.26 Use Matrix

Add the following uses:

TABLE OF PERMITTED USES & SPECIAL LAND USES																	
R = Permitted by right S = Permitted with a Special Use Permit	R1	R2	RT	RM 1	RM 2	OS1	CBD	CCD	B1	B2	B3	I1	I2	P1	WD	CR	PR
COMMERCIAL/BUSINESS/SERVICE																	
Adult Use Marihuana Establishments:																	
Marihuana Growers												S*	S*				
Marihuana Processors												S*	S*				
Marihuana Retailers						S*		S*		S*	S*	S*	S*				
Marihuana Microbusiness						S*		S*		S*	S*	S*	S*				
Marihuana Safety Compliance Facilities						S*		S*		S*	S*	S*	S*				
Marihuana Secure Transporters												S*	S*				

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

Section 7.41 MEDICAL MARIHUANA FACILITIES AND ADULT USE MARIHUANA ESTABLISHMENTS

A. Standards:

1. Medical Marihuana Facilities and Adult Use Marihuana Establishments shall not be located within one thousand (1,000) feet of any school.
2. Medical Marihuana Facilities and Adult Use Marihuana Establishments shall not be located within two hundred fifty (250) feet of any place of worship, child care centers, addiction clinics and treatment facilities, the Boys and Girls Club of Alpena, or McRae, Bay View, or Water Tower Parks, or be directly adjacent to Starlite Beach Park or Mich-e-ke-wis Park.
3. Medical Marihuana Facilities and Adult Use Marihuana Establishments shall not be located in the district or area known as the "Downtown Development Authority."
4. Medical Marihuana Facilities and Adult Use Marihuana Establishments shall comply with the City of Alpena Ordinance No. 21-467 (Medical Marihuana Facilities and adult use marihuana establishments).

B. Submittal Requirements (in addition to submittal requirements in **Section 6.11**): Applicant shall submit the documentation contained in 1-3 below which will be reviewed by the Planning Commission. The Planning Commission shall also evaluate the site plan using the site plan review standards in **Section 6.6** and Special Land Use review standards in **Section 6.12**.

1. Applicant shall submit a plan which details economic benefits to the City by way of improvements to real property.
2. If an existing building is proposed to be utilized, applicant shall commit to physical improvements to exterior of existing building or structure. If no improvements are necessary, applicant shall include a statement indicating the reasons.
3. Applicant shall submit a maintenance plan that provides for upkeep of property, including exterior or right-of-way.

SECTION 2: SEVERABILITY

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

SECTION 3: SAVING CLAUSE

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

SECTION 4: EFFECTIVE DATE

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

Mayor

Clerk

I, _____, Clerk for the City of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. 22-470 of the City of Alpena, adopted by at a meeting of the Alpena City Council held on _____.

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

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.