

ALPENA CITY COUNCIL MEETING

February 19, 2024 – 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 of and Proposed Modifications to the Agenda.**
4. **Approval of the Minutes** – Regular Session of February 05, 2024.
5. **Public Comment** - 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). Please come to the podium and state your name and address. Online comments will be accepted after in-person comments are completed. All comments should be directed to Council and not the audience. No clapping, cheering, or yelling is allowed.
6. **Public Hearing.**
7. **Consent Agenda.**
 - A. Bills to be Allowed in the Amount of \$538,875.67 and Authorize Mayor Johnson and Clerk Soik to Sign the Warrant.
 - B. Appoint Mayor Pro Tem Nowak to the Alpena County Central Dispatch Board and Councilmember Kane as the Alternate.
 - C. Approve the Americans with Disabilities Act Contract with Disability Network Northern Michigan and Authorize Mayor Johnson and Clerk/Treasurer/Finance Director Soik to Sign.
 - D. Council Reappointment of Keith Wallace as the Assistant City Attorney for a Two-Year Term Expiring on February 19, 2026.
8. **Presentations.**

Introduction of Chris Hatch, Building Inspector – Montiel Birmingham, Planning, Zoning, and Development Director.
9. **Announcements.**
 - A. Early Voting is Available Now through Sunday, February 25, 2024, in the Council Chambers at City Hall from 8:30 a.m. to 4:30 p.m.
 - B. The Clerk/Treasurer's Office Will be Open on Saturday, February 24, 2024, from 8 a.m. to 4 p.m. for Voters to Register to Vote and Request an Absentee Ballot. Tax Payments Will Also be Accepted.
 - C. There will be a Special Joint Council and Planning Commission Meeting on February 22, 2024, at 5:30 p.m. in Council Chambers at City Hall.
10. **Mayoral Proclamation.**
11. **Report of Officers.**
 - A. First Reading of Ordinances No. 24-500 and No. 24-501 Which Amend the City of Alpena Zoning Map. – Bill Pfeifer, City Attorney.

- B. First Reading of Ordinance No. 24-502 Which Amends Chapter 62, Personnel; Article III, Retirement System; Division I. Generally; Section 62-92 Retirement Allowance Options – Bill Pfeifer, City Attorney.

12. **Communications and Petitions.**

13. **Unfinished Business.**

14. **New Business.**

15. **Adjourn to Closed Session.**

Discuss: (1) an Update Regarding Pending Litigation in the Michigan Tax Tribunal of KAH V LLC v City of Alpena; (2) an Update on Sewer and Water Litigation; and (3) an Update Regarding Litigation in the Michigan Tax Tribunal for the City of Alpena v County of Alpena.

16. **Return to Open Session.**

17. **Adjournment.**

A handwritten signature in blue ink that reads "Rachel K. Smolinski". The signature is written in a cursive, flowing style.

Rachel Smolinski
City Manager

COUNCIL PROCEEDINGS

February 05, 2024

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

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

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF THE AGENDA

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

Motion carried 5-0.

MINUTES

The minutes of the regular session of January 16, 2024, were approved as printed.

The minutes of the special session of February 01, 2024, need a correction.

Moved by Councilmember Mitchell, seconded by Mayor Pro Tem Nowak, to modify the minutes of February 01, 2024, to remove the second occurrence of "Nowak" and replace with "Walchak" in the present section of the roll call.

Motion carried 5-0.

CONSENT AGENDA

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

- A. Bills to be allowed, in the amount of \$340,977.10, and authorize Mayor Johnson and Clerk Soik to sign the warrant.
- B. Approval of a noise ordinance variance request from the Alpena Blues Coalition for the

Alpena Blues Festival at the Alpena County Fairgrounds on Saturday, June 15, 2024, from 10 p.m. to 12 a.m.

- C. Approval of the Metro Act Right of Way permit extension for KEPS Technologies and authorize the City Clerk to sign on the City's behalf.
- D. Mayoral appointment of Sarah Honeycutt to the Historic District Study Committee for an undefined term.
- E. Mayoral appointment of Mike Glowinski and Mike Mahler to the Authority for Brownfield Redevelopment for a three-year term to expire on February 01, 2027.
- F. Council reappointment of Terry Gougeon and Tom Orth to the Wildlife Sanctuary Board for a three-year term to expire on February 01, 2027.
- G. Council reappointment of Wayne Lewis and AlDean Moe to the Harbor Advisory Committee for a three-year term to expire on February 01, 2027.
- H. Mayor appointment of Cassandra VanHorn to the Downtown Development Authority, as a student of Government for Tomorrow, for a one-year term to expire on February 05, 2025.
- I. Approval of a budget amendment request to account for a fire insurance withholding payment that was not budgeted in the amount of \$13,117.

Motion carried 5-0.

ALPENA PUBLIC SCHOOLS OPERATING MILLAGE RENEWAL

Moved by Mayor Pro Tem Nowak, seconded by Councilmember Mitchell, to receive and file [the presentation by Alpena Public Schools Superintendent, David Rabbideau, of the operating millage ballot proposal on the February 27, 2024, election].

Motion carried 5-0.

SECOND QUARTER OF FISCAL YEAR 2024 FINANCIAL REPORT

Moved by Councilmember Mitchell, seconded by Councilmember Walchak, to receive and file the [second quarter of fiscal year 2024] financial report.

Motion carried 5-0.

2024 ELECTION WORKERS' WAGES

Moved by Mayor Pro Tem Nowak, seconded by Councilmember Mitchell, to increase hourly wages to \$15.84 for election chairpersons, \$13.75 for deputies, and \$12 for inspectors, excluding full-

time staff.

Motion carried 5-0.

COMMERCIAL PURCHASING CARD

Moved by Councilmember Walchak, seconded by Mayor Pro Tem Nowak, to authorize the City the ability to incur debt through the use of a commercial purchasing card with PNC Bank and authorize Clerk/Treasurer/Finance Director Soik to sign on behalf of the City.

Motion carried 5-0.

HOT MIXED ASPHALT PATCHING PROGRAM BID RECOMMENDATION

On January 30, 2024, the City received and opened the following bid for the Hot Mixed Asphalt (HMA) Patching Program for 2024:

C & C Excavating, LLC	Alpena, MI	\$108,410
-----------------------	------------	-----------

Moved by Mayor Pro Tem Nowak, seconded by Councilmember Walchak, to award the 2024 HMA Patching Contract to C & C Excavating, for the unit prices totaling \$108,410, allowing a one-year extension if both parties can agree on pricing.

Motion carried 5-0.

2024 CITY CONCRETE PROGRAM BID RECOMMENDATION

On January 30, 2024, the City received and opened bids for the annual City Concrete Program. The following bids were received:

Bedrock Contracting	Alpena, MI	\$93,703.90
EMPI (E & M Property Investments)	Hillman, MI	\$300,800.00

Moved by Councilmember Mitchell, seconded by Mayor Pro Tem Nowak, to award the City Concrete Program contract to Bedrock Contracting for the 2024 construction season for the price of \$93,703.90. This contract has an option of a single one-year renewal.

Motion carried 5-0.

Moved by Councilmember Walchak, seconded by Councilmember Mitchell, that the property

owner sidewalk rate be established at \$4.42 per square foot.

Motion carried 5-0.

SUPPORT EMERGENCY OPERATIONS PLAN RESOLUTION

Moved by Councilmember Kane, seconded by Councilmember Walchak, to approve Resolution 2024-02 which adopts the Support Emergency Operations Plan.

Motion carried 5-0.

COMMITTEE APPOINTMENTS – MAYOR JOHNSON

Moved by Mayor Pro Tem Nowak, seconded by Councilmember Mitchell, to approve the following committees for Mayor Johnson: Retirement Board, Northeast Michigan Materials Management Authority, Historic District Study Committee, Board of Review, Huron Humane Society, Park Foundation, Election Commission, Alpena County Land Bank (alternate), and DARE (alternate).

Motion carried 5-0.

COMMITTEE APPOINTMENTS – MAYOR PRO TEM NOWAK

Moved by Councilmember Walchak, seconded by Mayor Johnson, to appoint the following committees for Mayor Pro Tem Nowak: Alpena County Central Dispatch, Retirement Board, Historic District Commission, Board of Review, Target Alpena, and Emergency Management Advisory Committee.

The above motion was amended. Moved by Councilmember Walchak, seconded by Councilmember Mitchell, to amend the motion regarding Mayor Pro Tem Nowak, to remove the appointment to Alpena County Central Dispatch.

Motion carried 5-0.

COMMITTEE APPOINTMENTS – COUNCILMEMBER WALCHAK

Moved by Councilmember Mitchell, seconded by Mayor Pro Tem Nowak, to appoint Councilmember Walchak to: Art Alpena, Historic District Study Committee, Board of Review, Alpena Authority for Brownfield Redevelopment, Thunder Bay National Marine Sanctuary Advisory Council,

Historic District Commission, and the River Center Board (alternate).

Motion carried 5-0.

COMMITTEE APPOINTMENTS – COUNCILMEMBER KANE

Moved by Mayor Johnson, seconded by Mayor Pro Tem Nowak, to appoint Councilmember Kane to the HUNT Advisory Commission, Board of Review, Northeast Michigan Council of Governments Board (alternate), Art Alpena (alternate) and Emergency Management Advisory Committee (alternate).

Motion carried 5-0.

COMMITTEE APPOINTMENTS – COUNCILMEMBER MITCHELL

Moved by Councilmember Kane, seconded by Councilmember Walchak, to approve the appointment of Councilmember Mitchell to: DARE, Alpena County Land Bank, Board of Review, Northeast Michigan Council of Governments Board, River Center Board, Thunder Bay National Marine Sanctuary Advisory Council (alternate), Target Alpena (alternate), and HUNT Advisory Commission (alternate).

Motion carried 5-0.

ADJOURNMENT

On motion of Mayor Johnson, seconded by Mayor Pro Tem Nowak, the Municipal Council adjourned at 7:10 p.m.

Cindy Johnson
Mayor

ATTEST:

Anna Soik
City Clerk

INVOICE REGISTER

Page: 1/3

EXP CHECK RUN DATES 02/20/2024 - 02/20/2024

BOTH JOURNALIZED AND UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
AIRGAS USA LLC	5505321225	CYLINDER RENTAL - DPW	77.99
AIRGAS USA LLC	9146216411	SUPPLIES - EMS DISP	41.25
AIRGAS USA LLC	9145567199	SUPPLIES - EMS DISP	69.99
AIRGAS USA LLC	9145790495	SUPPLIES - EMS DISP	59.10
ALL SEASONS LAWN CARE	021324	MAINT - DDA SNOW REMOVAL	690.00
ALLEGRA ALPENA	160636	SUPPLIES - POL	60.43
ALLEGRA ALPENA	160646	SUPPLIES - COUNCIL	60.43
ALLEGRA ALPENA	160629	SUPPLIES - CODE ENF	153.52
ALPENA ACE HARDWARE	7639	MAINT - POL	99.99
ALPENA AREA CHAMBER OF COMMERCE	25238	ECON PROMO - DDA	240.00
ALPENA COUNTY TREASURER	020224	PRE CHANGE ADMIN FEE	19.76
ALPENA COUNTY TREASURER	021624	IT CONTRACTED SVCS 02/24	8,615.00
ALPENA DIESEL SERVICE	80461	SUPPLIES - EQ	42.06
ALPENA DIESEL SERVICE	80441	VEH MAINT #38	90.90
ALPENA DIESEL SERVICE	80473	VEH MAINT #47	109.28
ALPENA DIESEL SERVICE	80432	VEH MAINT #36/38	409.45
ALPENA DIESEL SERVICE	80489	VEH MAINT - EQ	15.75
ALPENA DIESEL SERVICE	80616	VEH MAINT - EQ	18.70
ALPENA DIESEL SERVICE	80615	VEH MAINT - EQ	175.00
ALPENA STREET PERFORMERS	124256	STREET PERFORMERS - DDA	600.00
AMAZON CAPITAL SERVICES INC	1J4F-T3XF-G4KD	UNIFORMS - FIRE/EMS	109.95
AMAZON CAPITAL SERVICES INC	1QP4-7DHL-M1FY	MAINT - FIRE/EMS	18.98
AMAZON CAPITAL SERVICES INC	1FF1-WQD4-YFLH	SUPPLIES - POL	35.79
AMAZON CAPITAL SERVICES INC	1YQ3-MNNC-6YCJ	SUPPLIES - IT	161.57
AMAZON CAPITAL SERVICES INC	11WJ-9J6C-TM41	SUPPLIES - EQ	17.78
AMAZON CAPITAL SERVICES INC	17KK-NNHJ-QNCK	SUPPLIES - DPW	22.97
AMAZON CAPITAL SERVICES INC	1RCD-D9F4-JWVH	SUPPLIES - DPW	26.98
AMAZON CAPITAL SERVICES INC	1XDT-R693-6DCL	VEH MAINT/SUPPLIES - FIRE/EMS	118.23
BALL TIRE & GAS INC	227126	VEH MAINT #5	68.00
BALL TIRE & GAS INC	227237	VEH MAINT #9	20.00
BALL TIRE & GAS INC	225785	VEH MAINT - EQ	1,012.66
BALL TIRE & GAS INC	225817	VEH MAINT - EQ	109.56
BEAVER RESEARCH COMPANY	0367067-IN	SUPPLIES - DPW	152.00
BOUND TREE MEDICAL LLC	85228681	SUPPLIES - EMS DISP	1,061.98
BRAD MATHIS	013024	UNIFORMS - MARINA	127.19
BRUCE TILLINGER	020124	MECH INSP SVCS	5,240.00
BRUCE TILLINGER	020124 B	PLUMB INSP SVCS 01/24	1,580.80
BUILDERS FIRST SOURCE	69727942	SUPPLIES - MAJ/LOC ST	442.43
CARQUEST AUTO PARTS	5211555	VEH MAINT - EQ	(1.92)
CARQUEST AUTO PARTS	497668	VEH MAINT #101	1,472.94
CARQUEST AUTO PARTS	497725	VEH MAINT - EQ	2.65
CARQUEST AUTO PARTS	497964	VEH MAINT #107	326.40
CARQUEST AUTO PARTS	498269	VEH MAINT #66	31.49
CARQUEST AUTO PARTS	498289	VEH MAINT #1	2.03
CARQUEST AUTO PARTS	498621	VEH MAINT - FIRE/EMS	487.92
CARQUEST AUTO PARTS	498635	VEH MAINT - FIRE/EMS	129.18
CARQUEST AUTO PARTS	498692	VEH MAINT #20	170.19
CHARTER COMMUNICATIONS	005054301020124	WATER TOWER INTERNET SIGNALS	627.88
COLUMN SOFTWARE PBC	35725COA-0141	PUBLISHING/ADVERTISING - C/T	225.72
COLUMN SOFTWARE PBC	35725COA-0140	PUBLISHING/ADVERTISING - PDZ	92.73
CONTINENTAL LINEN SERVICE	70483 02/24	RUG/UNIFORM CONT 02/24	488.68
DONS TRACTOR & EQUIPMENT SALES	75836	RENT - EQ	400.00
DONS TRACTOR & EQUIPMENT SALES	74465	RENT - EQ	600.00
DONS TRACTOR & EQUIPMENT SALES	75911	VEH MAINT - EQ	2,087.73
DOUGLAS ROZNOWSKI	5565612	WORK APPAREL - DPW	190.79
DTE ENERGY	022924	NATURAL GAS - DDA	160.92
EAGLE SUPPLY CO	128094	SUPPLIES - POL	18.60
EAGLE SUPPLY CO	128032	SUPPLIES - CH	773.91
EAGLE SUPPLY CO	128031	SUPPLIES - DPW	1,542.24
EAGLE SUPPLY CO	128054	SUPPLIES - DPW	44.00
EAGLE SUPPLY CO	128063	SUPPLIES - FIRE/EMS	309.42
EAGLE SUPPLY CO	127823	SUPPLIES - FIRE/EMS	156.80
EASTERN MICHIGAN UNIVERSITY	S3841300	SUSZEK-STAFF & COMMAND COURSE 2024	3,500.00
EJ USA	110240007390	MAINT - WATER	52.50
ENERCO CORPORATION	INV010369	BLDG MAINT - CH	103.05
ENTERPRISE FM TRUST	601670-020424	VEHICLE LEASE - TRAVEL VEH/EQUIP FUND	10,066.14
F.D. LAKE COMPANY	1008135	SUPPLIES - EQ	1,499.26
FASTENAL COMPANY	MIALP203874	SUPPLIES - EQ	340.30
FASTENAL COMPANY	MIALP204012	SUPPLIES - EQ	111.61
FITZPATRICK'S HARDWARE	5569203	SUPPLIES - DPW	199.92
FITZPATRICK'S HARDWARE	5568544	VEH MAINT - EQ	97.97
FITZPATRICK'S HARDWARE	5569369	VEH MAINT - EQ	6.99

INVOICE REGISTER

Page: 2/3

EXP CHECK RUN DATES 02/20/2024 - 02/20/2024

BOTH JOURNALIZED AND UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
FRANCIS ROSINSKI	020124	ELECTRICAL INSP SVCS 01/24	2,050.40
FREESE HYDRAULICS & EQUIP REPAIR	45536	SUPPLIES - EQ	536.10
FREESE HYDRAULICS & EQUIP REPAIR	45189	VEH MAINT - EQ	986.18
FRONTIER	7430 02/24	TELEPHONE LANDLINE	59.01
FRONTIER	7204 02/24	ELEVATOR TELEPHONE - CITY HALL	59.01
FRONTIER	4175 02/24	TELEPHONE - PSF	40.58
FRONTIER	2793 02/24	TELEPHONE - POL/FIRE/EMS	111.02
GALLS LLC	026888671	UNIFORMS - FIRE/EMS	130.99
GALLS LLC	026835875	UNIFORMS - FIRE/EMS	186.99
GEORGIES TOWING & WRECKER SVC	24-12000	TREE REMOVAL - CODE ENF	400.00
GFL ENVIRONMENTAL	0064526791	DUMPSTER CHARGES 01/24	1,854.96
HALLS SERV-ALL	013124	RENTAL FEE - PARKS	1,046.25
HANOVER LANTERN	0000021521	HANOVER LIGHT POLE WITH GFI	7,512.00
HOME DEPOT CREDIT SERVICES	9510008	SUPPLIES - CEM	66.81
HOME DEPOT CREDIT SERVICES	1074205	SUPPLIES - FIRE/EMS	17.92
HOME DEPOT CREDIT SERVICES	6090145	SUPPLIES - FIRE/EMS	85.72
INTERSTATE BATTERY MID MICHIGAN	23434551	SUPPLIES - EQ	139.00
INTERSTATE BATTERY MID MICHIGAN	23434733	GAS - EQ	276.00
INTERSTATE BATTERY MID MICHIGAN	23434951	GAS - EQ	417.00
JEFFRESS-DYER INC	013124	APPRAISAL SVCS	2,919.00
L-TRON	683149	SUPPLIES - POL	2,756.25
LAKESHORE PLUMBING, HEATING &	52660	BLDG MAINT - DPW	475.00
MARIA KINNEY	2403	GRAPHIC DESIGN - DDA	980.00
MIDWEST DIESEL SERVICE LLC	F1713-9623	VEH MAINT - EQ	161.81
MILLER OFFICE MACHINES	AR27370	SUPPLIES - DDA	67.04
MILLER OFFICE MACHINES	AR27530	SUPPLIES - DDA	117.90
MILLER OFFICE MACHINES	AR27382	COPIER MAINT - PSF	262.94
MILLER OFFICE MACHINES	AR27383	COPIER MAINT - CH	68.72
MY MICHIGAN HEALTH	700000774 01/24	EMPLOYEE PHYS - DPW	113.00
MY MICHIGAN HEALTH	020124	BLS CARDS - FIRE/EMS	36.00
MY MICHIGAN HEALTH	020124 B	HEARTSAVER CARDS - FIRE/EMS	114.00
MY MICHIGAN HEALTH	012924	BLS CARDS - FIRE/EMS	48.00
MY MICHIGAN MEDICAL CENTER ALPENA	761	SUPPLIES - EMS DISP	1,048.64
NEMCOG	01-738-7800-240205	ZONING ASSISTANCE	3,419.15
NORTH CENTRAL MICHIGAN COLLEGE	WINTER 2023-50	COURSE TUITION - FIRE/EMS	1,310.00
NORTHERN CLEANING & MAINTENANCE	020124	MAINT - DDA	105.00
NYE UNIFORM COMPANY	876700	UNIFORMS - POL	407.00
OFFICE DEPOT	29572427	SUPPLIES - POL/FIRE/EMS	247.54
OMEGA ELECTRIC & SIGN CO INC	29867	UNIFORMS - FIRE/EMS	1,228.00
ON THE SPOT SERVICES OF ALPENA LLC	24-050	CUSTODIAL SERVICES - WOODWARD	520.00
PRESQUE ISLE ELECTRIC & GAS CO	5633800001 02/24	ELECTRIC - AIR BASE	61.30
R & R FIRE TRUCK REPAIR	67054	MAINT - FIRE/EMS	4,825.95
R & R FIRE TRUCK REPAIR	67152 B	VEH MAINT #123	496.26
ROWLEYS WHOLESale	1418799-00	VEH MAINT - EQ	83.27
ROWLEYS WHOLESale	1418835-00	VEH MAINT - EQ	1,478.19
ROWLEYS WHOLESale	1418799-01	VEH MIAINT - EQ	154.06
ROWLEYS WHOLESale	1420164-00	VEH MAINT - EQ	1,256.34
SCOTT-MERRIMAN INC	072835	SUPPLIES - POL/DDA	1,782.00
SEVAN K INC	313 01/24	VEH MAINT - POL	153.20
STANDARD ELECTRIC CO	4089655-00	MAINT - LIGHTS	92.36
STANDARD ELECTRIC CO	4089684-00	MAINT - LIGHTS	101.79
STRALEY LAMP & KRAENZLEIN PC	39113	MONTHLY FEE 01/24	4,250.00
SUPERIOR FABRICATING INC	16040	VEH MAINT - EQ	65.00
SUPERIOR FABRICATING INC	16030	VEH MAINT #36	730.00
TELEFLEX LLC	9507995817	SUPPLIES - EMS DISP	677.50
TELNET WORLDWIDE	41876	TELEPHONE - LAND LINES	994.33
TEMPEST ENTERPRISES LLC	8591	WWTP SCADA	15,480.00
TEMPEST ENTERPRISES LLC	8506	WWTP SCADA	181,940.14
TETRA TECH INC	52121692	SECOND AVE BRIDGE BIENNIAL ROUTINE IN	4,500.00
THE SHERWIN WILLIAMS CO	2522-9	SUPPLIES - EQ	554.90
THE SHERWIN WILLIAMS CO	2826-4	SUPPLIES - CEM	10.17
THE SHERWIN WILLIAMS CO	0597-8	SUPPLIES - CEM	223.35
THUNDER BAY ELECTRIC INC	234031	MAINT - DPW	240.72
THUNDER BAY ELECTRIC INC	234097	MAINT - LIGHTS	1,509.35
THUNDER BAY THERAPY AND SPORTS	171	EMPLOYEE PHYS - DPW	146.00
TOTAL FIRE PROTECTION INC	12496598	MAINT - DPW	1,321.44
TRANSUNION RISK AND ALTERNATIVE	200116-202401-1	SUBSCRIPTION - POL	75.00
TRUE NORTH RADIO NETWORK	24010321	COMM PROMO - DDA	150.00
TRUE NORTH THREADS LLC	4003	UNIFORMS - INSP	60.00
UP ENGINEERS & ARCHITECTS INC	2400767	DESIGN SVCS - THUNDER BAY CENTER WAT	12,150.00
VEOLIA WATER CONTRACT OPERATIONS	9000136333	CONTRACT OPERATIONS 01/24	139,680.17
VISA/ELAN FINANCIAL SERVICES	4503 02/24	SEC CAM/SUPPLIES/TEST - IT	392.49

INVOICE REGISTER

Page: 3/3

EXP CHECK RUN DATES 02/20/2024 - 02/20/2024

BOTH JOURNALIZED AND UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
VISA/ELAN FINANCIAL SERVICES	7661 02/24	FEES/SUPPLIES - CLERK	135.89
VISA/ELAN FINANCIAL SERVICES	0336 02/24	TRAINING/DUES/MEALS - MFR/FIRE/EMS	685.12
VISA/ELAN FINANCIAL SERVICES	0572 02/24	MISC/CONT ED/UNIFORMS - POL	518.56
VISA/ELAN FINANCIAL SERVICES	5087 02/24	SUPPLIES/GAS/CONT ED/MAINT - CM	93.86
VISA/ELAN FINANCIAL SERVICES	2432 02/24	CONT ED - CLERK	40.00
VISA/ELAN FINANCIAL SERVICES	3610 02/24	SUPPLIES/ELECTRIC/PRINTING/COMM PROM	785.57
WALMART-CAPITAL ONE	020124	SUPPLIES - DPW/CEM	240.50
WEINKAUF PLUMBING & HEATING INC	26795	AHU MAINT - CH	409.04
WEX BANK/SPEEDWAY	94987852	GAS/FUEL - POL	20,365.71
WILLIAM PFEIFER	020924	TRAVEL EXP - CITY ATTORNEY	712.68
WITMER PUBLIC SAFETY GROUP	INV414238	UNIFORMS - FIRE/EMS	202.42
WITMER PUBLIC SAFETY GROUP	INV410948	SUPPLIES - FIRE/EMS	26.29
WITMER PUBLIC SAFETY GROUP	INV406693	CARNES 1044 STRUCTURAL FIREFIGHTER H	1,918.36

Total: 482,443.72

CHECKS RAN ON 02/02/24	8,933.32
CHECKS RAN ON 02/07/24	3,264.60
CHECKS RAN ON 02/13/24	44,234.03

TOTAL FOR 02/19/24 COUNCIL MEETING 538,875.67

INVOICE REGISTER

Page: 1/1

EXP CHECK RUN DATES 02/13/2024 - 02/13/2024
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ALPENA POWER COMPANY	021324	ELECTRIC	44,234.03
Total:			44,234.03

INVOICE REGISTER

Page: 1/1

EXP CHECK RUN DATES 02/07/2024 - 02/07/2024
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ALPENA POWER COMPANY	020724	ELECTRIC	3,264.60
Total:			3,264.60

INVOICE REGISTER

Page: 1/1

EXP CHECK RUN DATES 02/02/2024 - 02/02/2024
BOTH JOURNALIZED AND UNJOURNALIZED
OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ALPENA POWER COMPANY	020124	ELECTRIC	8,933.32
Total:			8,933.32

Memorandum



Date: February 15, 2024
To: Mayor Johnson and Municipal Council Members
From: Anna Soik, Clerk/Treasurer/Finance Director *AS*
Subject: Alpena County Dispatch Board

Mayor Pro Tem Nowak was appointed to Alpena County Dispatch Board on January 4, 2022. I thought it was more recent than that and apologize for the inconvenience. Please appoint Mayor Pro Tem Nowak to the board and Councilmember Kane as the alternate as outlined in the service on boards and committees from the last meeting.

Recommended Motion: To appoint Mayor Pro Tem Nowak to the Alpena County Central Dispatch Board and Councilmember Kane as the alternate.



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

Planning, Development, & Zoning

To: Mayor and City Council Members

From: Montiel Birmingham, Director

cc: Rachel Smolinski, City Manager

Date: February 15, 2024

RE: ADA Assessment Contract

The Capital Improvement Plan and Budget for the current Fiscal Year included a line item for an Americans with Disabilities Act (ADA) assessment for City buildings, parks, election polling locations, and select downtown streets. We have been working closely with Disability Network Northern Michigan to support this project as a result of a formal RFP that was released; they were able to meet our budget requirements and have committed to completing the request within the current budget year.

Recommendation:

Motion to approve the ADA contract with Disability Network Northern Michigan and authorize Mayor Johnson and Clerk/Treasurer/Finance Director Soik to sign.



CONTRACT FOR DISABILITY INSPECTION SERVICES

This Agreement is entered by and between the **CITY OF ALPENA**, a Michigan Municipal Corporation of 208 N. First Avenue, Alpena, Michigan, 49707, hereinafter referred to as "City", and **DISABILITY NETWORK NORTHERN MICHIGAN** hereinafter referred to as "Subcontractor."

The parties agree as follows:

1. Subcontractor shall review requested locations within the City based upon the locations identified in the Request for Proposal and evaluate each location for physical accessibility and for programmatic accessibility where appropriate. General locations include City Buildings, City Parks, Election polling locations, and downtown streets/sidewalks.
2. Subcontractor shall provide a report per location which includes findings, recommended improvements with suggested priority of importance to remedy; explanation of best practices for repair or remedy; pictures of findings where possible; and images of recommended ADA guidelines. A walkthrough of identified locations with City staff may be required depending upon level of findings noted or specific site characteristics.
3. Subcontractor shall be an independent contractor and not an employee of the City and shall comply with independent contractor or sub-contractor insurance provisions of the City, as outlined in the request for proposal.
4. Subcontractor agrees to collaborate with a local disability advocate identified by City of Alpena staff.
5. Subcontractor will be paid an hourly rate of \$125 per hour with a cap of \$15,000, as outlined in the subcontractor's Proposal for Accessibility Consultation Services dated December 15, 2023.
6. Subcontractor agrees to have all fieldwork and reports complete and invoices submitted no later than June 30, 2024.
7. Either party may terminate this agreement upon 45 days' written notice to the other party at their address as listed above.

In witness whereof the parties hereto have executed this Contract on this 19th day of
February, 2024.

City of Alpena
a Michigan Municipal Corporation:

By: Cindy Johnson
Mayor

By: Anna Soik
City Clerk/Finance Director/Treasurer

Subcontractor:

By: Alannah Lahey
Interim Executive Director, DNNM

Prepared by:

William A. Pfeifer
(P45263) City
Attorney
114 S. Second
Avenue Alpena, MI
49707
(989) 354-8242



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

Planning, Development, & Zoning

To: Mayor and City Council Members
From: Montiel Birmingham, Director
cc: Rachel Smolinski, City Manager
Date: February 14, 2024
RE: Ordinances 24-500 and 24-501

At the Planning Commission meeting on Monday February 12th, the Commission approved two conditional rezones for properties located at 511 Long Lake Ave and 907 Merchant St. for use of both properties as a duplex. 511 Long Lake Avenue had been a blighted, single-family, property; since the new owners purchased the property, all blight has been remediated. 907 Merchant was a duplex many years ago; in 2005 the previous owner removed the property from the rental registration program and has not been rented since that time; the interior configuration remained and is still configured as a duplex.

The Commission voted in favor of both requests by a vote of 7-1 with the requirements that the owners pull all required building permits, register the property through the rental registration program, and abide by the Zoning Ordinance requirements within one year, which currently requires them to provide four off street parking spaces that are hard surfaced at each property.

No letters or public comments were received in opposition to the request.

Recommended Motion:

Motion to approve Ordinance 24-500 and 24-501 to amend the City of Alpena's Zoning Map.



City of Alpena
Ordinance No. 24-500

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 907 Merchant St shall be conditionally rezoned from R-2 to R-T to allow for the legal use of the property as a duplex. Owners Statement of Conditions: *Convert residence from single-family dwelling to duplex.*

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.

Cindy Johnson, 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. 24-500 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: February 19, 2024

Adopted: _____

Published: _____

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



City of Alpena
Ordinance No. 24-501

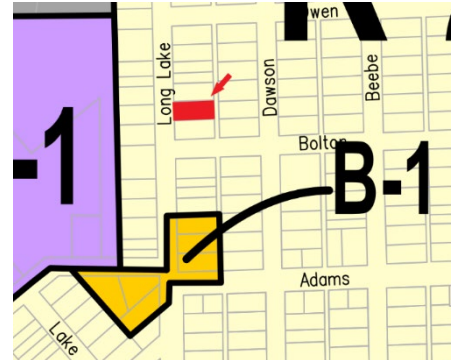
An ordinance to amend the City of Alpena Zoning Map.

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 511 Long Lake Ave shall be conditionally rezoned from R-2 to R-T to allow for the legal use of the property as a duplex. Owners Statement of Conditions: *Convert residence from single-family dwelling to duplex.*



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.

Cindy Johnson, 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. 24-501 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: February 19, 2024

Adopted: _____

Published: _____

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

ORDINANCE NO. 24-502

AN ORDINANCE OF THE CITY OF ALPENA, STATE OF MICHIGAN, AMENDING CHAPTER 62 – PERSONNEL; ARTICLE III, RETIREMENT SYSTEM; DIVISION I. GENERALLY; SECTION 62-92 RETIREMENT ALLOWANCE OPTIONS OF THE CODE OF ORDINANCES OF THE CITY OF ALPENA, BY REPEALING SAME AND REPLACING IT AS FOLLOWS:

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ALPENA, STATE OF MICHIGAN, AS FOLLOWS:

Chapter 62, Article III, Division 1, Section 62-92 of the Code of Ordinances of the City of Alpena is hereby repealed in full and replaced with the following language:

Sec. 62-92. - Retirement allowance options.

(a) Until the date their retirement becomes effective, but not thereafter, any member may elect to receive their retirement allowance as a straight life retirement allowance payable throughout his or her life, or may elect to receive the actuarial equivalent, computed as of the effective date of their retirement, of their straight life retirement allowance in a reduced retirement allowance payable throughout their life, and nominate a beneficiary, in accordance with the provisions of options I, II, III, IV or V, set forth below:

(1) *Option I.* If a retirant, who elected option I, dies before they have received in the annuity portions of his or her reduced retirement allowance an aggregate amount equal to their accumulated contributions standing to his or her credit in the annuity savings fund at the time of their retirement the difference between his or her such accumulated contributions and the aggregate amount of annuity portions received by them shall be paid to such person or persons as he or she shall have nominated by written designation duly executed and filed with the board. If there is no such designated person surviving the retirant the difference, if any, shall be paid to the retirant's legal representative;

(2) *Option II.* Upon the death of a retirant who elected option II, their reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life, as he or she shall have nominated by

written designation duly executed and filed with the board prior to the effective date of their retirement;

(3) *Option III.* Upon the death of a retirant who elected option III, one-half of their reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life, as he or she shall have nominated by written designation duly executed and filed with the board prior to the effective date of their retirement;

(4) *Option IV.* Upon the death of a retirant who elected option IV, their reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life, as he or she shall have nominated by written designation duly executed and filed with the board prior to the effective date of their retirement. Should such designated person predeceased the retirant, the retirant's retirement allowance shall be recomputed (pop-up) to a straight life retirement allowance as provided for herein; or

(5) *Option V.* Upon the death of a retirant who elected option V, one-half of their reduced retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life, as he or she shall have nominated by written designation duly executed and filed with the board prior to the effective date of their retirement. Should such designated person predecease the retirant, the retirant's retirement allowance shall be recomputed (pop-up) to a straight life retirement allowance as provided for herein.

For firefighter retirants only, who select the straight life retirement allowance, upon the death of the firefighter retirant prior to their spouse, 60 percent of the benefit the firefighter retirant was receiving at the time of his death, shall be paid to his or her surviving spouse, which he or she shall have nominated by written designation, duly executed and filed with the board prior to the effective date of their retirement. This benefit shall apply only to firefighter members married at the time of retirement.

(b) All members of the retirement system, whether covered by a labor agreement or otherwise, may elect to withdraw their accumulated contributions in a lump sum at retirement. The regular retirement benefit will be reduced by the actuarial equivalent of the withdrawal utilizing the PBGC replacement rate as more fully described as follows:

(1) Determining the applicable PBGC replacement interest rate for lump sum payment of benefits for any given month (month x) is a two-step process. That process uses the "applicable 12-year rate for the second preceding month" (i.e., month x-2) to find the corresponding "immediate annuity rate" for month x. The "immediate annuity rate" is used to determine the lump sum value to be paid in month x.

(2) The "immediate annuity rate" will be determined each January, and that rate will be used for all lump sums paid during that year. So, for lump sums to be paid in 2022, the "immediate annuity rate" will be determined for January 2022 based on the "applicable 12-year rate for the second preceding month" (i.e., November, 2021), and that "immediate annuity rate" will be used for lump sums paid during 2022.

The following is a description of the two-step process to determine the replacement interest rate to be used by the City of Alpena for lump sum payments beginning in a specific calendar year.

Step 1: Find the 12-year rate for the second preceding month from the corporate bond yield curve (without regard to 24-month averaging) as described in section 430(h)(2)(D)(ii) of the Internal Revenue Code and as published at <https://www.irs.gov/retirement-plans/recent-interest-rate-notice>.

Because the City uses the December rate for lump sum payments beginning in the following calendar year, the rate to be determined in this Step 1 is for October (the second preceding month).

Step 2: Use the rate from Step 1 to find the corresponding immediate annuity rate as set forth in 29 CFR §4022.7(e) and Appendix C to Part 4022 and as published at https://www.law.cornell.edu/cfr/text/29/appendix-C_to_part_4022.

Using the above methodology, the following example shows how to determine the interest rate to be used for lump sum payments beginning in 2023 (i.e., by determining the interest rate for December 2022).

Determining the interest rate for December 2022 (to be used for lump sums beginning in 2023):

Step 1: Find the 12-year rate for the second preceding month (October 2022). The October 2022 rate (from Notice 2022-60) is 5.96% (Table 2022-10).

Step 2: The immediate annuity rate using the 5.96% from the above Step 1 is 3.0%. So, the replacement interest rate used for lump sums for 2023 is 3.0%.

The rates for all future years will follow this formula unless amended.

EFFECTIVE DATE

THE PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT TEN (10) DAYS AFTER BEING ADOPTED BY THE MUNICIPAL COUNCIL AND DULY PUBLISHED.

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS ADOPTED BY THE MUNICIPAL COUNCIL OF THE CITY OF ALPENA, MICHIGAN, AT A REGULAR MEETING HELD ON THE _____ DAY OF _____, 2024.

Cynthia Johnson
Mayor

Anna Soik
City Clerk/Treasurer/Finance Director

First Presented: February 19, 2024

Adopted:

Published:

William A. Pfeifer City Attorney