

## **ALPENA CITY COUNCIL MEETING**

**April 04, 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 and Closed Sessions of March 21, 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 \$72,646.91.
8. Presentations.
9. Announcements.
10. Mayoral Proclamation.
11. Report of Officers.  
Second Reading of Ordinance 22-472 Which Amends the City of Alpena Zoning Ordinance Article 3 (General Provisions), Article 4 (Signs), Article 5 (Zoning Districts) and Article 7 (Supplemental Development Regulations) – Bill Pfeifer, City Attorney.
12. Communications and Petitions.
13. Unfinished Business.
14. New Business.
  - A. 2022 MEDC Water-Related Infrastructure Grant – Stephen Shultz, City Engineer.
  - B. 2022 TEDF Category F Grant Application – Stephen Shultz, City Engineer.
  - C. Firefighter Pay Adjustment – Bill Forbush, Fire Chief.
15. Adjourn to Closed Session to Discuss an Appeal Filed by MBVS Industries LLC.
16. Return to Open Session.

17. Adjourn.



Stephen Shultz  
Acting City Manager

## **COUNCIL PROCEEDINGS**

**March 21, 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 6:00 p.m. by the Mayor.

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

Absent: None.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **APPROVAL OF THE AGENDA**

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

Motion carried 5-0.

### **MINUTES**

The minutes of the regular session of March 07, 2022 were approved as printed.

### **CONSENT AGENDA**

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

- A. Bills to be allowed, in the amount of \$206,323.15.
- B. Council reappointment of Julie Krajniak to the Retirement Board for a two-year term expiring on April 1, 2024.
- C. Correction to the February 21, 2022, Council meeting minutes to add the statement "Motion carried 5-0." Under the consent agenda section of the minutes and also under the Council Policy No. 59 Capital Asset Management section.

Motion carried 5-0.

## **ORDINANCE 22-472**

Attorney Pfeifer delivered the first reading of Ordinance 22-472, which amends the City of Alpena Zoning Ordinance Article 3 (General Provisions), Article 4 (Signs), Article 5 (Zoning Districts), and Article 7 (Supplemental Development Regulations).

### **THUNDER BAY ARTS COUNCIL INFORMATIONAL REPORT & BUDGET REQUEST**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to receive and file the Thunder Bay Arts Council informational report and budget request.

Motion carried 5-0.

### **WILDLIFE SANCTUARY BOARD INFORMATIONAL REPORT & BUDGET REQUEST**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to receive and file the Wildlife Sanctuary Board informational report and budget request.

Motion carried 5-0.

### **ELECTION POLLING LOCATION CONSOLIDATION**

Moved by Councilmember Walchak, seconded by Councilmember Mitchell, to not consolidate the polling locations at this time.

Motion carried 5-0.

### **MICH-E-KE-WIS PARK VOLLEYBALL COURTS RECREATION PASSPORT**

#### **GRANT**

Moved by Councilmember Nowak, seconded by Councilmember Walchak, to approve Resolution 2022-02, ask staff to prepare the application for the Passport grant and commit the match funds of \$151,195.

Motion carried 5-0.

### **BAY VIEW PARK RESTROOM DESIGN SERVICES**

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to accept the proposal from U.P. Engineers & Architects and authorize staff to enter into a design services agreement.

Motion carried 5-0.

### **BLAIR STREET PARK REPAIRS BIDS**

The following bids were received and opened on November 29, 2021, for the repair of the walkway at the Blair Street Park:

Meridian Contracting	\$56,489	Complete reconstruction of the deck.
Alpena, MI	\$27,886	Fix only the existing damage.
Ken Robb Construction	\$76,165	Complete reconstruction with deck boards.
Alpena, MI	\$84,021.90	Replace with existing 2x6 lumber.
Spence Brothers	\$139,800	
Traverse City, MI		

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to award the Blair Street Repair Project to Meridian Contracting in the amount of \$56,489.

Motion carried 5-0.

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to approve a contract modification increase for the Blair Street Project to Meridian Contracting in the amount of \$17,392.

Motion carried 5-0.

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, approve the budget amendment for the Blair Street Project total of \$73,881 from fund balance.

Motion carried 5-0.

**THUNDER BAY RIVER CENTER LAND AND WATER CONSERVATION FUND  
GRANT**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve Resolution 2022-04, ask the staff to submit the application and commit the matching funds of \$150,000.

Motion carried 5-0.

**ALPENA MARINA WATERWAYS PROGRAM GRANT**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to adopt Resolution 2022-03, which authorizes submission of a Waterways Program Grant application for the Alpena Marina Fixed Dock Replacement Project.

Motion carried 5-0.

**RECESS**

The Municipal Council recessed from 7:14 p.m. to 7:22 p.m.

**RECONVENE IN CLOSED SESSION**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to reconvene in closed session to discuss an update regarding proposed litigation with the Alpena Prototype Biorefinery, LLC, American Process, Inc., and GranBio LLC; the water and sewer litigation; and an attorney/client discussion of the sale of city-owned property located at US 23 North.

Motion carried 5-0.

**RECONVENE IN OPEN SESSION**

The Municipal Council reconvened in open session at 9:08 p.m.

**SALE OF CITY-OWNED PROPERTY AT US 23 NORTH**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to approve a purchase and sale agreement between the City of Alpena and WSSA LLC for an approximately two-acre parcel of land that fronts on US 23 North. The proposed agreement would clarify Exhibit A (Description of Land). It would also clarify that under 3.2 there would be no commission of any sort that would be the responsibility of the City and as to section 2.4, Title and Survey, the City would not be required to do any title work or order any survey until the City is notified by WSSA that they were approved and awarded the government contract for the Fish and Wildlife. The amount of the purchase is \$150,000.

Motion carried 5-0.

**ADJOURN**

On motion of Mayor Pro Tem Johnson, seconded by Councilmember Walchak, the Municipal Council adjourned at 9:11 p.m.

Matthew Waligora  
Mayor

ATTEST:

Anna Soik  
City Clerk

# INVOICE REGISTER

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EXP CHECK RUN DATES 04/05/2022 - 04/05/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
AIRGAS USA LLC	9986535259	SUPPLIES - EMS DISP	19.17
AIRGAS USA LLC	9123249563	SUPPLIES - EMS DISP	47.59
AIRGAS USA LLC	9123646707	SUPPLIES - EMS DISP	55.19
AIRGAS USA LLC	9123891745	SUPPLIES - EMS DISP	36.85
ALLEGRA ALPENA	154705	BROCHURE PRINTING - ISLAND PARK	756.81
ALLEGRA ALPENA	154755	SUPPLIES - FIRE/EMS	60.43
ALPENA DIESEL SERVICE	72586	VEH MAINT - EQ	10.48
ALPENA DIESEL SERVICE	72492	VEH MAINT - EQ	136.27
ALPENA POWER COMPANY	040522	ELECTRIC	10,000.15
AMAZON CAPITAL SERVICES INC	1DMJ-44YH-VHXH	UNIFORMS - FIRE/EMS	19.46
AMAZON CAPITAL SERVICES INC	1LK1-NYTT-V3PN	UNIFORMS - FIRE/EMS	79.00
AMAZON CAPITAL SERVICES INC	17JN-F3LJ-VT1K	UNIFORMS - FIRE/EMS	156.94
AMAZON CAPITAL SERVICES INC	1D9R-VHXH-7WW6	UNIFORMS - FIRE/EMS	110.98
AMAZON CAPITAL SERVICES INC	1KTY-K61C-7LFY	UNIFORMS - FIRE/EMS	38.99
AMAZON CAPITAL SERVICES INC	1L9K-XF6X-GDJ9	SUPPLIES - POLICE	187.84
AMAZON CAPITAL SERVICES INC	1MCH-4KG6-1RGJ	SUPPLIES - FIRE/EMS	13.40
AMAZON CAPITAL SERVICES INC	1PRW-DWHR-GF	PUBLICATION - FIRE	73.90
AMAZON CAPITAL SERVICES INC	1W6X-CYDV-FKW6	UNIFORMS - FIRE/EMS	244.95
AMAZON CAPITAL SERVICES INC	133K-XLKW-CCWK	UNIFORMS - FIRE/EMS	188.93
AMAZON CAPITAL SERVICES INC	133K-XLKW-DF9Q	UNIFORMS - FIRE/EMS	15.99
AMAZON CAPITAL SERVICES INC	1NR9-NCJW-9TJ7	UNIFORMS - FIRE/EMS	16.99
ANDREW MARCEAU	031422	TR REGISTRATION/TR EXPENSE - FIRE/EMS	199.61
BERG ASSESSING & CONSULTING INC	22-0000406	ASSESSING CONTRACTED SVCS 03/22	7,083.00
BOUND TREE MEDICAL LLC	84368275	SUPPLIES - EMS DISP	567.00
BOUND TREE MEDICAL LLC	84448461	SUPPLIES - EMS DISP	2,027.14
CERTA SITE LLC	12014264	EXT MAINT - FIRE/EMS	100.50
CHARTER COMMUNICATIONS	0161607032122	FAX LINE - PUBLIC SAFETY	40.00
CHRISTOPHER FITZGERALD	AP22-0184C	AMBULANCE REFUND	200.00
CITY OF ALPENA	1016-001 0322	SEW/WATER - MARINA S	186.66
CITY OF ALPENA	1017-001 0322	SEW/WATER - MARINA N	36.66
CITY OF ALPENA	1018-001 0322	SEW/WATER - BOAT HARBOR	103.86
CITY OF ALPENA	1019-001 0322	SEW/WATER - HARBOR DR	36.66
CITY OF ALPENA	1020-001 0322	SEW/WATER - FISH CLN STN	36.66
CITY OF ALPENA	1021-001 0322	SEW/WATER - BH RESTROOMS	186.66
CITY OF ALPENA	1027-001 0322	SEW/WATER - FLOATING DOCKS	756.66
CITY OF ALPENA	1028-001 0322	SEW/WATER - BANDSHELL	36.66
CITY OF ALPENA	4212-001 0322	SEW/WATER - SEWER PLANT	671.70
CITY OF ALPENA	10344-001 0322	SEW/WATER - DDA	36.66
CONTROL SOLUTIONS INC	2081 CW	PUMP REPLACEMENT - WWTP	557.01
DAVID LALONDE	AP21-3456C	AMBULANCE REFUND	78.54
DORNBOS SIGN & SAFETY INC	61153	MAINT - MAJ ST	403.46
EAGLE SUPPLY CO	121583	SUPPLIES - PARKS	86.60
EAGLE SUPPLY CO	121421	SUPPLIES - FIRE/EMS	350.36
EAGLE SUPPLY CO	121422	SUPPLIES - FIRE/EMS	76.00
FASTENAL COMPANY	MIALP190643	VEH MAINT - EQ	42.17
FASTENAL COMPANY	MIALP190828	TRAFF SIGNAL MAINT - MAJ/LOC ST	1,686.30
FASTENAL COMPANY	MIALP190833	VEH MAINT - EQ	131.35
FIRE DEPARTMENT SAFETY OFFICERS	01873	MEMBERSHIP DUES - FIRE/EMS	99.00
FREESE HYDRAULICS & EQUIP REPAIR	40923	VEH MAINT #41	148.93
FRONTIER	7324 03/22	TELEPHONE - MARINA	91.37
GALLS LLC	020609291	UNIFORMS - FIRE/EMS	65.94
GEORGIES TOWING & WRECKER SVC	22-08293	VEH MAINT - EQ	65.00
GILMET CONSTRUCTION SERVICES	033121	BUILDING/ZONING/CODE/PLANNING SVCS 03	2,500.00
GRETCHEN KRUSE	032422	UNIFORM REIMB - PUBLIC SAFETY	31.10
HOME DEPOT CREDIT SERVICES	4025260	MAINT - MARINA	37.98
HOME DEPOT CREDIT SERVICES	8011578	MAINT - MARINA	37.98
HOME DEPOT CREDIT SERVICES	6611751	MAINT - MARINA	311.48
HOME DEPOT CREDIT SERVICES	6611762	SUPPLIES - FIRE/EMS	87.87
HOME DEPOT CREDIT SERVICES	5020132	MAINT - MARINA	112.23
HOME DEPOT CREDIT SERVICES	11869	MAINT - MARINA	29.88
HOME DEPOT CREDIT SERVICES	9020392	MAINT - MARINA	6.85
HOME DEPOT CREDIT SERVICES	8020436	SUPPLIES - FIRE/EMS	15.57
HOME DEPOT CREDIT SERVICES	4510780	BLDG MAINT - CITY HALL	109.75
HOME DEPOT CREDIT SERVICES	4510782	BLDG MAINT - CITY HALL	25.41
HOME DEPOT CREDIT SERVICES	3020649	MAINT - MARINA	7.97
HOME DEPOT CREDIT SERVICES	3510835	BLDG MAINT - CITY HALL	85.51
HOME DEPOT CREDIT SERVICES	2070500	BLDG MAINT - CITY HALL	32.91
HOME DEPOT CREDIT SERVICES	2070517	BLDG MAINT - CITY HALL	29.92
HOME DEPOT CREDIT SERVICES	12391	MAINT - MARINA	17.18
INK AND TONER ALTERNATIVE	22-0935	SUPPLIES - IT	529.90
INTL ASSN OF FIRE CHIEFS	040522	MEMBERSHIP DUES - FIRE/EMS	240.00
JGM VALVE CORPORATION	22-15021	CHOPPER PUMP - WWTP	14,117.00



# INVOICE REGISTER

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EXP CHECK RUN DATES 04/05/2022 - 04/05/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
LAKESHORE PLUMBING, HEATING &	47610	MAINT - PUBLIC WORKS	1,795.00
LEFAVE PHARMACY INC	031522	SUPPLIES - EMS DISP	65.00
LEILAN BRUNING	032722	TRAVEL EXPENSE - CLERK	197.74
MACARTHUR CONSTRUCTION INC	2231	WATERMAIN - BAGLEY STREET	9,625.00
MCDONALD AUTO SUPPLY INC	971682	VEH MAINT - EQ	32.70
MICHIGAN POLICE EQUIP CO	13581	SUPPLIES - POLICE	226.00
OFFICE DEPOT	19105668	SUPPLIES - CITY HALL	49.69
OFFICE DEPOT	20353608	SUPPLIES - CITY HALL	41.03
OFFICE DEPOT	20353608	SUPPLIES - CITY HALL	22.47
PAUL HOGSETT	AP21-4174	AMBULANCE REFUND	150.63
PITNEY BOWES INC	1020257042	POST METER RENT/MAINT	354.88
PRIORITY ONE EMERGENCY	70082772	UNIFORMS - FIRE/EMS	94.00
PRIORITY ONE EMERGENCY	70082773	UNIFORMS - FIRE/EMS	151.98
PRIORITY ONE EMERGENCY	70082947	UNIFORMS - FIRE/EMS	309.67
RACHEL SMOLINSKI	032122	TRAVEL EXPENSE - MGR	274.96
RAPID RESULTS	14052	DOT PHYSICAL - PW	100.00
SEVAN K INC	313 02/22	VEH MAINT - POLICE	62.25
STATE OF MICHIGAN	491-406260	QUALITY ASSURANCE ASSESSMENT PROG -	2,810.65
STERICYCLE INC	8001191131	SHRED CONTAINER RENT/SVC 02/22	84.00
STOP STICK LTD	0024143-IN	SUPPLIES - POLICE	1,955.00
STRALEY LAMP & KRAENZLEIN PC	35112	MONTHLY FEE 02/22	3,280.00
STRYKER SALES CORP	3713118M	SUPPLIES - FIRE/EMS	270.75
TENURGY LLC	ALP-127	UTILITY RATE SAVINGS 03/22	1,979.05
THE BANK OF NEW YORK MELLON	252-2455797	BOND FEES - 2013 REF BONDS/DPW BLDG A	250.00
THE SHERWIN WILLIAMS CO	0082-6	BLDG MAINT - CITY HALL	5.89
THE SHERWIN WILLIAMS CO	0152-7	BLDG MAINT - CITY HALL	76.81
THE SHERWIN WILLIAMS CO	0160-0	BLDG MAINT - CITY HALL	4.54
THE SHERWIN WILLIAMS CO	0191-5	BLDG MAINT - CITY HALL	64.12
THE SHERWIN WILLIAMS CO	0317-6	BLDG MAINT - CITY HALL	40.92
THE SHERWIN WILLIAMS CO	0222-8	BLDG MAINT - CITY HALL	20.42
THE SHERWIN WILLIAMS CO	0250-9	BLDG MAINT - CITY HALL	11.69
THE SHERWIN WILLIAMS CO	0285-5	BLDG MAINT - CITY HALL	(6.88)
THE UPS STORE 5054	032922	SHIPPING FEES	15.40
THOMSON REUTERS - WEST	846023303	ZONING BULLETIN SUBSCR - ZONING	744.00
TIME TO SHINE TOUCHLESS CARWASH	4125	VEH MAINT - POLICE	296.00
TRACY MARQUARDT	031822	UNIFORM REIMB - PUBLIC SAFETY	196.63
WEINKAUF PLUMBING & HEATING INC	17773	BLDG MAINT - FIRE/EMS	170.00

**Total: 72,646.91**

**City of Alpena  
Ordinance No. 22-472**

An ordinance to amend the City of Alpena Zoning Ordinance Article 3 (General Provisions), Article 4 (Signs), 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 3 (General Provisions) is hereby amended to read as follows:**

**Section 3.28 Fences and Walls**

- B. **Commercial and Industrial Fences and Walls:** Fences and walls which are not part of an approved site plan require a Zoning Permit from the Zoning Administrator. All fences and walls shall comply with the following regulations and requirements:

**Table 3.28B:** Add footnote to Front Yard: Front yard fence setbacks do not apply to the Downtown Overlay District.

**That the City of Alpena Zoning Ordinance, Article 4 (Signs) is hereby amended to read as follows:**

**Section 4.5 Regulations by Zoning Districts: Office, Business and Industrial Districts**

**E. Temporary Signs**

1. **Number and Size of Temporary Signs:** No more than two (2) temporary signs shall be allowed per commercial or industrial establishment for a total of thirty (30) square feet in sum. The larger of any one (1) temporary sign shall be no greater than twenty (20) square feet.
2. **Portable Signs:** One (1) portable sign shall be considered the same as two (2) temporary signs and shall be no greater than thirty (30) square feet. The portable signs shall be permitted as a temporary sign for a period not to exceed fourteen (14) days in a one (1) year period. In no instance shall such sign be located so as to obstruct automobile or pedestrian travel lanes. Such signs shall neither be illuminated nor connected to an energy source. Such signs shall not constitute a safety hazard to the public.
3. **A-Frame Signs:**
  - (1) Shall be permitted by right in the DOD, CBD, WD, CCD, OS-1, B-1, B-2, B-3, P-1, I-1, I-2, and PUD districts.
  - (2) No more than one (1) sign per business per street frontage shall be allowed.
  - (3) No permit is required.

- (4) Must be constructed of durable materials
  - (5) Sign shall be removed when business is closed.
  - (6) Maximum size 2' wide by 4' in total height for each panel with a maximum of 2 panels per sign. A-frame signs located entirely on private property may be a maximum of 3' in width.
  - (7) Must be located on or adjacent to the lot in which the business is located. Exception: If a building has no front yard the sign may be located on the sidewalk. Signs located on the sidewalk shall provide at least three (3) feet of continuous pedestrian clearance.
  - (8) Off-Premise A-Frame Signs: Sign may be located in a right-of-way as a directional off-premise sign upon approval by the Zoning Administrator. DDA Director approval is also required if the sign is proposed within the DOD.
4. Non-rigid material which is used to cover an existing permanent sign shall be placed on the sign on a temporary basis not to exceed six (6) months. Such material shall not be considered a temporary sign and shall not be affixed permanently to the sign.

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

### **Section 5.13 Downtown Overlay District**

#### **B. Design Standards**

#### **14. Sidewalk Encroachment**

- a. **Outdoor Seating:** See Section 7.28 (Outdoor Seating and Dining Service).
- b. **Awnings:** First floor awnings may encroach upon the frontage line and public sidewalk but must avoid street trees. At least eight (8) feet of clearance must be provided above the sidewalk and set back a minimum of two (2) feet from the curb.
- c. **Street Furniture:** Benches and trash receptacles may be permitted in areas where feasible.

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



### **Section 7.28 Outdoor Seating and Dining Service**

Outdoor seating or dining service operated by a restaurant or other food or drinking establishment which sells food for immediate consumption may be permitted, subject to the following conditions:

**A. Private Property and Public Right-of-Way:**

1. The request for outdoor seating or dining service may be included as part of the original site plan review for the business. If the request is made subsequent to the original site plan approval, a review and approval of a plot plan (at no cost to the applicant) is required prior to placement of any fixtures.
2. A zoning permit and/or building permit may be required, depending on the plot plan
3. The exterior of the premises shall be kept clean, orderly, safe, and maintained
4. Exterior food preparation may be permitted if approved by the Health Department
5. Outdoor seating and service shall be allowed during normal operating hours of the establishment
6. Outdoor seating and service may not be in operation on property adjacent to a residentially zoned district between the hours of 12:00 a.m. and 7:00 a.m. unless otherwise approved by City Council.

**B. Additional Requirements for Outdoor Seating and Service on the Public Right-of-Way:**

1. Requests for outdoor seating on a public right-of-way (e.g. sidewalk, alley) may require review by City Council as determined by City Staff
2. Fences or railings are prohibited on sidewalks unless approved as part of a plot plan application.
3. A clearance minimum of three (3) continuous feet for pedestrian traffic is required on a public right-of-way
4. Business owner shall be required to list the City of Alpena as an additional insured for comprehensive general liability insurance

**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

I, Anna Soik, Clerk for the City of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. 22-472 of the City of Alpena, adopted by at a meeting of the Alpena City Council held on April 4, 2022.

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: 3/21/2022

Adopted: 4/4/2022      Published: \_\_\_\_\_ Effective: \_\_\_\_\_, subject to PA 110 of 2006 as amended.


# Memorandum



Date: March 29, 2022

To: Mayor and City Council Members

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

From: Stephen J Shultz, City Engineer 

Subject: 2022 MEDC Water-Related Infrastructure Grant

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In April, the Michigan Economic Development Corporation, MEDC issued a grant opportunity under the Water-Related Infrastructure, WRI, program. This program is targeted at assisting low-moderate income communities by providing funding up to \$2,000,000 via competitive grants. The grant has an application deadline of May 13, 2022.

The City applied for this grant in 2021 for North Second Avenue from Carter Street to Hueber Street and was unsuccessful. After a discussion with the grant staff who reviewed our application, the City has decided to reapply for consideration with modifications suggested during this meeting which could strengthen our application.

The proposed project involves replacement of the water and sewer lines in North Second Avenue from the Carter Street to Hueber Street. It will also include replacing the water main under the Thunder Bay River at Second Avenue. The estimated project cost for these improvements is \$4,431,940. This project was included in the CIP spanning two years beginning in 2022 with completion in 2024.

The City will be requesting the grant maximum of \$2,000,000 from MEDC – WRI and will be matched with an estimated \$2,431,940. The project needs to be advertised for bidding by December 31, 2022, under construction by May 2023, and completed by December 31, 2024. The Engineering Department can meet the design and bidding timelines as mandated.

It is therefore my recommendation, as City Engineer, that Council adopt Resolution 2022-06 authorizing the City to apply for these funds, committing the needed match funds, and authorizing Rachel Smolinski as the authorized contact for the City of Alpena.

Attachments



## Engineer's Opinion of Costs

**Project Number:** 2021-05  
**Estimate Number:** 1  
**Project Type:** Road Reconstruction  
**Location:** Second Avenue  
 Thunder Bay River to Heuber Street  
**Description:**

**Project Engineer:** Stephen J Shultz  
**Date Created:** 3/29/2022  
**Date Edited:** 3/29/2022  
**Fed/State #:**  
**Fed Item:**  
**Control Section:**

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
<b>Category: 0001 Street</b>						
0001	1500001	Mobilization, Max 50000	1.000	LSUM	\$50,000.00	\$50,000.00
0002	2040050	Pavt, Rem	9,500.000	Syd	\$8.00	\$76,000.00
0003	2040055	Sidewalk, Rem	2,810.000	Syd	\$10.00	\$28,100.00
0004	2057021	_ Excavation, Earth, LM, Modified	8,700.000	Cyd	\$10.00	\$87,000.00
0005	2057021	_ Subgrade Undercutting, Type III, Modified	12,500.000	Cyd	\$15.00	\$187,500.00
0006	2090001	Project Cleanup	1.000	LSUM	\$10,000.00	\$10,000.00
0007	3010002	Subbase, CIP	4,500.000	Cyd	\$15.00	\$67,500.00
0008	3027031	_ Aggregate Base, 22A, LM, Modified	13,800.000	Ton	\$20.00	\$276,000.00
0009	4027001	_ Sewer, Cl A, Sch40 PVC, 8 inch, Tr Det B	1,800.000	Ft	\$50.00	\$90,000.00
0010	4030308	Dr Structure, Tap, 8 inch	20.000	Ea	\$500.00	\$10,000.00
0011	4037050	_ Dr Structure, 24 inch dia, with Cover and Casting, Special	40.000	Ea	\$2,500.00	\$100,000.00
0012	5010033	HMA, 13A	4,070.000	Ton	\$90.00	\$366,300.00
0013	5010061	HMA Approach	250.000	Ton	\$125.00	\$31,250.00
0014	8010005	Driveway, Nonreinf Conc, 6 inch	764.000	Syd	\$45.00	\$34,380.00
0015	8020023	Curb and Gutter, Conc, Det C4	7,700.000	Ft	\$25.00	\$192,500.00
0016	8030034	Sidewalk Ramp, Conc, 4 inch	7,835.000	Sft	\$10.00	\$78,350.00
0017	8030044	Sidewalk, Conc, 4 inch	10,600.000	Sft	\$5.00	\$53,000.00
0018	8030046	Sidewalk, Conc, 6 inch	2,200.000	Sft	\$6.00	\$13,200.00
0019	8037001	_ Detectable Warning Surface, Modified	600.000	Ft	\$45.00	\$27,000.00
0020	8037011	_ Sidewalk, 4 inch, Colored, Stenciled	6,995.000	Syd	\$30.00	\$209,850.00
0021	8107051	_ Remove and Replace Permanent Signage	1.000	LSUM	\$2,500.00	\$2,500.00
0022	8110125	Pavt Mrkg, Regular Dry, 4 inch, White	300.000	Ft	\$1.00	\$300.00

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0023	8110126	Pavt Mrkg, Regular Dry, 4 inch, Yellow	2,690.000	Ft	\$1.00	\$2,690.00
0024	8117001	_ Pavt Mrkg, Regular Dry, 24 inch, Stop Bar	105.000	Ft	\$25.00	\$2,625.00
0025	8120022	Barricade, Type III, High Intensity, Lighted, Furn	28.000	Ea	\$100.00	\$2,800.00
0026	8120023	Barricade, Type III, High Intensity, Lighted, Oper	28.000	Ea	\$15.00	\$420.00
0027	8120170	Minor Traf Devices	1.000	LSUM	\$15,000.00	\$15,000.00
0028	8120252	Plastic Drum, Fluorescent, Furn	50.000	Ea	\$85.00	\$4,250.00
0029	8120253	Plastic Drum, Fluorescent, Oper	50.000	Ea	\$3.00	\$150.00
0030	8120350	Sign, Type B, Temp, Prismatic, Furn	2,000.000	Sft	\$20.00	\$40,000.00
0031	8120351	Sign, Type B, Temp, Prismatic, Oper	2,000.000	Sft	\$6.00	\$12,000.00
0032	8167011	_ Slope Restoration	4,950.000	Syd	\$12.00	\$59,400.00
0033	8240001	Contractor Staking	1.000	LSUM	\$6,000.00	\$6,000.00

**Category 0001 Total: \$2,136,065.00**

**Category: 0002 Sewer**

0034	4021204	Sewer Tap, 12 inch	2.000	Ea	\$1,000.00	\$2,000.00
0035	4021209	Sewer Tap, 36 inch	2.000	Ea	\$1,000.00	\$2,000.00
0036	4027001	_ Sanitary Sewer, SDR 35, 12 inch, Tr Det B2	50.000	Ft	\$100.00	\$5,000.00
0037	4027001	_ Sanitary Sewer, SDR 35, 30 inch, Tr Det B2	3,775.000	Ft	\$125.00	\$471,875.00
0038	4027050	_ Sanitary Sewer Service	70.000	Ea	\$2,500.00	\$175,000.00
0039	4037050	_ Dr Structure, 72 inch, with Cover and Casting, Special	8.000	Ea	\$7,500.00	\$60,000.00
0040	8257050	_ Dr Structure Tap, 10 inch	1.000	Ea	\$1,000.00	\$1,000.00

**Category 0002 Total: \$716,875.00**

**Category: 0003 Water**

0041	2037001	_ Water Main, Rem, Less than 24"	3,650.000	Ft	\$10.00	\$36,500.00
0042	8230052	Gate Valve and Box, 8 inch	17.000	Ea	\$2,500.00	\$42,500.00
0043	8230054	Gate Valve and Box, 12 inch	24.000	Ea	\$3,500.00	\$84,000.00
0044	8230156	Water Main, DI, 8 inch, Tr Det G	820.000	Ft	\$125.00	\$102,500.00
0045	8230166	Water Main, DI, 12 inch, Tr Det G	3,670.000	Ft	\$150.00	\$550,500.00
0046	8230431	Gate Box, Adj, Case 1	4.000	Ea	\$1,500.00	\$6,000.00
0047	8237050	_ Bend, DI, 45 degree, 12 inch	6.000	Ea	\$2,500.00	\$15,000.00



Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0048	8237050	_ Bend, DI, 45 degree, 4 inch	2.000	Ea	\$2,500.00	\$5,000.00
0049	8237050	_ Bend, DI, 45 degree, 6 inch	18.000	Ea	\$2,500.00	\$45,000.00
0050	8237050	_ Connect to Existing Water Main	19.000	Ea	\$2,500.00	\$47,500.00
0051	8237050	_ Cross, DI, 12 inch x 12 inch	1.000	Ea	\$2,500.00	\$2,500.00
0052	8237050	_ Cross, DI, 12 inch x 8 inch	8.000	Ea	\$2,500.00	\$20,000.00
0053	8237050	_ Fire Hydrant Assembly	9.000	Ea	\$5,000.00	\$45,000.00
0054	8237050	_ Fire Hydrant Assembly, Rem	9.000	Ea	\$500.00	\$4,500.00
0055	8237050	_ Fittings Not Shown on Plans	45.000	Ea	\$2,500.00	\$112,500.00
0056	8237050	_ Reducer, DI, 12 inch x 8 inch	1.000	Ea	\$2,500.00	\$2,500.00
0057	8237050	_ Reducer, DI, 8 inch x 4 inch	1.000	Ea	\$2,500.00	\$2,500.00
0058	8237050	_ Reducer, DI, 8 inch x 6 inch	12.000	Ea	\$2,500.00	\$30,000.00
0059	8237050	_ Solid Sleeve, DI, 12 inch	1.000	Ea	\$2,500.00	\$2,500.00
0060	8237050	_ Tee, DI, 12 inch x 6 inch	9.000	Ea	\$2,500.00	\$22,500.00
0061	8237050	_ Tee, DI, 12 inch x 8 inch	2.000	Ea	\$2,500.00	\$5,000.00
0062	8237050	_ Water Service	70.000	Ea	\$2,000.00	\$140,000.00
0063	8237051	_ Testing and Chlorination	1.000	LSUM	\$5,000.00	\$5,000.00
0064	8237051	_ Water Main, HDPE, DR11, 12 inch, Directional Bore	1.000	LSUM	\$250,000.00	\$250,000.00
Category 0003 Total: \$1,579,000.00						
Estimate Total: \$4,431,940.00						

**RESOLUTION NO. 2022-06**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A CDBG GRANT APPLICATION TO THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) FOR INFRASTRUCTURE AND STREET IMPROVEMENTS ON AND WITHIN SECOND AVENUE FROM THE THUNDER BAY RIVER TO HUEBER STREET WITHIN THE CITY OF ALPENA.**

**WHEREAS**, the Michigan Strategic Fund has invited Units of General Local Government (UGLG) to apply for its CDBG- Water Related Infrastructure (WRI) Competitive Funding Round; and

**WHEREAS**, the City of Alpena desires to request \$2,000,000 CDBG funds to reconstruct and replace existing utilities in Second Avenue from Carter Street to Hueber Street; and

**WHEREAS**, the City of Alpena commits local funds from its Major Streets Fund, Water Fund and Sewer Fund in the amount of \$2,431,940; and

**WHEREAS**, the proposed project is consistent with the local Community Development Plan as described in the Application; and

**WHEREAS**, the proposed project will benefit the City of Alpena as a whole with 52.49% of its individuals being low to moderate income and more specifically a previously surveyed area of the City that contains 70.9 % low to moderate income individuals and

**WHEREAS**, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Alpena hereby designates Rachel Smolinski, City Manager as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out the grant.

Councilmember \_\_\_\_\_ moved to adopt the above resolution, seconded by Councilmember\_\_\_\_\_.

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Anna Soik, 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 April 4, 2022.

Anna Soik  
City Clerk


# Memorandum



Date: March 29, 2022

To: Mayor and City Council Members

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

From: Stephen J. Shultz, City Engineer 

Subject: 2022 TEDF Category F Grant Application – Long Rapids Road

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In March 2022, the Michigan Department of Transportation sent out a call for applications for the 2024 Category F projects. This funding is available to urban areas in rural counties for improvements to secondary all-season access routes within the federal aid system.

The City pursued this grant for resurfacing Long Rapids Road from Bagley Street to Medilodge for the 2021 call for projects but was unsuccessful. Long Rapids Road qualifies for the grant due to the amount of traffic, the increased number of commercial vehicles this section of roadway handles, and because the roadway has begun to deteriorate to the point where a resurfacing project is warranted.

After a discussion with the Category F coordinator for the Michigan Department of Transportation, the City was encouraged to resubmit for the grant this year as the application submitted last year was a strong application and was not selected due to funding availability. In addition, suggestions were made to make this year's application stronger.

The project proposes milling the top six inches off the street, adjusting the manholes and water boxes, replacing the existing sidewalk ramps to meet current ADA requirements, installing a thicker six-inch cross section of asphalt, and restriping. The additional depth of asphalt will increase the strength of the street and allow it to withstand the traffic load. The estimated cost of the project is approximately \$509,435.75. Category F could fund 80% of the project up to \$375,000 leaving a local match of \$134,435.75.

It is my recommendation, as City Engineer, that council adopt the attached resolution 2022-05 to authorize staff to submit a grant application for the TEDF Category F - Urban Areas in Rural Counties program and commit to the local match estimated at \$134,435.75. This amount will be programmed into the 2023-24 budget year. We expect notification for the grant in December of this year.

Attachments

## Engineer's Opinion of Costs

**Project Number:** 01  
**Estimate Number:** 1: 0.46 miles of Cold Milling and Paving  
**Project Type:** Road Rehabilitation  
**Location:** Long Rapids Road  
 Bagley to 500' West of Long Rapids Plaza  
**Description:** TEDF - Catagory F

**Project Engineer:** Stephen J Shultz  
**Date Created:** 3/29/2022  
**Date Edited:** 3/29/2022  
**Fed/State #:**  
**Fed Item:**  
**Control Section:**

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
<b>Category: 0001 Roadwork</b>						
0001	1100001	Mobilization, Max	1.000	LSUM	\$50,000.00	\$50,000.00
0002	2040020	Curb and Gutter, Rem	300.000	Ft	\$15.00	\$4,500.00
0003	2040055	Sidewalk, Rem	175.000	Syd	\$15.00	\$2,625.00
0004	4037050	_ Dr Structure Cover, Repl and Adj, Case 1, Modified	17.000	Ea	\$1,200.00	\$20,400.00
0005	5010002	Cold Milling HMA Surface	10,700.000	Syd	\$3.00	\$32,100.00
0006	5010033	HMA, 13A	3,800.000	Ton	\$90.00	\$342,000.00
0007	8020023	Curb and Gutter, Conc, Det C4	300.000	Ft	\$30.00	\$9,000.00
0008	8030010	Detectable Warning Surface	150.000	Ft	\$45.00	\$6,750.00
0009	8032002	Curb Ramp, Conc, 6 inch	1,500.000	Sft	\$13.00	\$19,500.00
0010	8110125	Pavt Mrkg, Regular Dry, 4 inch, White	150.000	Ft	\$1.00	\$150.00
0011	8110126	Pavt Mrkg, Regular Dry, 4 inch, Yellow	6,115.000	Ft	\$0.25	\$1,528.75
0012	8117001	_ Pavt Mrkg, Regular Dry, 24 inch, Stop Bar	60.000	Ft	\$5.00	\$300.00
0013	8117001	_ Pavt Mrkg, Regular Dry, 6 inch, Cross Walk	300.000	Ft	\$2.50	\$750.00
0014	8117050	_ Pavt Mrkg, Regular Dry, Lt Turn Arrow Sym	15.000	Ea	\$150.00	\$2,250.00
0015	8117050	_ Pavt Mrkg, Regular Dry, Rt Turn Arrow Sym	1.000	Ea	\$150.00	\$150.00
0016	8120012	Barricade, Type III, High Intensity, Double Sided, Lighted, Furn	12.000	Ea	\$100.00	\$1,200.00
0017	8120013	Barricade, Type III, High Intensity, Double Sided, Lighted, Oper	12.000	Ea	\$6.00	\$72.00
0018	8120026	Pedestrian Type II Barricade, Temp	6.000	Ea	\$110.00	\$660.00
0019	8120350	Sign, Type B, Temp, Prismatic, Furn	1,250.000	Sft	\$5.00	\$6,250.00
0020	8120351	Sign, Type B, Temp, Prismatic, Oper	1,250.000	Sft	\$1.50	\$1,875.00
0021	8120352	Sign, Type B, Temp, Prismatic, Spec, Furn	250.000	Sft	\$10.00	\$2,500.00

Line	Pay Item	Description	Quantity	Units	Unit Price	Total
0022	8120353	Sign, Type B, Temp, Prismatic, Spec, Oper	250.000	Sft	\$1.50	\$375.00
0023	8230431	Gate Box, Adj, Case 1	9.000	Ea	\$500.00	\$4,500.00
Category 0001 Total: \$509,435.75						
Estimate Total: \$509,435.75						

**RESOLUTION NO. 2022-05**

**RESOLUTION AUTHORIZING SUBMISSION OF A TEDF – CATEGORY F GRANT  
APPLICATION FOR THE LONG RAPIDS ROAD RESURFACING PROJECT**

**WHEREAS**, Long Rapids Road is identified as a part of the Federal Aid System within the City of Alpena; and

**WHEREAS**, is designated as a portion of a secondary truck route improving access to the state all season system between Michigan 32 West to US Route 23 North; and

**WHEREAS**, this project will improve safety and all-season capabilities on routes having high commercial traffic; and

**WHEREAS**, this project will coordinate with and provide an all-season route within the City of Alpena and the surrounding commercial areas; and

**WHEREAS**, the City is seeking a TEDF – Category F grant from the Michigan Department of Transportation in the amount of \$375,000 to assist in financing the Long Rapids Road Resurfacing Project (total estimated project cost is \$509,435.75); and

**WHEREAS**, the City has provided an opportunity for the public to comment on the proposed project.

**NOW THEREFORE, BE IT RESOLVED**, that the proposed Long Rapids Road Resurfacing project as specified in the MDOT application will be undertaken if the grant is awarded and the City commits a local match of \$134,435.75 from the City of Alpena Major Street Fund:

**BE IT FURTHER RESOLVED**, that the application be authorized for submission to MDOT and the Mayor be directed to sign all necessary documents on behalf of the City Council.

Councilmember \_\_\_\_\_ moved to adopt the above resolution, seconded by Councilmember \_\_\_\_\_.

Ayes:

Nays:

Absent:

Resolution declared adopted.


I, Anna Soik, 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 April 4, 2022.

Anna Soik  
City Clerk



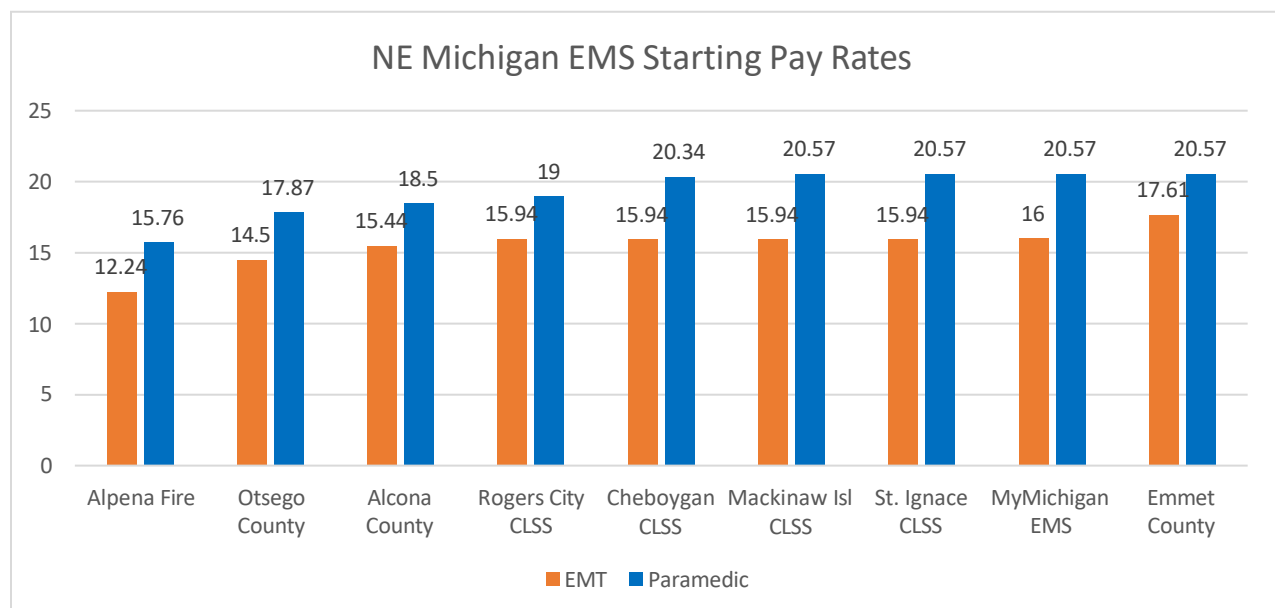
Date: March 28, 2022

To: Mayor Matthew J Waligora and Municipal Council Members  
Rachel Smolinski, City Manager

From: Bill Forbush, Fire Chief 

Re: Firefighter pay adjustment

As you are aware, there is a critical shortage of paramedics and other public safety personnel nationwide. COVID-19, coupled with increased education/accreditation requirements and societal changes have dramatically reduced the pool of potential applicants for open positions. At the same time, we have lost at least one existing employee and three new hires to other departments because of low pay and average benefits. I conducted a salary survey of Northeast Michigan ambulance services to verify whether our pay is comparable. I was shocked to learn that even much smaller services pay significantly better than we do. And, to make things worse, none of the surrounding agencies provide fire suppression, ice and water rescue, extrication, hazardous materials, confined space, high or low angle rope, or other technical rescues. Most aren't trained and certified for critical care transport as well. All other agencies surveyed are non-fire; therefore, our personnel have far more responsibility and expectations.



Benefits offered are very similar for most services, yet at one time, the City of Alpena was considered a leader with our benefits package. Over the years, we have made a conscientious effort to be fiscally conservative and responsible; therefore, these benefits have been reduced. We are now having difficulty attracting and retaining employees in today's job market. We need personnel who are highly trained and credentialed to maintain minimum staffing required for the Alpena County ambulance contract. Adequate staffing levels allow our staff to respond to emergencies in a timely manner as well. We currently have three openings, and two employees off on medical leave from injuries or illness. We anticipate additional retirements in the next couple of years. Our staffing is now at a critical level, especially considering the number of runs we are responding to each day.

I believe the right thing to do at this point is to institute a \$1.53/hour pay adjustment for all FD response personnel, except the Fire Chief and Deputy Chief (who are administrative positions). This will put our starting pay for firefighter- EMTs at \$13.77/hour and firefighter-paramedics at 17.29/hour. This would put us within the range of our neighbors, although still in the bottom half of the ambulance services survey overall.

There will likely be requests from other City employee groups. City Manager Smolinski and HR Director Himes will begin to analyze wages and salaries state-wide to determine whether additional adjustments will need to be considered for other employee groups.

The cost of this increase is approximately \$27,000, based on straight-time hours for the balance of this fiscal year. The increase would be approximately \$119,000 based on straight-time hours in the 2022-23 fiscal year.

As Fire Chief, and with the concurrence of management, I recommend that Council approve a \$1.53/hr. wage adjustment for all IAFF-represented employees effective April 5, 2022.