

## ALPENA CITY COUNCIL MEETING

November 7, 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 of and Proposed Modifications to the Agenda.
4. Approve Minutes – Regular Session of October 17, 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.
  - A. Bills to be Allowed, in the Amount of \$231,408,72.
  - B. Approval to Enter Into an Agreement With Financial Recovery Strategies for Exclusive Claims Management in the Caustic Soda Class Action Suit and Authorize the Clerk to Sign on Behalf of the City.
  - C. Recognition of the Ella White Parent Advisory Committee as a Non-Profit Organization Operating in the Community for the Purpose of Obtaining a Charitable Gaming License.
  - D. Michigan Department of Transportation (MDOT), Contract No. 22-5454, be Approved, and Mayor Waligora, and City Clerk/Treasurer/Finance Director Soik be Authorized to Sign the Contract on Behalf of the City.
  - E. Budget Amendment Request to Reduce American Rescue Plan Act (ARPA) Fund Balance in the Amount of \$45,865 for the Purchase of Police Body Cameras.
  - F. Budget Amendment Request to Reduce ARPA Fund Balance in the Amount of \$20,000 for the Fire Kitchen Renovations.
  - G. Budget Amendment Request to Reduce ARPA Fund Balance in the Amount of \$10,000 for the Skate Park Project.
8. Presentations.
9. Announcements.
  - A. The General Election Will be Held Tomorrow, November 8, 2022. Polls Are Open 7 a.m. to 8 p.m. New Voters May Register to Vote at the Clerk's Office with Proof of Residency until 8 p.m. on Election Day.
  - B. The City of Alpena Police Department Would Like to Remind City Residents that Vehicles Cannot be Parked on City Streets Between the Hours of 3 a.m. and 6 a.m. from November 1<sup>st</sup> Through April 1<sup>st</sup>. Violators Will be Cited and Vehicles May be Towed at the Owner's Expense.

10. Mayoral Proclamation.
11. Report of Officers.
  - A. Second Reading of Ordinance 22-481 Which Amends the City of Alpena Zoning Map – Bill Pfeifer, City Attorney.
  - B. Northeast Michigan Materials Management Authority – Rachel Smolinski, City Manager.
12. Communications and Petitions.
13. Unfinished Business.

Water Production Plant Fluoridation Update – Stephen Shultz, City Engineer.
14. New Business.
15. Adjourn to Closed Session to Discuss: (1) Pending Litigation for Currier LLC, dba Neighborhood Provisions; and (2) Pending Litigation for Cheboygan Cement and Glawe, Inc. v City of Alpena.
16. Return to Open Session.
17. Adjourn.

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**

**October 17, 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, Councilmember Mitchell, Councilmember Nowak, and Councilmember 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 Walchak, to approve the agenda.

Motion carried 5-0.

### **MINUTES**

The minutes of the regular session of October 03, 2022, and special sessions of October 6 and 11, 2022, 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 \$412,140.44.
- B. Council appointment of Elizabeth Heath to the Recreation Advisory Board for a three-year term expiring on November 1, 2025.
- C. Mayoral reappointment of Randy Boboltz to the Planning Commission for a three-year term expiring on November 1, 2025.
- D. Approval of Resolution 2022-15 for the Michigan Natural Resources Trust Fund Development Project for construction of restroom facilities at Bay View Park.

Motion carried 5-0.

### **ANNOUNCEMENTS**

Halloween trick-or-treat hours in the City of Alpena will be 5:30 p.m. – 7:30 p.m. on Monday, October 31, 2022.

Absentee ballots are available in the Clerk's Office for the November 8, 2022, General Election and residents may also register to vote.

The public accuracy test of the voting equipment will be performed on October 26, 2022, at 5 p.m. in the City Hall lobby.

### **ORDINANCE 22-480**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to adopt Ordinance 22-480 which amends the City of Alpena zoning map.

Motion carried 5-0.

### **ORDINANCE 22-481**

Attorney Pfeifer delivered the first reading of Ordinance 22-481 which amends the City of Alpena zoning map.

### **AUGUST 2, 2022 ELECTION**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to receive and file the report for the August 2, 2022 Election.

Motion carried 5-0.

### **FIRST QUARTER FY23 FINANCIAL REPORT**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to receive and file the first quarter fiscal year 2023 financial report.

Motion carried 5-0.

### **MICHIGAN BOATING PUMPOUT PROGRAM GRANT**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to ask staff to submit the grant application for the Michigan Boating Pumpout Program for the Marina pumpout replacement.

Motion carried 5-0.

Moved by Councilmember Nowak, seconded by Councilmember Walchak, to authorize the fund transfer, if necessary, to match the Marina Pumpout Grant.

Motion carried 5-0.

### **MDOT CONTRACT FOR RIPLEY BOULEVARD**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to adopt resolution 22-5454.

Motion carried 5-0.

### **2022 HIGH EFFICIENCY LIGHTING CONTRACT MODIFICATION**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, approve contract modification No. 2 which covers the amount of \$39,452 to complete the Washington Avenue Park project and \$43,086 to upgrade the Long Rapids pedestrian lighting.

Motion carried 5-0.

### **ADJOURN**

On motion of Councilmember Nowak, seconded by Mayor Pro Tem Johnson, the Municipal Council adjourned at 6:43 p.m.

Matthew Waligora  
Mayor

ATTEST:

Anna Soik  
City Clerk

DRAFT

# INVOICE REGISTER

Page: 1/3

EXP CHECK RUN DATES 11/08/2022 - 11/08/2022  
UNJOURNALIZED  
OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
A-1 TREE SERVICE	22-325	BAGGED LAWN & LEAF PICK-UP 10/22	10,100.00
A-1 TREE SERVICE	22-326	STUMP GRINDING - MAJ/LOC ST	8,800.00
AIRGAS USA LLC	9130738649	SUPPLIES - EMS DISP	65.93
AIRGAS USA LLC	9991574348	VEH MAINT - DPW	70.29
ALL MARINE AND STORAGE LLC	110122	TRAVEL LIFT/STORAGE SVCS MARINA	16,743.99
ALLEGRA ALPENA	156620	SUPPLIES - MANAGER	221.65
ALPENA AGENCY INC	41806	INSURANCE - SECOND AVE BRIDGE	12,123.00
ALPENA AREA CHAMBER OF COMMERCE	23050	GMDA TICKETS - FIRE/EMS/COUNCIL/ADMIN/	110.00
ALPENA COMMUNITY COLLEGE	402903	SUPPLIES - FIRE/EMS	787.38
ALPENA DIESEL SERVICE	74925	VEH MAINT - EQ	20.84
ALPENA DIESEL SERVICE	74917	VEH MAINT #39	257.50
ALPENA DIESEL SERVICE	75080	VEH MAINT #57	217.12
ALPENA DIESEL SERVICE	74686	VEH MAINT - EQ	411.10
ALPENA LAWN CARE & MAINTENANCE	5182	MOWING - CODE ENFORCEMENT	250.00
ALPENA POWER COMPANY	110822	ELECTRIC	8,866.14
AMAZON CAPITAL SERVICES INC	1HFR-MRV9-VMDH	SUPPLIES - FIRE/EMS	626.93
AMAZON CAPITAL SERVICES INC	1J3D-JYDT-XV9T	SUPPLIES - CLERK/TREAS	46.25
AMAZON CAPITAL SERVICES INC	112-2346843-148741	UNIFORMS - PUBLIC WORKS	378.92
ANDREW MARCEAU	102722	TRAVEL EXPENSE - FIRE/EMS	795.40
ANNE GENTRY	110222	REIMB CELL PHONE EXP - DDA	180.00
APLEX	110822	POLLING PLACE FEE 11/08/22	100.00
AURA SOSA	AP22-2356C	AMBULANCE REFUND	128.54
BERG ASSESSING & CONSULTING INC	22-0000773	ASSESSING CONTRACTED SVCS 11/22	7,366.00
BERTHA ORTLIEB	AP22-2216	AMBULANCE REFUND	134.86
BOUND TREE MEDICAL LLC	84716988	SUPPLIES - EMS DISP	738.00
BOUND TREE MEDICAL LLC	84716989	SUPPLIES - EMS DISP	67.74
BOUND TREE MEDICAL LLC	84727586	SUPPLIES - EMS DISP	256.74
BOUND TREE MEDICAL LLC	84727585	SUPPLIES - EMS DISP	31.90
BOUND TREE MEDICAL LLC	84709633	SUPPLIES - EMS DISP	390.81
BOUND TREE MEDICAL LLC	84709632	SUPPLIES - EMS DISP	252.80
BOUND TREE MEDICAL LLC	84707951	SUPPLIES - EMS DISP	20.30
BS&A	143407	SVC/SUPPORT FEE - INVENTORY	6,454.00
CHARTER COMMUNICATIONS	0161607102122	FAX LINE - PUBLIC SAFETY	39.99
CHARTER COMMUNICATIONS	0161615102522	FAX LINE - CITY HALL	79.98
CHARTER TOWNSHIP OF ALPENA	092922	REIMB GARAGE NATURAL GAS	21.46
CHARTER TOWNSHIP OF ALPENA	103122	REIMB GARAGE NATURAL GAS - FIRE/EMS	24.14
CIVIC PLUS	242997	ORDINANCE	550.00
CONTROL SOLUTIONS INC	3267CW	MAINT - SEWER	39.69
CONTROL SOLUTIONS INC	3276CW	BOILER REPL - SECOND AVE BRIDGE	5,275.00
CONTROL SOLUTIONS INC	3273CW	FURNACE REPL - MARINA	12,985.00
DEAN ARBOUR FORD LINCOLN MERCURY	36249	VEH MAINT - POLICE	861.73
DORNBOS SIGN & SAFETY INC	INV65900	MAINT - MAJ ST	117.90
DTE ENERGY	100722	NATURAL GAS - DDA	45.98
EAGLE SUPPLY CO	123792	SUPPLIES - FIRE/EMS	479.88
EAGLE SUPPLY CO	123672	SUPPLIES - FIRE/EMS	92.00
EAGLE SUPPLY CO	123701	SUPPLIES - CITY HALL	72.40
ELECTION SOURCE	22-6183	SUPPLIES - ELECTION	248.86
ELECTION SOURCE	22-6851	SUPPLIES - ELECTION	(19.00)
EMERY ENTERPRISES	102222	SUPPLIES - PUBLIC WORKS	1,015.00
EMERY ENTERPRISES	102822	SUPPLIES - PUBLIC WORKS	362.50
EMERY ENTERPRISES	101722	UNIFORMS - PUBLIC WORKS	133.55
ENTERPRISE FM TRUST	FBN4602837 11/02	VEHICLE LEASE - TRAVEL VEH/EQUIP FUND	557.75
FASTENAL COMPANY	MIALP194941	SUPPLIES - PUBLIC WORKS	18.12
FASTENAL COMPANY	MIALP195148	VEH MAINT - EQ	3.50
FASTENAL COMPANY	MIALP195136	SUPPLIES - PUBLIC WORKS	70.58
FASTENAL COMPANY	MIALP195118	VEH MAINT - EQ	21.27
FIRST UNITED METHODIST CHURCH	110822	POLLING PLACE FEE 11/08/22	200.00
FORREST BUSKIRK	AP22-2073C	AMBULANCE REFUND	549.50
GALLS LLC	022258921	UNIFORMS - FIRE/EMS	80.95
GIAMARCO MULLINS & HORTON PC	46	ATTY FEES - GEN/FIRE	1,444.50
GILMET CONSTRUCTION SERVICES	103122	BUILDING/ZONING/CODE/PLANNING SVCS 1C	2,500.00
HOME DEPOT CREDIT SERVICES	1060955	MAINT - MARINA	66.12
HOME DEPOT CREDIT SERVICES	6061265	SUPPLIES - MARINA	50.58
HOME DEPOT CREDIT SERVICES	1075044	SUPPLIES - POLICE	40.27
HOME DEPOT CREDIT SERVICES	9061619	SUPPLIES - CITY HALL	9.98

# INVOICE REGISTER

Page: 2/3

EXP CHECK RUN DATES 11/08/2022 - 11/08/2022  
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VENDOR	INVOICE #	DESCRIPTION	AMOUNT
HOME DEPOT CREDIT SERVICES	8070025	MAINT - POLICE	49.00
HOME DEPOT CREDIT SERVICES	8070037	MAINT - POLICE	15.54
HOME DEPOT CREDIT SERVICES	7610202	SUPPLIES - POLICE	16.76
HOME DEPOT CREDIT SERVICES	2070433	POTABLE WATER SYSTEM - MARINA	137.51
HOME DEPOT CREDIT SERVICES	1062111	POTABLE WATER SYSTEM	25.15
HOME DEPOT CREDIT SERVICES	1062134	MAINT - PARKS	187.53
HOME DEPOT CREDIT SERVICES	62185	SUPPLIES - CITY HALL	29.97
HOME DEPOT CREDIT SERVICES	5070751	BLDG MAINT - CITY HALL	1.16
HOME DEPOT CREDIT SERVICES	4011552	BLDG MAINT - CITY HALL	367.94
HOME DEPOT CREDIT SERVICES	4525151	MAINT - POLICE	89.00
HOME DEPOT CREDIT SERVICES	4611180	SUPPLIES - FIRE/EMS	45.11
HURON ENGINEERING AND SURVEYING INC	4883	TESTING SERVICES - SEW/WATER	3,056.25
HURON ENGINEERING AND SURVEYING INC	5218	TESTING SERVICES - SEW/WATER	296.00
INK AND TONER ALTERNATIVE	22-3072	SUPPLIES - IT	110.97
KCI	102022	POSTAGE - TAX BILLS	2,258.17
LARRY'S AUTO COLLISION	101722	ACCIDENT REPR - AMB	1,514.64
LIFELOC TECHNOLOGIES INC	372582	SUPPLIES - POLICE	42.00
LOCAL DIFFERENCE, LLC	31367	HOLIDAY MARKETING	200.00
MARY SCHEPKE	AP22-1557C	AMBULANCE REFUND	200.00
MICHIGAN CAT	PD14064114	VEH MAINT #65	52.30
MICHIGAN CONFIDENTIAL DOCUMENT	17269	DOCUMENT DESTR FEE - CH/ELECT/TREAS	100.00
MICHIGAN PIPE & VALVE	T018779	STORES - FERNCO	216.00
MICHIGAN POLICE EQUIP CO	7928	SUPPLIES - POLICE	2,150.00
MILLER OFFICE MACHINES	AR21895	SUPPLIES - DDA	44.27
MOTOROLA SOLUTIONS INC	8281488266	PORTABLE RADIOS - POLICE	21,676.15
MOTOROLA SOLUTIONS INC	8281492937	SUPPLIES - POL	225.00
MY MICHIGAN HEALTH	101322	CPR CARDS - FIRE/EMS	240.00
MY-LOR INC	110822	SUPPLIES - FIRE/EMS	212.10
NOVELTY LIGHTS.COM	1676829	CHRISTMAS DECORATIONS - PW	498.35
NYE UNIFORM COMPANY	832266	UNIFORMS - POLICE	126.02
NYE UNIFORM COMPANY	832137	UNIFORMS - POLICE	109.00
NYE UNIFORM COMPANY	830817	UNIFORMS - POLICE	109.00
OFFICE DEPOT	23716658	SUPPLIES - PUBLIC SAFETY	29.18
PITNEY BOWES INC	1021690552	SUPPLIES - CITY HALL	169.97
PRIORITY ONE EMERGENCY	70088439	UNIFORMS - FIRE/EMS	75.99
PRIORITY ONE EMERGENCY	70088739	UNIFORMS - FIRE/EMS	93.99
PRIORITY ONE EMERGENCY	70088738	UNIFORMS - FIRE/EMS	187.98
PVS TECHNOLOGIES INC	321207	FERROUS CHLORIDE - SEWER	4,563.55
R W MERCER COMPANY INC	214882	OPERATOR INSP - MARINA	250.00
RAPID RESULTS	15231	DRUG SCREEN - PUBLIC WORKS	75.00
RAPID RESULTS	15298	DOT PHYSICAL - PW	125.00
RICK ROULEAU	214882	OPERATOR INSP - MARINA	250.00
RICK ROULEAU	101822	MILEAGE 09-10/22	63.94
SALLY HOLMES	AP21-4124	AMBULANCE REFUND	25.00
SCHINDLER ELEVATOR CORPORATION	8106057328	ELEVATOR MAINTENANCE - CITY HALL	3,519.71
SEVAN K INC	313 09/22	VEH MAINT - POLICE	153.00
SEVAN K INC	303 09/22	VEH MAINT - ENG	67.87
SPECIFICATION STONE PRODUCTS	2744805	STORES - 6A STONE	113.31
ST ANNE CATHOLIC CHURCH	110822	POLLING PLACE FEE 11/08/22	200.00
STATE OF MICHIGAN	23-000055	PORTABLE RADIOS - POLICE	1,250.00
STATE OF MICHIGAN	110122	PERMIT FEES - MARINA	225.00
STEVEN HALL	103122	MILEAGE 09-10/22	158.38
STRYKER SALES CORP	3912165M	SUPPLIES - FIRE/EMS	150.00
STRYKER SALES CORP	3910877M	SUPPLIES - FIRE/EMS	90.75
STRYKER SALES CORP	3921342M	SUPPLIES - FIRE/EMS	13.68
TELEFLEX LLC	9506067273	SUPPLIES - EMS DISP	2,010.50
THUNDER BAY ELECTRIC INC	231799	BRIDGE MAINT - MAJ ST	248.95
THUNDER BAY ELECTRIC INC	231872	MAINT - LIGHTS	569.17
THUNDER BAY ELECTRIC INC	231873	MAINT - LIGHTS	74.42
THUNDER BAY ELECTRIC INC	231798	MAINT - LIGHTS	7,357.33
UL LLC	72020487955	VEH AERIAL INSP - FIRE EQ	2,628.50
ULINE	154961110	SUPPLIES - POLICE	145.27
UNIVERSAL HANDLING EQUIPMENT CO LLC	OW4355	RECYCLING CONTAINER - PUBLIC WORKS	15,920.00
UP ENGINEERS & ARCHITECTS INC	2202882	DESIGN SVCS - BAYVIEW PARK PAVILION	1,900.00
WITMER PUBLIC SAFETY GROUP	INV124432	UNIFORMS - FIRE/EMS	20.32



**INVOICE REGISTER**

Page: 3/3

EXP CHECK RUN DATES 11/08/2022 - 11/08/2022  
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VENDOR	INVOICE #	DESCRIPTION	AMOUNT
WITMER PUBLIC SAFETY GROUP	INV109182	UNIFORMS - FIRE/EMS	269.94
WITMER PUBLIC SAFETY GROUP	INV124163	UNIFORMS - FIRE/EMS	577.45
WITMER PUBLIC SAFETY GROUP	INV123834	HELMETS - FIRE/EMS	398.15
WITMER PUBLIC SAFETY GROUP	INV123254	SUPPLIES - FIRE/EMS	269.20
WITMER PUBLIC SAFETY GROUP	INV96346	UNIFORMS - FIRE/EMS	38.69
WITMER PUBLIC SAFETY GROUP	INV118478	UNIFORMS - FIRE/EMS	98.77
ZAREMBA EQUIPMENT INC	94813	TRUCK REPAIR #39	10,391.85
Total:			194,224.01

Checks ran on 10/25/22 (Breakdown of invoices paid attached)	22,904.66
Check ran on 11/01/22 (Breakdown of invoice paid attached)	14,280.05
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Total for 11/07/22 Council Meeting	231,408.72

# INVOICE REGISTER

Page: 1/1

EXP CHECK RUN DATES 10/25/2022 - 10/25/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ALPENA POWER COMPANY	102522	ELECTRIC	6,173.43
CHARTER COMMUNICATIONS	0015914100522	WATER TWR INTERNET SIGNALS	627.88
COLUMN SOFTWARE PBC	35725C0A-0001	PUBLISHING/ADVERTISING-C/T	233.64
COLUMN SOFTWARE PBC	35725C0A-0003	PUBLISHING/ADVERTISING-C/T	58.41
COLUMN SOFTWARE PBC	35725C0A-0004	PUBLISHING/ADVERTISING	103.02
COLUMN SOFTWARE PBC	35725C0A-0006	ORD 22-476	336.66
COLUMN SOFTWARE PBC	35725C0A-0007	PUBLISHING/ADVERTISING-C/T	233.64
COLUMN SOFTWARE PBC	35725C0A-0008	PUBLISHING/ADVERTISING-C/T	58.41
COLUMN SOFTWARE PBC	35725C0A-0009	PUBLISHING/ADVERTISING-C/T	262.85
COLUMN SOFTWARE PBC	35725C0A-0025	PUBLISHING/ADVERTISING-C/T	116.82
COLUMN SOFTWARE PBC	35725C0A-0027	PUBLISHING/ADVERTISING-C/T	116.82
COLUMN SOFTWARE PBC	35725C0A-0028	PUBLISHING/ADVERTISING-ELECTIONS	55.61
COLUMN SOFTWARE PBC	35725C0A-0024	PUBLISHING/ADVERTISING-PDZ	84.81
COLUMN SOFTWARE PBC	35725C0A-0026	PUBLIC HEARING 101122	84.81
COLUMN SOFTWARE PBC	35725C0A-0029	PUBLISHING/ADVERTISING-PDZ	55.61
DTE ENERGY	102522	NATURAL GAS	3,945.84
FRONTIER	2793 10/22	TELEPHONE - POL/FIRE/EMS	108.98
MICHAEL C MISCHLEY	102522	SAFETY SHOW ALLOW - PKS	138.01
NALCO COMPANY LLC	6601243676	POLYMER VELIGON - WATER	2,225.85
OSCODA TOWNSHIP	102522	WORKSHOP REG - PLANNING	50.00
VERIZON WIRELESS	9917813121	CELL PHONES/IPADS	2,626.02
VERIZON WIRELESS	9917813120	CELL PHONES	688.15
VISA/ELAN FINANCIAL SERVICES	1418 10/22	MAINT - FIRE/EMS/MARINA	600.72
VISA/ELAN FINANCIAL SERVICES	3610 10/22	SUPP/PROMO/UTIL/FEES - DDA	340.49
VISA/ELAN FINANCIAL SERVICES	4688 10/22	TRAVEL EXPENSE - BLDG	59.64
VISA/ELAN FINANCIAL SERVICES	5087 10/22	LOG-IN/DUES - HR/RECYCL	260.89
VISA/ELAN FINANCIAL SERVICES	5279 10/22	SUPPLIES/TR EXP - POLICE	1,330.40
VISA/ELAN FINANCIAL SERVICES	6116 10/22	TR EXP/SUPP/TRACKER/FOOD/SERV-FIRE/EI	1,807.25
VISA/ELAN FINANCIAL SERVICES	7661 10/22	MEMBERSHIP DUES - TREAS	120.00

**Total: 22,904.66**

**INVOICE REGISTER**

Page: 1/1

EXP CHECK RUN DATES 11/01/2022 - 11/01/2022

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

<b>VENDOR</b>	<b>INVOICE #</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
ALPENA POWER COMPANY	110122	ELECTRIC	14,280.05
<b>Total:</b>			<b>14,280.05</b>

# BUDGET AMENDMENT REQUEST

FUND: American Rescue Plan Act

DEPARTMENT: Information Technology

PROJECT DESCRIPTION: ~~Carryover~~ Body Camera Project From FY22 to FY23

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
285-228-730.000	Durable Goods		\$45,865	\$45,865

## Justification for Budget Amendment

Cameras were demo'd in FY22 and final pricing was established after the end of the year.

## Michigan Uniform Accounting and Budget Act:

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

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

  
Department Head 25-Oct-22  
Date

  
Clerk/Treasurer 11/3/22  
Date

  
City Manager 11/3/22  
Date

\_\_\_\_\_  
City Council Date

# BUDGET AMENDMENT REQUEST

FUND: ARPA

DEPARTMENT: Capital Outlay

PROJECT: Fire Kitchen

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
285-901-971.000	Capital Outlay		\$20,000	\$20,000

## Justification for Budget Amendment

Funding for the fire kitchen was anticipated to be used in FY22. Funds were not carried over before the audit. As a result, this will  
 need to come from ARPA Fund balance.

## Michigan Uniform Accounting and Budget Act:

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

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

Department Head \_\_\_\_\_ Date \_\_\_\_\_

*Anna Soik* 11/3/22

Clerk/Treasurer \_\_\_\_\_ Date \_\_\_\_\_

*Rachel Smolinski* 11/3/22

City Manager \_\_\_\_\_ Date \_\_\_\_\_

City Council \_\_\_\_\_ Date \_\_\_\_\_

# BUDGET AMENDMENT REQUEST

FUND: American Rescue Plan Act

DEPARTMENT: Capital Outlay

PROJECT DESCRIPTION: ~~Carryover~~ Skate Park Materials Project From FY22 to FY23

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
285-901-971.000	Capital Outlay		\$10,000	\$10,000

## Justification for Budget Amendment

Met with local group several times, coordinated efforts and determined material needs.


## Michigan Uniform Accounting and Budget Act:

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

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

  
Department Head 25-Oct-22  
Date

  
Clerk/Treasurer 11/3/22  
Date

  
City Manager 11/3/22  
Date

City Council Date

# City of Alpena Ordinance No. 22- 481

## 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 1223 S State Ave shall be conditionally rezoned from CCD to B-2 to allow for drive through food service. Statement of Conditions is as follows and will be recorded with the register of deeds: *Looking to reinstate the drive thru at what was the former Lud's Restaurant. This has been a functioning use for over 40 years at this location. There is adequate stacking, maneuverability, and street access. We plan on directional signage to guide vehicles in the proper lanes and direction.*

### **SECTION 2: SEVERABILITY**

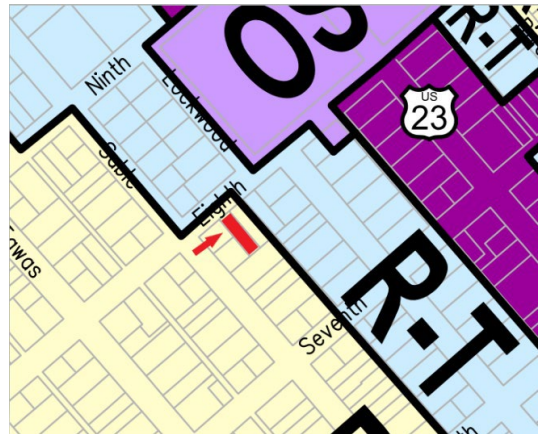
If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, 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. 22-481 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: October 17, 2022      Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_, subject to PA 110 of 2006 as amended.

Published: \_\_\_\_\_



# Memorandum



Date: November 2, 2022

To: Mayor and City Council Members

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

From: Rachel Smolinski, City Manager

Subject: Northeast Michigan Materials Management Authority

The Alpena Resource Recovery Program has partnered for many years with Northeast Michigan Council of Governments to operate the Alpena Resource Recovery Facility located on M-32. Along with a network of collection sites, the program provides recycling and materials management services to residents and business throughout Alpena County and into a portion of adjacent Alcona County. The program also provides annual community collection events including a county-wide clean-up day and electronics recycling event. The program is largely funded through an interlocal agreement authorizing the collection of an annual surcharge of \$20/year per household.

The current facility has reached capacity and materials are now being shipped to other areas and the program is losing potential revenue along with the additional cost of transporting the materials. The Alpena Resource Recovery Board (ARRB) has been working diligently over the past few years to develop a regional recycling facility to meet the growing needs of Alpena County and to serve the unmet need of surrounding communities. This new Material Recovery Facility (MRF) is anticipated to cost \$5.8 million of which approximately 72% of funding has been secured through grants from the State of Michigan, Food Packaging Institute, and the Carton Council of North America, and a federal appropriation through Senator Stabenow. Alpena County has also allocated \$500,000 through ARRPA funding along with the commitment of a long-term lease for use of property for the new MRF located adjacent to the Alpena County Airport. It is anticipated that the new MRF could be constructed by fall of 2024. The facility would be able to accommodate additional capacity, new materials that are not currently accepted, and would serve as a regional hub for recycling and materials management for Northeast Michigan. The new MRF also creates the opportunity for a circular economy which utilizes locally recycled materials such as paper and cartons as raw materials for shipment to Great Lakes Tissue in Cheboygan. Another example is collected glass as raw materials for use at Lafarge in Alpena.

The ARRB is looking to the future and with this a governing structure that is inclusive of all entities. At the recent Intergovernmental Committee meeting on October 6<sup>th</sup>, 2022, the Articles



of Incorporation for the Northeast Michigan Materials Management Authority were introduced and discussed. Under Act No 233 of PA 1955 of the State of Michigan, any two or more municipalities may incorporate an authority for the purpose of acquiring, owning, improving, enlarging, extending, and operating a sewage disposal system, a water supply system, *a solid waste management system*, or a combination of systems by the adoption of articles of incorporation by the legislative body of each of the municipalities. Alpena County and the Charter Township of Alpena have already adopted the articles of incorporation and I anticipate that several townships within the County will follow suit.

It is my recommendation as City Manager that the Alpena City Council adopt Resolution No. 2022-17.

Sample Motion: I move to adopt Resolution No. 2022-17 authorizing the City of Alpena to adopt the Articles of Incorporation of the Northeast Michigan Materials Management Authority.



**RESOLUTION NO. 2022-17**

**A RESOLUTION AUTHORIZING THE CITY OF ALPENA TO ADOPT THE  
ARTICLES OF INCORPORATION OF THE NORTHEAST MICHIGAN MATERIALS  
MANAGEMENT AUTHORITY**

**WHEREAS**, Act No. 233 of the Public Acts of 1955 of the State of Michigan (“the Act”) provides, in section 2 of the Act, that “any two (2) or more municipalities may incorporate an authority for the purpose of acquiring, owning, improving, enlarging, extending, and operating a sewage disposal system, a water supply system, a solid waste management system, or a combination of systems by the adoption of articles of incorporation by the legislative body of each of the municipalities”;

**WHEREAS**, the Articles of Incorporation have been prepared pursuant to the Act for the purpose of creating an authority to be named “the Northeast Michigan Materials Management Authority”.

**WHEREAS** the proposed Articles of Incorporation provide that “the purposes of the Authority are to furnish resource and materials recovery services and to acquire, own, improve, enlarge, extend, operate, and administer a resource and materials recovery system and facilities, or to contract for the furnishing of such services to the Authority by any other appropriate source...”; and

**WHEREAS**, the Alpena City Council desires to approve and adopt the proposed Articles of Incorporation, as authorized by section 2 of the Act, and become a constituent part of the Northeast Michigan Materials Management Authority

**NOW THEREFORE, BE IT RESOLVED**, that the Alpena City Council hereby formally approves and adopts the attached Articles of Incorporation of the Northeast Materials Management Authority.

**BE IT FURTHER RESOLVED**, that the Mayor and the City Clerk be authorized to sign the Articles of Incorporation and any other documentation required for membership in the Northeast Michigan Materials Management Board.

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

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Anna Soik, City Clerk/Treasurer/Finance Director 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 November 7, 2022.

Anna Soik  
City Clerk/Treasurer/Finance Director

**ARTICLES OF INCORPORATION  
OF THE  
NORTHEAST MICHIGAN MATERIALS MANAGEMENT AUTHORITY**

These articles of incorporation are adopted by the incorporating municipalities for the purpose of creating an authority under the provision of Act No. 233 of the Public Acts of 1955 of the State of Michigan, as amended (hereinafter referred to as the “Enabling Act”).

**ARTICLE I**

The name of the authority is “Northeast Michigan Materials Management Authority”, hereinafter referred to as the “Authority”.

**ARTICLE II**

“Municipality”, as referenced herein, shall include county, township, city, or village. The incorporating municipalities creating the Authority are as follows: County of Alpena, City of Alpena, Charter Township of Alpena, Green Township, Long Rapids Township, Maple Ridge Township, Ossineke Township, Sanborn Township, Wellington Township, and Wilson Township.

Said incorporating units and any other municipalities which, pursuant to Section 1 of the Enabling Act, shall become a constituent part of the Authority are hereinafter referred to as a “Constituent Municipality.”

**ARTICLE III**

The registered office of the Authority shall be the office of the County of Alpena, 720 W Chisholm, Suite 7, Alpena, Michigan, 49707 for a period of twenty-four (24) months until or unless a different site is designated by the Board of Directors as hereinafter established.

#### **ARTICLE IV**

The purposes of the Authority are to furnish resource and materials recovery services and to acquire, own, improve, enlarge, extend, operate, and administer a resource and materials recovery system and facilities, or to contract for the furnishing of such service to the Authority by any other appropriate source, and to carry out any one or more of any of the foregoing functions or powers, all in accordance with the authorization of the Enabling Act. A “resource and materials recovery system and facilities” as used in these Articles of Incorporation, shall be as defined in the Enabling Act, is a solid waste management system, including all plants, works, instrumentalities, and properties used or useful in connection with the collection, transportation, processing, or disposal of discarded or waste materials of any sort, including access roads and facilities for resource recovery.

#### **ARTICLE V**

The Authority shall be a public body corporate comprised of the territories lying within the corporate boundaries of its Constituent Municipalities, with the power to sue and be sued in its own name in any court of the State of Michigan having proper jurisdiction and venue; the Authority shall have all the powers necessary to carry out the purposes of its incorporation and all powers incident thereto, now or hereafter granted by the Enabling Act or by any other applicable statute and by these Articles, including, but not limited to, the following specific powers:

- a) The power to adopt by-laws and rules and regulations for the control of its affairs and the conduct of its business;
- b) The power to adopt an official seal and alter the same at pleasure;
- c) The power to maintain an office at such place or places within the constituent municipalities, as it may designate;
- d) The power to:
  - a. determine the location of any materials management facility operated, maintained, or constructed by it, and

- b. to determine in its discretion and without reference to any other provisions of the Enabling Act or any other law, the design, standards, and materials of construction of any resource recovery system or facility, and
  - c. the power to construct, maintain, repair, and operate same, subject, however to the functions, powers and duties of the Michigan Department of Environment, Great Lakes & Energy (EGLE) or equivalent state or federal agency, or any other pre-emptive federal or state laws or regulations promulgated under any such laws;
- e) The power to acquire, hold, manage, control, sell, exchange, leave, and dispose of real and personal property, either within or without its corporate limits, in the exercise of its powers and the performance of its duties and purposes;
- f) The power to enter into a contract or contracts with any of its Constituent Municipalities for the furnishing of its services to any Constituent Municipality;
- g) The power to enter into a contract or contracts with any non-constituent municipality for the furnishing of its services to any non-constituent municipality;
- h) The power to enter into a contract or contracts with any other appropriate source or sources for the furnishing of materials management services by such other source or sources to the Authority, or for the use by the Authority of any of the facilities for a materials management system or services of such other source or sources.
- i) The power to secure all necessary services and to hire all necessary employees to carry out the functions and powers of the Authority, and to fix the compensation therefore; and
- j) The powers invested in it under the terms of the Enabling Act, as amended and all powers granted by any charter or other statute.

The enumeration of the foregoing specific powers shall not be construed as a limitation upon the general powers of the Authority unless the context shall clearly indicate otherwise.

The Authority shall have no direct taxing power.

## ARTICLE VI

Each Constituent Municipality shall appoint representatives to the Authority as follows:

- a) The Northeast Michigan Materials Management Authority Board will be comprised of between seven (7) and thirteen (13) representatives from the following: two (2) representatives from the County of Alpena, two (2) representatives from the City of Alpena; two (2) representatives from Charter Township of Alpena Township Board; and up to seven (7) representatives total made up of one each from the following: Green, Long Rapids, Maple Ridge, Ossineke, Sanborn, Wellington and Wilson Townships providing a geographic distribution to ensure representation from all areas. These appointments shall be made annually, or according to the rules of the constituent bodies. Each term is for board of the Northeast Michigan Materials Management Authority shall three (3) years.
- b) The governing body of the Authority shall be a Board of Directors, which membership shall be made up of the respective appointees duly appointed by each of the Constituent Municipalities.

The Board shall select from among its members, a chairperson, a vice-chairperson, a secretary, and a treasurer, all of whom shall be officers of the Board. The offices of secretary and treasurer may be held by one person if so provided in the by-laws. The terms of officers shall be one year except that officers may succeed themselves; all members shall be limited to three (3) consecutive terms in the same office.

The officers of the Board shall be the executive officers of the Authority, and as such, shall be empowered to initiate and exercise the powers set forth in Article V above, including ancillary powers necessary to implement the express powers, except that the majority concurrence of the full Board membership shall be mandatory to effectuate such powers in such instances as shall be further provided for in the By-Laws.

The Board shall meet at least semi-annually and such other regular meetings as may be prescribed in the By-Laws together with such special meetings as may be necessary. In January of each year, the Board shall hold its Annual Meeting. At each

Annual Meeting, there shall be an election of officers of the Board, who shall then have the authority to call and chair meetings of the Board and of the Authority membership, except as may be otherwise provided for in the By-Laws.

All meetings of the Board, committees thereof, and the Authority shall be governed by the parliamentary provision of Robert's Rules of Order unless otherwise provided for or waived by express provisions within the officially adopted By-Laws. Any provision herein to the contrary notwithstanding, the Board shall conduct its meetings in accordance with the Open Meeting Act.

Board members and representatives may be paid such reasonable compensation as their constituent bodies may establish, consistent with the laws of the State of Michigan, and in addition, the Board may authorize payment of actual expenses incurred by a Board member for the performance of duly authorized Authority business.

In the event that a vacancy shall occur within the Board membership, such vacancy shall be filled by the legislative body of the Constituent Municipality which made the prior appointment now vacant.

These Articles specifically recognize the existence of the heretofore constituted Alpena Resource Recovery Board, and state that it is the intention of the corporation to assume the assets and liabilities thereof, or assets and liabilities held on their behalf, so as not to impair existing contracts.

## **ARTICLE VII**

The chairperson of the Board shall be the presiding officer thereof. In the absence or disability of the Chairperson, the Vice-Chairperson, shall perform the duties of the Chairperson. The Secretary shall be the recording officer of the Authority. The Treasurer shall be the custodian of the funds of the Authority.

All monies received by the Authority shall be deposited in a bank or banks to be designated by the Board and all checks or other forms of withdrawal therefrom shall be signed by the Treasurer or Deputy Treasurer and any officer of the Board or Chief

Executive Officer, in addition to the Treasurer. The Deputy Treasurer shall be appointed by the Treasurer subject to approval by a majority of the Board at the time the appointment is made. The Deputy Treasurer shall serve at the pleasure of the Treasurer making the appointment.

The Board shall annually prepare and file with the legislative bodies of the Constituent Municipalities, a budget covering the proposed expenditures to be made for the organizing and operating of the Authority and for the necessary funds required and the source or sources thereof, for the next fiscal year.

The Board shall cause an annual audit to be made of the financial transactions of the Authority by an independent certified public accountant and shall furnish a copy thereof to the legislative body of each Constituent Municipality.

#### **ARTICLE VIII**

The Authority shall indemnify all of its officers and employees against expenses actually and necessarily incurred by them in connection with the defense of any action, suit, or proceeding in which they or any of them are made parties by reason of any matters relating to the affairs of the Authority provided, however, that the Authority shall not be required to provide any indemnity in such officer or employee shall be adjudged or found guilty by a court of competent jurisdiction of fraud or misconduct in the performance by such officer or employee of their duties to the Authority.

#### **ARTICLE IX**

These Articles of Incorporation may be amended at any time if such amendment is adopted by a majority of the legislative bodies of the Constituent Municipalities' which comprises the Authority. These Articles of Incorporation may be amended to include one or more municipalities other than the incorporating municipalities provided that these articles, as amended, are adopted by the legislative body of such other municipality and by the legislative body of each Constituent Municipality.



Any such amendment shall be endorsed and published and certified and filed by the recording officer of the Authority, which recording officer shall be the Secretary of the Board.

These Articles of Incorporation shall not be amended in any manner which would impair any contracts of the Authority or of any Constituent Municipality.

#### **ARTICLE X**

After adoption by the incorporating municipalities, these Articles of Incorporation shall be published once in a newspaper having general circulation in Alpena County, Michigan and printed copy thereof, certified as a true copy, with the date and place of publication, shall be filed with both the Michigan Secretary of State and the Clerk of the County of Alpena, Michigan. The Authority shall become effective upon the filing of the printed copies, as aforesaid.

#### **ARTICLE XI**

The Authority shall continue in existence perpetually or until dissolved by a 2/3 majority vote of the Constituent Municipalities or by decree of a court of competent jurisdiction provided, however, that the Authority shall not be dissolved if such dissolution would operate as an impairment of any bonds or contracts of the Authority or of any Constituent Municipality.

No Constituent Municipality shall be permitted to withdraw if it would operate as an impairment of any contracts of the Authority or of any Constituent Municipality, including the withdrawing municipality, or if such withdrawal would result in the termination of solid waste management services being furnished either by or to the Authority or any Constituent Municipality.

## **ARTICLE XII**

The incorporating units of government hereto agree to adopt by appropriate Resolution (or alternatively, by Ordinance) all enactments necessary for the implementation and furtherance of the Northeast Michigan Materials Management Board (the Authority). These Articles of Incorporation have been adopted by the incorporating units of government, as is hereinafter set forth in the following formal endorsements, which confirm the prior execution of a Resolution which formally adopts these Articles substantially in the Resolution format herewith affixed.

## **ARTICLE XIII**

Anything to the contrary herein notwithstanding, no Constituent Municipality shall be obligated to pay any sums of money whatsoever unless pursuant to a written contract between such Constituent Municipality and the Authority.

The foregoing Articles of Incorporation were adopted by the following constituent municipalities County of Alpena, State of Michigan, per the attached Resolutions.


# Memorandum



Date: November 2, 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: Water Production Plant-Fluoridation Update

In 2021, the City experienced supply shortages and shipping issues related to the powdered fluoride product used in the water production process. Throughout the last year staff has provided various options on how to handle this issue going into the future. I offer the following review and update and request Council's direction moving forward.

In June of this year we purchased 2200 pounds of Sodium Silicofluoride which is our standard and preferred type since it is a higher concentration and less product is required to achieve the suggested levels. This supply for less than half the year cost \$6700, which is roughly what we use to spend for an entire year.

Review of our current options:

Option 1 – We can continue to order powdered product when available, but supply is questionable. The price continues to rise, and no supplier will guarantee a price for longer than 3 months. The fluoride purchased in May was \$3.05/lb. Our current vendor has indicated that they can provide our preferred powdered product, but the price has increased to \$3.45/lb which translates to \$7600 for the same amount purchased earlier this year. Suggested motion if Council chooses this option: Motion to direct City staff to continue to purchase and add fluoride, regardless of powder-type, as it is available and report back if and when none can be found.

Option 2 – Convert to liquid product. Liquid is the most popular method of adding fluoride and is the most available as it is manufactured in the US. This method of adding fluoride can be a more toxic environment but is safe if done correctly. There is currently \$100,000 budgeted in 2022-23 for these renovations if that is the direction that we wish to proceed. The yearly cost of liquid fluoride additive is approximately \$20,000. Suggested motion if Council chooses this option: Motion to direct City staff to begin the design and bidding process to complete a conversion to liquid fluoride.

Option 3 – Cease the addition of Fluoride to the water all-together. Since EGLE does not require the addition of fluoride, they also do not regulate the process by which a municipality starts or stops the process. They do, however, recommend that a public input session is held. At the December 20, 2021, Council meeting, a special public input session entitled “Possible Elimination of Fluoride in the Drinking Water Production Process” was held and Council received many public comments. In addition, many other citizens have also commented during the public comment section at the beginning of several Council Meetings over the last eleven months. A search of City records does not seem to indicate any Council action or vote of the people to start the fluoridation process in 1958. The one requirement that EGLE has in halting this process is that we set a date to stop adding fluoride and inform the public of that date as soon as practical. Suggested motion if Council chooses this option: Motion to direct City staff to eliminate the addition of fluoride in the drinking water beginning on December 1, 2022, and to prepare a news release to inform the public a minimum of 10 days prior.

