

ALPENA CITY COUNCIL MEETING

December 4, 2017 - 6:00 p.m.

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Modifications to the Agenda.
4. Approve Minutes – Regular Session of November 20, 2017 and Closed Session of November 20, 2017.
5. Citizens Appearing Before Council on Agenda and Non-Agenda Items (Citizens Shall be Allowed a Maximum of Five (5) Minutes Each to Address Their Concerns. This is the Only Time During a Council Meeting that Citizens are Allowed to Address the Council).
6. Consent Agenda.
 - A. Bills to be Allowed, in the Amount of \$1,123,392.09.
 - B. Designate Councilmember Cindy Johnson and Councilmember Mike Nowak to Represent the Council on the Committee for the Replacement of the City Assessor Upon His Retirement in the Summer of 2018.
 - C. Collection of 2018 Property Taxes for the Alpena Public School District and the Alpena-Montmorency-Alcona Educational Service District.
 - D. Approval of Memorial Day, Fourth of July, and Christmas Parades Held in the City Limits in 2018.
 - E. Approval of 2018 Municipal Council Meeting Schedule.
7. Presentations.
8. Announcements.
9. Mayoral Proclamation.
10. Public Hearing.
11. Report of Officers.
 - A. Public Act 152 Health Insurance Premium Opt-Out.
 - B. Bids.

- 1) Soda Vending Services.
12. Communications and Petitions.
 - A. Tim Kuehnlein, Board President of MACNE (Michigan Arts and Culture Northeast), Will Report on the Lake Huron Discovery Tour of 2017.
13. Unfinished Business.
14. New Business.
 - A. Resolution No. 2017-10 Authorizing Submission of Coastal Zone Management Grant Application on Behalf of NOAA (National Oceanic and Atmospheric Administration) for Educational and Public Access Facilities on the Thunder Bay River.
15. Adjourn to Closed Session to Discuss Water/Sewer Litigation.

Greg E. Sundin
City Manager

COUNCIL PROCEEDINGS

November 20, 2017

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

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

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The minutes of the regular session of November 6, 2017, and the closed session of November 6, 2017, were approved as printed.

CONSENT AGENDA

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, that the following Consent Agenda items be approved:

1. Bills Allowed – in the Amount of \$535,851.08 be Allowed and the Mayor and City Clerk Authorized to Sign Warrant in Payment of Same.
2. One City Council Reappointment to the Recreation Advisory Board for a Three-Year Term Expiring on November 1, 2020 (Phil Heath). One City Council Appointment to the Recreation Advisory Board for a Three-Year Term Expiring on November 1, 2020 (Jennifer Cupples).
3. Use of Parking Spaces by the Trolley in Support of Small Business Saturday and Home for the Howlidays on November 25, 2017.

Carried by unanimous vote.

UPDATE ON STATE REGULATORY ISSUES REGARDING MEDICAL MARIHUANA

Adam Poll, Planning and Development Director, presented an update on new medical marihuana regulations from the State Licensing and Regulatory Agency (LARA), and the Bureau of Medical Marihuana Regulation (BMMR), noting that there had been a few new regulations, including language regarding stacking of marihuana grow facilities, and clarification on whether an “Opt-Out” ordinance would be needed. Poll passed out a document from the Municipal Michigan League (MML), and pointed out the document had stated that emergency rules would be used for the regulation of medical marihuana, and that these emergency rules would likely change. Poll noted that he would continue to update City Council as changes occur, and as more information becomes available.

ELECTRICAL AND FIBER OPTIC MAINTENANCE CONTRACT

Moved by Councilmember Sexton, seconded by Councilmember Johnson, to approve per City Engineer's memorandum dated November 13, 2017, the renewal of the Electrical and Fiber Optic Maintenance contract with Thunder Bay Electric for an additional five years, for the unit prices proposed.

Carried by unanimous vote.

**DONATION OFFER OF HISTORIC ALPENA FIRE TRUCK BY THE
ZOLNIEREK FAMILY**

Moved by Councilmember Nielsen, seconded by Councilmember Johnson, to accept the donation offer of a historic Alpena fire truck by the Zolnierrek Family, to be used in miscellaneous events, and stored in the Public Safety Storage building.

Carried by unanimous vote.

**TRAFFIC CONTROL ORDER NO. 4-17 – ALL DAY AND OVERNIGHT PARKING –
CARTER STREET LOT**

Moved by Councilmember Nowak, seconded by Councilmember Sexton, to approve Traffic Control Order No. 4-17, to allow year-round, all-day and overnight parking, in the Carter Street parking lot (north of Carter Street and south of the Thunder Bay River).

Carried by unanimous vote.

CLOSED SESSION

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that the Municipal Council adjourn to a closed session at 6:28 p.m. to discuss Water and Sewer Litigation.

Carried by unanimous vote.

Mayor Waligora exited the meeting at 6:28 p.m.

RECESS

The Municipal Council recessed at 6:28 p.m.

RECONVENE – CLOSED SESSION

The Municipal Council reconvened in closed session at 6:36 p.m.

RECONVENE – OPEN SESSION

On motion of Councilmember Nowak, seconded by Councilmember Johnson, the Municipal Council reconvened in open session at 6:58 p.m.

Carried by unanimous vote.

On motion of Councilmember Nowak, seconded by Councilmember Johnson, the
Municipal Council adjourned at 6:58 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Anna Soik
City Clerk

INVOICE REGISTER

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EXP CHECK RUN DATES 12/05/2017 - 12/05/2017

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

6.A.

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
AETNA PROVIDER SERVICES	AP17-1737	AMBULANCE REFUND	363.86
AIRGAS USA LLC	9948668023	VEH MAINT - DPW	68.20
AIRGAS USA LLC	9069567183	MAINT - WATER	14.08
AIRGAS USA LLC	9069964286	VEH MAINT - DPW	16.44
AJ MACARTHUR	484572	CHRISTMAS WREATHS - DDA	30.00
ALLEGRA ALPENA	143207	SUPPLIES - MANAGER	196.27
ALPENA AGENCY INC	36783	INSURANCE - GENERAL	139,876.00
ALPENA DIESEL SERVICE	55216	VEH MAINT - DPW	216.65
ALPENA MARKETPLACE PRODUCTIONS	100 11/17	TAPING FEES - COUNCIL MTG	450.00
ALPENA POWER COMPANY	120517	ELECTRIC	13,210.28
ALPENA TOWNSHIP	112017	REIMB GARAGE NATURAL GAS - AMB	28.37
BC/BS OF MICHIGAN	64088 12/17	PREMIUM-HEALTH 12/17	55,719.39
BOUND TREE MEDICAL LLC	82689270	SUPPLIES - AMB/AMB DISP	2,127.03
BOUND TREE MEDICAL LLC	82691700	SUPPLIES - AMB/AMB DISP	1,255.61
BOUND TREE MEDICAL LLC	82691701	SUPPLIES - AMB DISP	53.95
BOUND TREE MEDICAL LLC	82693142	SUPPLIES - AMB DISP	113.95
CHARTER COMMUNICATIONS	0591 12/17	FAX LINE - CITY HALL	79.98
CHARTER COMMUNICATIONS	5434 12/17	FAX LINE - PUBLIC SAFETY	39.99
CHRISTOPHER STEPHENS	112017	TRAVEL EXPENSE - AMB	35.04
CITY OF ALPENA	213-001 1117	SEW/WATER - MCRAE PK	372.36
CITY OF ALPENA	217-001 1117	SEW/WATER - MCRAE CONC STND	46.98
CITY OF ALPENA	217-007 1117	SEW/WATER - 9TH AVE TWR/IRRIG	295.01
CITY OF ALPENA	4524-001 1117	SEW/WATER - LONG LK COLD STORAGE	58.20
CITY OF ALPENA	6431-001 1117	SEW/WATER - N RIVERFRONT PK	35.00
CITY OF ALPENA	6432-001 1117	SEW/WATER - LONG LK AVE	904.56
CITY OF ALPENA	10354-001 1117	SEW/WATER - TRAILHEAD	91.86
CITY OF ALPENA RETIREMENT SYS	112017	ANNUAL CITY CONTRIBUTION	796,584.00
DE LAGE LANDEN FINANCIAL SERVICES	56761299	COPIER LEASE 11/17 - DDA	56.55
DEAN ARBOUR FORD LINCOLN MERCURY	23488	VEH MAINT - FIRE EQ	16.79
DEAN ARBOUR FORD LINCOLN MERCURY	23516	VEH MAINT - DPW	135.12
DEARBORN NATIONAL	EAB1000041-1 12/17	PREMIUM-LIFE 12/17	733.36
DEARBORN NATIONAL	EAB1000041-1 12/17	PREMIUM-DISABILITY 12/17	902.00
DELTA DENTAL PLAN OF MICHIGAN	0577 12/17	PREMIUM-DENTAL 12/17	6,032.03
DONALD GOSSELIN	1102174	WORK APPAREL ALLOW - PW	29.99
DORNBOS SIGN & SAFETY INC	INV36054	SUPPLIES - PARKS	24.70
EAGLE ENGINEERING & SUPPLY CO	49340	SUPPLIES - LIGHTS	971.70
EAGLE ENGINEERING & SUPPLY CO	49350	SUPPLIES - LIGHTS	473.60
EAGLE SUPPLY CO	105232	SUPPLIES - FIRE/AMB	414.29
ETNA SUPPLY	S102434266.001	STORES - CLAMP	320.00
EVERETT GOODRICH TRUCKING & ASPHALT	2017-04A	HMA PATCHING 2017	2,498.80
FASTENAL COMPANY	MIALP148080	VEH MAINT - DPW	150.59
FASTENAL COMPANY	MIALP148182	VEH MAINT - DPW	71.53
FEDERAL EXPRESS	5-996-67172	SHIPPING FEES	24.63
FREESE HYDRAULICS & EQUIP REPAIR	32207	VEH MAINT - DPW	82.00
GALLS LLC	008678267	UNIFORMS - FIRE/AMB	135.00
GERRISH FIRE & EMS DEPARTMENT	I-2017-09	FIRE/AMS TRAINING - FIRE/AMB	400.00
GIAMARCO MULLINS & HORTON PC	7	ATTY FEES - PUBLIC WORKS	101.25
GREAT LAKES FIRE & SAFETY EQUIPMENT	67218	BLDG MAINT - FIRE/AMB	85.00
GT SOUNDS UNLIMITED	112317	TREE LIGHTING MUSIC - DDA	300.00
HAROLD KNOPP	111717	TRAVEL EXPENSE - AMB	15.00
HAROLD KNOPP	112717	TRAVEL EXPENSE - AMB	30.00
HAVILAND	258613	SODIUM HYPOCHLORITE - SEWER	3,824.94
HOME DEPOT CREDIT SERVICES	74722	SUPPLIES - CITY HALL	7.98
HOME DEPOT CREDIT SERVICES	5584252	SUPPLIES - CITY HALL	89.94
HOME DEPOT CREDIT SERVICES	1584435	SUPPLIES - CITY HALL	89.94
HOME DEPOT CREDIT SERVICES	101117	SUPPLIES - CITY HALL/XMAS DECORATIONS	151.43
HOME DEPOT CREDIT SERVICES	2061776	SUPPLIES - POLICE	15.94
JAMES STACHLEWITZ	112817	TRAVEL EXPENSE - AMB	60.00
JEFFERY KING	111417	TRAVEL EXPENSE - AMB	102.25
KATHY GRASS	111617	SEWER PERMIT REFUND	25.00
LAKESHORE PLUMBING, HEATING &	36782	MAINT - PUBLIC WORKS	108.00
LAKESHORE PLUMBING, HEATING &	36808	MAINT - MICH-E-KE-WIS	72.00
LAKESHORE PLUMBING, HEATING &	112817	BOILER REPLACEMENT - CITY HALL	6,419.80
MICHAEL MANCHESTER	111617	TRAVEL EXPENSE - AMB	12.06
MICHAEL MANCHESTER	112417	TRAVEL EXPENSE - AMB	27.39
MICHAEL SANDERS	112617	TRAVEL EXPENSE - AMB	60.39
MICHIGAN STATE FIREMEN'S ASSOC	111017	2018 MEMBERSHIP DUES - FIRE/AMB	75.00
MISS DIG SYSTEM INC	20180009	2018 PARTICIPATION FEE	2,517.03
MOTOROLA SOLUTIONS INC	13190462	SUPPLIES - POLICE	154.75
MUFFLER MAN	2609	VEH MAINT - DPW	109.18
POWER LINE SUPPLY CO	56200544	SUPPLIES - LIGHTS	63.74
PRIORITY ONE EMERGENCY	70034978	UNIFORMS - FIRE/AMB	149.97

INVOICE REGISTER

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EXP CHECK RUN DATES 12/05/2017 - 12/05/2017

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
R A TOWNSEND CO	S1444020.001	MAINT - CITY HALL	247.12
R A TOWNSEND CO	S1444329.001	MAINT - CITY HALL	162.53
R A TOWNSEND CO	S1445212.001	MAINT - CITY HALL	(12.36)
R A TOWNSEND CO	S1445214.001	MAINT - CITY HALL	24.71
RAFTELIS FINANCIAL CONSULTANTS INC	ALM11708-01	WATER RATE NEGOTIATIONS	3,897.50
RAFTELIS FINANCIAL CONSULTANTS INC	ALM11708-02	WATER RATE NEGOTIATIONS	29,345.44
RAFTELIS FINANCIAL CONSULTANTS INC	ALM11708-03	WATER RATE NEGOTIATIONS	29,325.00
RAPID RESULTS	6399	DRUG SCREEN - CLERK/TREAS	30.00
SCHINDLER ELEVATOR CORPORATION	8104626196	ELEVATOR MAINT - CITY HALL	2,487.24
SEVAN K INC	303 10/17	VEH MAINT - AMB	44.80
SPECIFICATION STONE PRODUCTS	2254493	STORES - 22A STONE	9,304.22
STATE OF MICHIGAN	BLR409168	MAINT - PUBLIC SAFETY BLDG	250.00
STATE OF MICHIGAN	3-3041 11/17	CERT RENEWAL - ASSESSOR	175.00
STATE OF MICHIGAN	113017	MCOLES LED OVER PAYMENT REFUND - POI	766.48
STRYKER SALES CORP	2286249M	SUPPLIES/SERVICE-AMB	561.80
THE SHERWIN WILLIAMS CO	0910-3	VEH MAINT - DPW	91.98
THUNDER BAY SHORES MARINE	112717	MARINA RES SYSTEM REV SHARE	372.77
THUNDER BAY THEATRE	1234	PLAYS IN THE PARK PERFORMANCE - DDA	1,500.00
TRUGREEN PROCESSING CENTER	76422788	MAINT - CEMETERY	36.05
VERIZON WIRELESS	9796095537	TELEPHONE	2,933.77
VERIZON WIRELESS	9796013162	TELEPHONE	571.10
WAL-MART	000379	SUPPLIES - CH/PSF/PW	169.12
WAL-MART	004040	SUPPLIES - POLICE	81.12
WAL-MART	004197	FOOD/SERVICE - CLERK/TREAS	28.73
WAL-MART	006525	EMPLOYEE PHYS - CLERK/TREAS	60.00
WALMART VISION CENTER	1259952	EMPLOYEE PHYS - CLERK/TREAS	60.00
WEINKAUF PLUMBING & HEATING INC	82212	MAINT - PARKS	131.75
WEINKAUF PLUMBING & HEATING INC	82338	MAINT - STARLITE	322.50

Total: 1,123,392.09



ALPENA
PUBLIC SCHOOLS

RECEIVED
NOV 27 2017

CITY OF ALPENA
CLERK / TREAS / FIN DIRECTOR

**Lorie Kneeshaw, Administrative Asst. to the Superintendent
and Secretary to the Board of Education**

2373 Gordon Road, Alpena, MI 49707

Phone: 989-358-5040 Fax: 989-358-5041 Email: kneeshawl@alpenaschools.com

November 21, 2017

Clerk - City of Alpena
208 North First Avenue
Alpena, MI 49707

Dear City of Alpena Clerk:

Enclosed is a copy of a resolution adopted by the Board of Education of the Alpena Public Schools of Alpena and Presque Isle Counties. The Board, pursuant to statute, has determined to impose a summer property tax levy in 2018 of 100 percent of school district property taxes, including debt service.

Adoption of this resolution allows the District to collect summer taxes provided the details can be worked out with the taxing units; and therefore, the Board has adopted such resolution for many years as a matter of course. It does not obligate you to collect summer taxes.

We recognize these are difficult economic times for all local governments, and that it may not be feasible given our budgetary constraints, as well as yours, to come to an agreement that is mutually beneficial. However, if the City of Alpena is interested in pursuing an agreement this year, please contact the Board in care of the undersigned for the purpose of negotiating an agreement for reasonable expenses of collecting the District's summer tax levy. If the City of Alpena does not agree to collect the District's summer tax levy, please notify the Board of Education in care of the undersigned by December 31, 2017 either by letter or e-mail correspondence. A copy of your minutes would be appreciated.

Sincerely,

Lorie Kneeshaw
Secretary to the Board of Education

Enclosure:

Summer Tax Resolution

Alpena Public School (District)

A regular meeting of the Board of Education of the District (Board) was held in the Gerry Ludwig Board Room, 2373 Gordon Road, Alpena, Michigan, in the District, on the 20th day of November, 2017, at 5:30 o'clock in the p.m.

The meeting was called to order by President Snow.

Present: Members Snow, Florip, Barnett, Krawczak, and Donajkowski.

Absent: Members Hilberg and Heath.

The following preamble and resolution were offered by Member Florip and supported by Member Barnett:

WHEREAS, this Board previously adopted a resolution to impose a summer tax levy to collect 100% of annual school property taxes, including debt service, upon property located within the District and continuing from year-to-year until specifically revoked by the Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board, pursuant to 1976 PA 451, as amended (Revised School Code), invokes for 2018 its previously adopted ongoing resolution imposing a summer tax levy of 100% of annual school property taxes, including debt service, upon property located within the District and continuing from year-to-year until specifically revoked by the Board and requests each city and/or township in which the District is located to collect those summer taxes.
2. The Superintendent or designee is authorized and directed to forward to the governing body of each city and/or township in which the District is located a copy of this Board's resolution imposing a summer property tax levy on an ongoing basis and a copy of this resolution requesting that each such city and/or township agree to collect the summer tax levy for 2018 in the amount specified in this resolution. Such forwarding of the resolutions and the request to collect the summer tax levy shall be performed so that they are received by the appropriate governing bodies before January 1, 2018.
3. Pursuant to and in accordance with Section 1613(1) of the Revised School Code, the Superintendent or designee is authorized and directed to negotiate on behalf of the District with the governing body of each city and/or township in which the District is located for the reasonable expenses for collection of the District's summer tax levy that the city and/or township may bill under MCL 380.1611 or MCL 380.1612. Any such proposed agreement shall be brought before the Board for its approval or disapproval.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Members Snow, Florip, Barnett, Krawczak and Donajkowski.

Nays: None

Motion declared adopted.



Lorie Kneeshaw
Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Alpena Public Schools hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a regular meeting held on November 20, 2017, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act (Act 267, PA 1976, as amended).



Lorie Kneeshaw
Secretary, Board of Education

Memorandum

November 14, 2017

To: Alcona Townships and City of Alpena

From: Anthony Suszek, Assistant Superintendent *A.S.*

RE: Summer Tax Collection

On November 9, 2017 at 6:00 p.m., the AMA ESD Board of Education adopted the enclosed resolution to impose a summer tax collection of the entire ESD levy for the summer 2018 collection period. We appreciate your continued assistance and support of the summer tax collection. Please contact me if you have any questions or concerns.

Enclosure: Resolution



RESOLUTION

Alpena, Michigan

A Regular Meeting of the Board of Education of the Alpena-Montmorency-Alcona Educational Service District was held at 2118 U.S. 23 South, Alpena, Michigan, in said district, on the day of November 9, 2017 at 6:00 o'clock, p.m.

The meeting was called to order by President Mike Mahler.

Present: Members Naomi Deo, Kevin Brown, Gailen Thornton, Norm Sommerfeld,
Mike Mahler, Richard Matteson, Donna Baranyai

Absent: Members

The following preamble and resolution were offered by Matteson and supported by Thornton.

WHEREAS, this Board of Education by resolution of November 10, 2005, determined to impose a summer property tax levy to collect one hundred percent of school property taxes upon property located within the intermediate school district, beginning with 2006 and continuing from year to year until specifically revoked by this Board of Education.

NOW, THEREFORE BE IT RESOLVED THAT:

1. This Board of Education, pursuant to 1982 PA 333, hereby invokes for 2018 its previously adopted ongoing resolution imposing a summer property tax levy of one hundred percent of school property taxes upon property located within the educational service district, beginning with 2006 and continuing from year to year until specifically revoked by this Board of Education and requests each city and/or township in which this district is located and in which a local school district is located and in which a local school district or city is concurrently imposing a summer property tax levy to collect those summer taxes.
2. The Superintendent or his/her designee is authorized and directed to forward to the governing body of each city and/or township in the County of Alcona, City of Alpena in which this district is located and in which a local school district or city is concurrently imposing a summer property tax levy on an ongoing basis, and a copy of this resolution requesting that each such city and/or township agree to collect the summer tax levy for 2018 in the amount as specified in this resolution. Such forwarding of the resolutions and the request to collect the summer tax levy shall be sent so that they are received by the appropriate governing bodies before January 1, 2018.
3. Pursuant to and in accordance with Section 1613(I) of the School Code, the superintendent or his/her designee is authorized and directed to negotiate on behalf of this district with the governing body of each city and/or township in which the district is located for the reasonable expenses for collection of the district's summer property tax levy that the city and/or township may bill under MCLA 280.1611 or MCLA, 280.1612.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: **Members** Deo, Brown, Thornton, Sommerfeld, Matteson, Baranyai, Mahler

Nays: **Members** None


Resolution declared adopted.


Secretary, Board of Education

The undersigned, duly qualified and acting Secretary of the Board of Education of the Alpena-Montmorency-Alcona Educational Service District, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by said Board of Education at a regular meeting held on November 9, 2017, the original of which is part of the Board's minutes. The undersigned further certifies that notice of the meeting was given to the public pursuant to the provisions of the "Open Meetings Act" (Act 267, PA 1976, as amended).



Memorandum

Date: November 28, 2017
To: Anna Soik, City Clerk/Treasurer/Finance Director
Copy: Greg Sundin, City Manager
From: Rich Sullenger, City Engineer 
Subject: 2018 Parades

Steve Conradson, Michigan Department of Transportation (MDOT) Traffic and Safety Engineer, is requesting a Resolution from City Council for all parades that will be held within the City limits during the 2018 calendar year. Listed below are the parades for 2018:

Memorial Day Parade
Fourth of July Parade
Christmas Parade

Attachments

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the City of Alpena
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employees, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name: _____

City Engineer - Richard Sullenger _____

Assistant City Engineer - Steve Shultz _____

Public Works Division Head - Sean McNamara _____

Administrative Assistant - Cassie Stone _____

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____ Municipal Council
(Name of Board, etc)

of the _____ City of Alpena _____ of _____ Alpena
(Name of GOVERNMENTAL AGENCY) (County)

at a _____ regular _____ meeting held on the _____ 4th _____ day

of _____ December _____ A.D. _____ 2017 _____.

Signed _____

Title _____ City Clerk/Treasurer/Financial Director _____

NOTICE

Municipal Council Meeting Schedule – 2018

The regular meetings of the City of Alpena Municipal Council for 2018 are as follows:

* January	2 (Tuesday)	July	2
January	15	July	16
February	5	August	6
February	19	August	20
March	5	* September	4 (Tuesday)
March	19	September	17
April	2	October	1
April	16	October	15
May	7	November	5
May	21	November	19
June	4	December	3
June	18	December	17

*City Hall Closed on Monday

All of the above regular meetings begin at 6 p.m. in the Council Chambers at City Hall.

CITY OF ALPENA

By: Anna Soik
City Clerk/Treasurer/Finance Director



Memorandum

Date: November 27, 2017

To: Mayor Matthew J. Waligora
Alpena City Council Members

From: Greg Sundin, City Manager

RE: Opt-Out of PA 152 Health Insurance Shared Cost Options for 2018

Each of the last five years Council has concurred with a request from the City Manager to opt out of the PA 152 health insurance cost options listed below:

- Maximum local government premium contribution for single person, two-person and family coverage, also known as the hard cap. This is the default option if no other action is taken.
- Local governing body contribution limited to 80% of the cost of the medical plan regardless of type. This requires a majority vote of the Council.

Instead the Council by a required 2/3 vote (each time it has been unanimous) agreed to opt out of both of these options. Initially, this permitted the City to phase in the minimum 20% employee contribution over a four-year period, which was reached on July 1, 2016. This past year the opt-out permitted the City to include high deductible Health Savings Account (HSA) plans in its offering, which included City contributions into an employee's personal HSA account. This resulted in the City contributing over 80% of the total cost of a medical plan even though it saved the City money.


In September the City received word that despite these changes its health insurance premiums for 2018 would be increasing 22.2%. Following meetings with the City's insurance reps and the City Insurance Committee (consisting of a representative from each of the City's Unions and Admin) a consensus was reached on four new plan offerings, which were

modifications of our current plans. Employees will once again pay 20% of the premium for their selected plan with the City paying 80% plus a reduced contribution to an employee's FSA (Flexible Savings Account) or HSA resulting in a total City contribution in excess of 80%. This reduces the health insurance premium increase from over 22% to approximately 3.5%, while still staying considerably below the costs the City was incurring just a few years ago. To legally permit the City to exceed the 80% cost cap, I would recommend that Council once again approve the City opting out of PA 152 for calendar year 2018.

With the passage of PA 252 of 2014, the City must still approve annually its intent to opt out, but it is no longer necessary to file the vote with the Department of Treasury. Based upon the review of plan options and their impact on the City/Employee co-share, staff will determine whether future opt-outs by Council are required. If not, Council will still need to vote annually to implement the 80/20 cost share option under PA 152.



Memorandum

Date: November 28, 2017
To: Anna Soik, City Clerk/Treasurer/Finance Director
Copy: Greg Sundin, City Manager
From: Rich Sullenger, City Engineer 
Subject: Soda Vending Bid Recommendation

In 2011, Soda Vending services was bid and the contract was awarded to Pepsi Beverage Company in 2012 with a 25% commission rate on 800 cases sold and 30% commission on anything over 800. The contract allowed for a renewal where Pepsi proposed a flat 30% commission on all cases sold and was awarded the renewal. The current contract is set to expire on December 31, 2017.

On November 28, 2017, the City received and opened bids for Soda Vending. This includes providing soda vending services for City parks and other facilities designated by the City of Alpena.

Bid documents were sent to three vendors with only one bid received as listed below:

Pepsi Beverage Company, Lachine
Vending Price \$1.50 – Commission Rate 30%

It is my recommendation, as City Engineer, that Soda Vending Contract be awarded to Pepsi Beverage Company for the 30% commission rate the City is currently receiving on any cases sold, for the duration of the three year contract ending on December 31, 2020, with the possibility of one additional three year renewal.

Attachments

Bids Due: November 28, 2017
Time: 2:00 p.m.

BID LIST
Soda Vending

1. Coca Cola Bottling Co. of Michigan
171 N. Industrial Hwy.
Alpena, MI 49707
Ph: (989) 356-6115

2. Pepsi Bottling Group
1619 M-65 North
Lachine, MI 49753
Ph: (989) 379-3100
donaldlavigne@pepsico.com

3. Spencer's Vending
104 E. Herman Street
Alpena, MI 49707
Ph: (989) 354-3214
prellstowing@yahoo.com

City of Alpena

Bid Name: Soda Vending Contract

Bid Open Date: 11/28/17 @ 2:00 pm

Bidder	Addendum	Bid Security	Base Bid	Remarks
Pepsi Bottling Company	NA	NA	(20 oz) \$1.50 30% commission	2018 2019 2020

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

Michigan Arts and Culture Northeast/Lake Huron Discovery Tour 2017 - Final Report to the City of Alpena

First of all, thank you to the City of Alpena for supporting the Lake Huron Discovery Tour (LHDT) 2017. As with this whole process of trying to promote Alpena and the broader region of Northeast Michigan as an arts and culture destination, the City of Alpena has been steadfast in such collective efforts. All of us involved with LHDT and Michigan Arts and Culture Northeast (MACNE) are very grateful for the City of Alpena's support.

2017 was another successful year for Lake Huron Discovery Tour. Under new leadership, Katie Wolf of Thunder Bay National Marine Sanctuary led the charge. The 2017 Governor's Award for Innovative Collaboration Tourism for LHDT efforts was issued mid-summer as an exciting and reassuring launch for this year's Tour with the theme of *Music in the Air*.

Major funders of LHDT for 2017 included the City of Alpena, Michigan Council for Arts and Cultural Affairs with support from Harrisville Chamber, Thunder Bay Arts Council, and Michigan Arts and Culture Northeast. There was lots of in-kind support from Northeast Michigan Council of Governments (NEMCOG) and Alpena News as well as local radio stations in particular this year. LHDT 2017 efforts were significantly enhanced with an intern, Presque Isle native Kyla Schatz of Central Michigan University who is majoring in event planning. Kyla provided major hands-on interaction throughout the lead up to the Tour weekend distributing promotional materials and making personal contact with communities throughout while helping build support regionally.

Over 60 special events were posted to NEMCOG's US23 Heritage Route website in addition to the 3,000 listed assets already there year round for people, locals and visitors/tourists alike, to explore and discover. In the month prior to the tour, there were nearly 8,900 sessions on the website and they viewed over 18,000 pages leading up to and during the Tour weekend.

Concerted effort to reach out to other cities for financial support, in particular with Tawas and Cheboygan, was a priority, but to little avail at least for this year's funding/outreach/marketing externally, although a great deal of support was extended for the value added to the region. People get the idea. Getting the financial support is another issue. Encouragement for broader regional support through financial commitments was presented as a necessity for any future execution of LHDT.

Cheboygan and its enthusiasm and programming of "Fall Fest" wins the award for community with most effort in 2017. Their weekend of activities were extensive bringing the town together in significant ways with a couple of dozen events in Cheboygan alone. Harrisville won the award for enthusiastic support of LHDT and major planning in 2016, and Alpena most certainly took the prize for 2015's inaugural Tour as well as continuous support of the concept overall throughout the last three years.

LHDT utilized marketing campaigns with NEMCOG's US23 Heritage Route Advisory Committee *Constant Contact* account reaching over 300 partner contacts regionally, 500 US 23 Heritage Route – Discover ME window posters and yard signs were distributed throughout region, and four major high frequency weekly runs through the entire month of September leading up to the October events occurred with Michigan Radio (NPR-Ann Arbor) reaching all of Michigan south of Mt Pleasant. There were two major radio campaigns with WCMU (NPR) covering all of Michigan north of Mt. Pleasant throughout September leading up to the October weekend Tour. The Alpena News provided four major four-page inserts which reached over 10,000 households each issue regionally as well as Saginaw and

Marquette. LHDT and NEMCOG's Facebook accounts were utilized extensively again. Local radio stations provided significant local coverage of the Tour drumming up local support and helping prepare the community for this regional endeavor once again. WATZ, True North and Carroll Broadcasting as well as WBKB provided resources and outreach to help keep the spirit alive locally while MACNE focused on outreach to external markets drawing attention to our region of the state. Copies of receipts/invoices paid for all expenditures involving City of Alpena financial contributions for LHDT have been filed with the Clerk's office.

Finally, Mary Ellen Jones and others of MACNE and the LHDT Committee will be presenting a breakout session on Innovative Tourism Collaboration at the 2018 Pure Michigan Governor's Conference on Tourism in Grand Rapids. Our experience and story continue to have reverberations, and Alpena has been the central catalyst because of the confidence you as a City Council have vested with MACNE and our relationship over these years of endeavor on this and previous projects. Again, as an entirely volunteer effort on the part of so many who are trying to elevate Alpena and Northeast Michigan statewide and nationally, we are so thankful for this confidence and trust.

Attached is a WCMU public radio commentary about MACNE and LHDT, and below is a clip of the Tour on WBKB. These are just a couple of examples of the type of coverage provided in addition to paid promotion of Alpena and the region as part of this endeavor.

<http://www.wbkb11.com/local-programming/talk-of-the-town>

Discover the value of an ACC education – something so close can take you so far!

Timothy M. Kuehnlein, Jr. | Political Science and History Instructor
Department of Social Sciences | Alpena Community College

665 Johnson Street | Alpena MI 49707 | kuehnlet@alpenacc.edu | 989.358.7310

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Memorandum

Date: November 29, 2017

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

Copy: Greg Sundin, City Manager

From: Rich Sullenger, City Engineer 

Subject: Coastal Zone Management Grant Application - NOAA

City staff was contacted by Jeff Gray, Sanctuary Manager, regarding participation in a Coastal Zone Management Program grant application for improvements on the Thunder Bay River shoreline behind their facility. Jeff has been in discussions with the Coastal Zone Management representatives who encouraged him to re-apply for the project. The City previously applied for the project in 2014, but was unsuccessful at that time.

City staff met with Jeff Gray on November 9, 2017, to discuss re-submitting the application with modifications. The City would be submitting the grant application, as the funding agent, with support in preparation of the application from NOAA staff.

As the previous application was unsuccessful, City staff has made modifications to the project to both reduce cost and improve use of local, potentially donated materials. The proposed cost of the revised project is \$182,500, per the attached cost breakdown. A drawing of the proposed project is also attached for review.

Coastal Zone Management grants are funded at 50% of the total project cost with the local match comprising either cash or in-kind materials and labor. Thus, the local match for this project is \$91,250. This cost would be borne by either NOAA, or through donated materials and labor. The City would not be committing any funding towards the project cost, but would be providing engineering services utilizing our in house staff.

If the Alpena City Council approves of the submittal of this application, they will need to approve resolution 2017-10, which is attached.

Attachments



RESOLUTION NO. 2017- 10

**RESOLUTION AUTHORIZING SUBMISSION OF COASTAL ZONE
MANAGEMENT GRANT APPLICATION FOR EDUCATIONAL AND PUBLIC
ACCESS FACILITIES ON THE THUNDER BAY RIVER**

WHEREAS, public access to the Thunder Bay River adjacent to the Great Lakes Maritime Heritage Center does not exist; and

WHEREAS, these access improvements will support both the public and the educational programs at the Great Lakes Maritime Heritage Center; and

WHEREAS, funding is available from the U.S. Department of Commerce through the Coastal Zone Management Grant Program; and

WHEREAS, total project cost is estimated at about \$182,500, 50 percent of which would be funded through the Coastal Program, and 50 percent would be a local match;

NOW THEREFORE, BE IT RESOLVED, that the City of Alpena Municipal Council authorizes the submission of the grant application to the Michigan Coastal Zone Management Program in the amount of \$91,250 for the improvements on the Thunder Bay River adjacent to the Great Lakes Maritime Heritage Center and commits that the local match shall be provided if the project is funded.

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

Ayes:

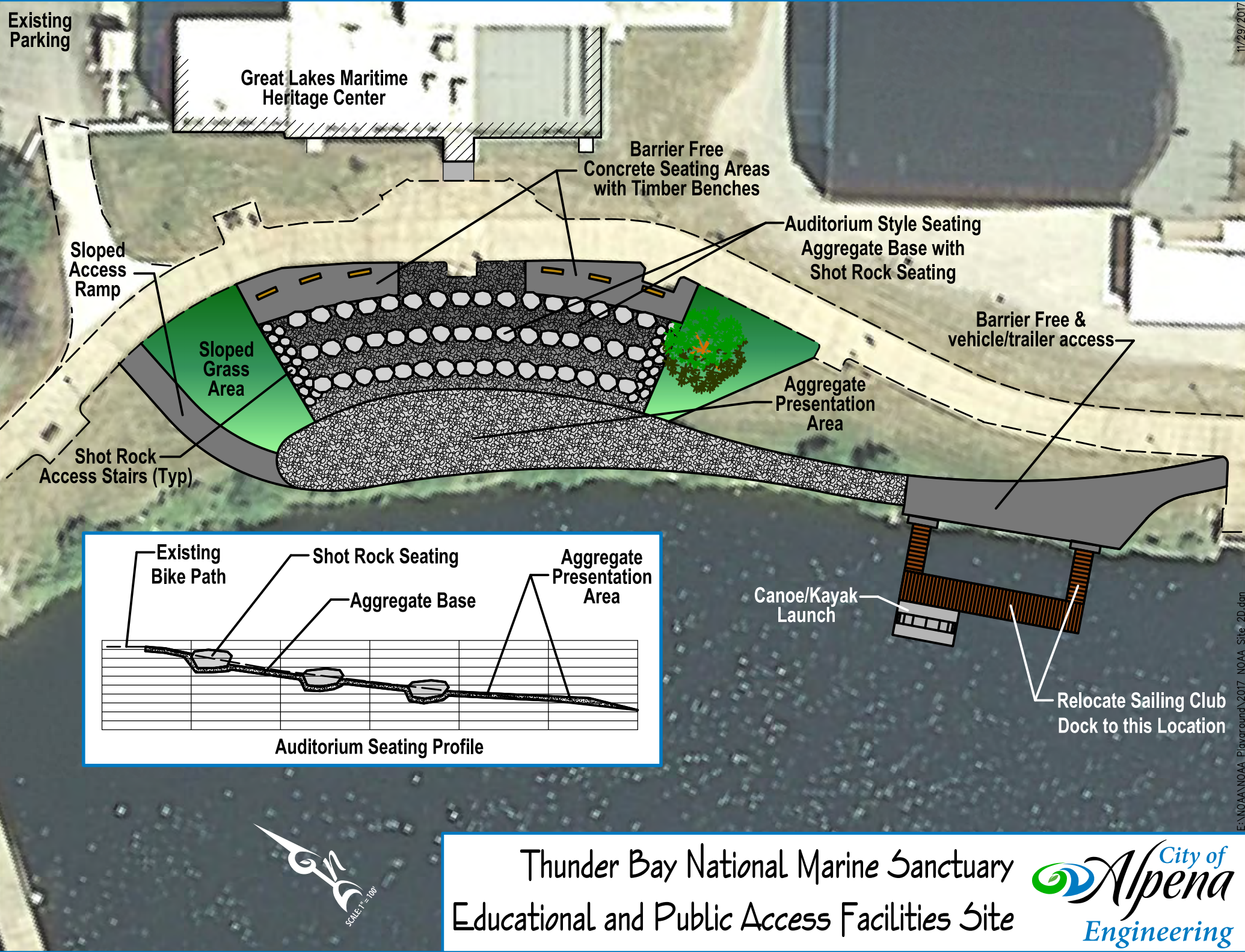
Nays:

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 _____.

Anna Soik
City Clerk



Thunder Bay National Marine Sanctuary Educational and Public Access Facilities Site

Thunder Bay National Marine Sanctuary
Educational & Public Access Facility

Preliminary Project Budget

Major Item of Work	Quantity	Amount
Mobilization	1 LS	\$10,000
Grading and Shaping	1 LS	\$25,000
Tiered Seating/Steps	375 Lft	\$37,500
Aggregate Base	750 ton	\$10,000
Concrete Walkways	3900 sft	\$24,000
Sodded Restoration	450 Syd	\$5,000
Dock/Kayak Launch	1 LS	\$37,500
Barrier Free Benches	6 Ea	\$12,000
Split Rail Fence	110 Ft	\$7,500
Contingencies		\$14,000
Project Total		\$182,500