

COUNCIL PROCEEDINGS

May 16, 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 Walchak, to approve the agenda.

Motion carried 5-0.

MINUTES

The minutes of the regular session of May 2, 2022, and special session of May 5, 2022, were approved as printed.

PUBLIC HEARING FOR FY23 PRELIMINARY BUDGET

A public hearing was conducted for the FY23 preliminary budget. A report was given by Finance Director, Anna Soik, of the taxes to be levied for tax year 2022. There were no public comments. No written comments were received by the Clerk. The public hearing was then closed. Approval of the budget will occur at the June 6 meeting.

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 \$208,761.91.
- B. Council Appointment of Nicholas Lusardi to the Downtown Development Authority for a one-year term expiring on May 16, 2023.
- C. Approval of street festivals on Second Avenue organized by The Fresh Palate on June 10-12, and October 1-2, 2022. Also, approval of a noise variance on June 10, 11, and October 1 from 10 p.m. to 12 a.m.
- D. Approval of alley concerts located in the alley beside The Fresh Palate for June 24, July 2, 8, 16, 22, 29, August 5, 12, and 27th. Also, approval of a noise variance on the same dates from 10 p.m. to 12 a.m.

Motion carried 5-0.

H.U.N.T. ANNUAL REPORT

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to receive and file the Huron Undercover Narcotics Team 2021 Annual Report, as presented.

Motion carried 5-0.

ORDINANCE 22-475

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve Ordinance 22-475, which amends Chapter 14 – Buildings and Building Regulations, Article XI – Floodplain Management, Sec. 14-215 – Designation of Regulated Flood Prone Hazard Areas.

ORDINANCE 22-476

City Attorney Pfeifer delivered the first reading of Ordinance 22-476 which

repeals Sec. 38.31 of Chapter 38 – Fire Prevention and Protection; Article II – Fire Prevention Code, Division 1 – Generally.

MICHIGAN SMALL BUSINESS DEVELOPMENT CENTER PROPOSAL

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to approve \$10,000 in the FY23 budget to support the Michigan Small Business Development Center.

Motion failed 0-5.

AMBULANCE PURCHASE

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to allow the Fire Department to purchase an ambulance from Charter Township of Alpena for \$142,000.

Motion carried 5-0.

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to allow Chief Forbush to spend \$10,000 for upgrades for the ambulance.

Motion carried 5-0.

DOWNTOWN ALPENA PARKING

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to refer the matter, of an escalating parking fine system within Downtown Alpena, to the City Attorney for review of the ordinance.

Motion carried 5-0.

DOWNTOWN ALPENA SOCIAL DISTRICT EXPANSION

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to postpone a decision, on the expansion of the Downtown Alpena social district, to the

first meeting in June.

Motion carried 5-0.

RECESS

The Municipal Council recessed from 7:26 p.m. to 7:30 p.m.

RECONVENE IN CLOSED SESSION

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to adjourn to closed session to discuss an update regarding proposed litigation with the Alpena Prototype Biorefinery, LLC, American Process, Inc., and GranBio LLC; 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 8:35 p.m.

SALE OF CITY-OWNED PROPERTY

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Mitchell, to accept the purchase agreement for the US 23 North property as described in the purchase agreement with the following changes: (1) No. 14 under Site Plan Approval Contingency, strike the wording "after making every reasonable effort in buyer's sole discretion"; (2) under No. 18 in the first paragraph, change Westerly to Easterly and also under "A" change Westerly to Easterly; and (3) strike the entire section 18.G. Driveways Constructed by Buyer and (4) authorize Matt Waligora to sign instead of Rachel Smolinski.

Motion carried 5-0.

ADJOURN

On motion of Mayor Pro Tem Johnson, seconded by Councilmember Mitchell,
the Municipal Council adjourned at 8:38 p.m.

Matthew Waligora
Mayor

ATTEST:

Anna Soik
City Clerk