

COUNCIL PROCEEDINGS

May 15, 2023

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

Present: Mayor 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 and closed sessions of May 01, 2023, were approved as printed.

PUBLIC HEARING FOR FY24 PRELIMINARY BUDGET

A public hearing was conducted for the FY24 preliminary budget. A report was given by Finance Director, Anna Soik, on the taxes to be levied for tax year 2023. The only public comment was from Angie Skiba, residing at 635 River Street, to get the proposed fence put back up in the cemetery. No written comments were received by the Clerk. The public hearing was closed.

Approval of the budget will occur at the June 5, 2023, 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 \$267,932.48, and authorize Mayor Waligora and Clerk Soik to sign.

- B. Approval of a budget amendment request to increase expenditures by \$3,132 in the Building Inspection Fund and reduce fund balance.
- C. Reappointment of Dave Kuznicki to the Recreation Advisory Board for a three-year term which expires on May 15, 2026.
- D. Approval to enter into an agreement with Financial Recovery Strategies for exclusive claims management in the payment card interchange fee and merchant discount litigation and authorize the Clerk to sign on behalf of the City.
- E. Approval to enter into an agreement with Invoice Cloud for payment processing services and authorize Clerk Soik to sign on behalf of the City.

Motion carried 5-0.

H.U.N.T. ANNUAL REPORT

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to receive and file the Huron Undercover Narcotics Team [2022 Annual] Report.

Motion carried 5-0.

ORDINANCE NO. 23-491

Attorney Pfeifer delivered the first reading of Ordinance No. 23-491 which amends the City of Alpena zoning map.

ORDINANCE NO. 23-492

Fire Chief Rob Edmonds, along with Attorney Pfeifer, delivered the first reading of Ordinance No. 23-492 which amends Chapter 38, Fire Prevention and Protection and each article thereunder by repeal of same and adoption of new language in lieu thereof.

PROPOSED INCREASE TO RECYCLING SURCHARGE

Moved by Councilmember Walchak, seconded by Mayor Pro Tem Johnson, to approve the proposed household surcharge increase to \$25 for recycling services as presented in the amended County of Alpena Northeast Michigan Materials Management Authority Interlocal Agreement and authorize Clerk Soik and Mayor Waligora to sign the agreement.

Motion carried 5-0.

ASSESSOR CONTRACT DISCUSSION

Allan Berg, President of Berg Assessing and Consulting, proposed a new contract for

assessing services in the amount of \$120,000 for the next fiscal year. Discussion between the Municipal Council and Mr. Berg ensued. No action was taken. The topic will be revisited soon.

RESOLUTION NO. 2023-09 – APPLICATION FOR NEZ

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve Resolution No. 2023-09 which approves the application for the NEZ [Neighborhood Enterprise Zone] certificate for Peak Services LLC located at 113 S. Second Avenue, Apartment A, for a length of 6 years.

Motion carried, 4-1, by votes as follows:

Ayes: Waligora, Johnson, Mitchell, and Nowak.

Nays: Walchak.

OUT-OF-CITY FIRE INSPECTIONS FEE SCHEDULE

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the proposed fee schedule, effective May 16, 2023, for Fire Safety Inspections [located outside of the City limits].

Motion carried 5-0.

BAGGED LEAF AND LAWN MATERIAL PICKUP CONTRACT MODIFICATION

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve Contract Modification No. 1 for bagged leaf and lawn material with A-1 Tree Service [in the total amount of \$40,400 for 2023 and 2024].

Motion carried 5-0.

MUTUAL AID AND ASSISTANCE AGREEMENT

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to adopt Resolution No. 2023-10 [to authorize entering into the Mutual Aid and Assistance Agreement with the Michigan Water/Wastewater Agency Response Network, and authorize the execution of the agreement by Rachel Smolinski, City Manager.

Motion carried 5-0.

ALPENA MARINA GAS AND FUEL RE-BID RECOMMENDATION

On May 9, 2023, the City opened re-bids for the purchase and delivery of recreation gas and diesel fuel for the City of Alpena Marina as follows:

Blarney Castle:

Base Price – May 1, 2023: \$3.4434 rec gas, \$2.5505 diesel

Base Terminal: Flint

Mark-Up/Gallon: \$0.175 rec gas and diesel

Minimum delivery (gallons): 500 – rec gas and diesel

Maximum delivery (gallons): none

Upcharge – Below Minimum: none

Upcharge – After Hours: none

Crystal Flash:

Base Price – May 1, 2023: \$3.6090 rec gas, \$2.7390 diesel

Base Terminal: Hillman

Mark-Up/Gallon: \$0.22 – rec gas and diesel

Minimum delivery (gallons): 500 – rec gas and diesel

Maximum delivery (gallons): 5,000 – rec gas and diesel

Upcharge – Below Minimum: \$125 – rec gas and diesel

Upcharge – After Hours: \$250 – rec gas and diesel

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to award the supply and delivery of recreation gas and diesel fuel for the City of Alpena Marina to Blarney Castle of Bear Lake, MI, for the markup price of \$0.175 plus the base price at the time of delivery.

Motion carried 5-0.

DDA BOUNDARY EXPANSION UPDATE

Anne Gentry, Executive Director of the Downtown Development Authority, presented an update of the boundary expansion. Discussion with the Council ensued. The ordinance to adopt the new boundaries will tentatively be presented in June.

ALLEYWAY CLOSURES

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve the alleyway closures [between 2nd and 3rd Avenues from May 26, 2023 through November 1, 2023, and the alleyway next to the Black Sheep to close at 4 pm each day from May 26, 2023 through November 1, 2023] as presented.

Motion carried 5-0.

RECESS

The Municipal Council recessed from 8:41 p.m. to 8:50 p.m.

RECONVENE IN CLOSED SESSION

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to adjourn to closed session to discuss: (1) appeal with the Michigan Tax Tribunal concerning County of Alpena equalization study; and (2) water and sewer litigation.

Motion carried 5-0.

RECONVENE IN OPEN SESSION

The Municipal Council reconvened in open session at 9:48 p.m.

APPEAL WITH THE MICHIGAN TAX TRIBUNAL CONCERNING COUNTY OF ALPENA

EQUALIZATION STUDY

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to allow the City Attorney to file a full Michigan Tax Tribunal appeal challenging the Alpena County equalization study as it relates to the industrial class of property in the City of Alpena.

Motion carried 5-0.

ADJOURNMENT

On motion of Councilmember Mitchell, seconded by Councilmember Nowak, the Municipal Council adjourned at 9:50 p.m.

Matthew Waligora
Mayor

ATTEST:

Anna Soik
City Clerk