

## **COUNCIL PROCEEDINGS**

**November 20, 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 November 06, 2023, 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 \$339,560.86, and authorize Mayor Waligora and Clerk Soik to sign the warrant.
- B. Renew the 2024 Property and Liability Insurance Policy with the Michigan Municipal League for \$152,245 set to expire on December 31, 2024.
- C. Michigan Department of Transportation, contract no. 23-5460, be approved, and Mayor Waligora, and City Clerk Soik be authorized to sign the contract on behalf of the City.
- D. Council reappointment of Kathleen Melville-Hall and Griffin Saddler to the Recreation Advisory Board for a three-year term to expire on December 01, 2026.

Motion carried 5-0.

### **PRESENTATION**

Montiel Birmingham, Planning, Zoning and Development Director, delivered a presentation on regulation of short-term rentals in the City. A suggestion was made to create an ad hoc committee consisting of members from the Council and the Planning Commission to have further discussion.

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to receive and file the short-term rental report.

Motion carried 5-0.

### **ORDINANCE NO. 23-499**

Moved by Councilmember Nowak, seconded by Councilmember Mitchell, to approve Ordinance No. 23-499 [which amends the City of Alpena Zoning Ordinance Article 5 (Zoning Districts)].

Motion carried 5-0.

### **ORDINANCE NO. 23-496**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to approve Ordinance No. 23-496 [which expands the boundaries of the Downtown Development Authority].

Motion carried 5-0.

### **ORDINANCE NO. 23-497**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve Ordinance No. 23-497 [which adopts an amended and restated Downtown Development Authority Development and Tax Increment Financing Plan].

Motion carried 5-0.

### **MAYORAL VACANCY**

Moved by Councilmember Mitchell, seconded by Councilmember Walchak, to fill the mayor's position from within the Council through December of 2024.

Motion carried 5-0.

Moved by Councilmember Walchak, seconded by Mayor Waligora, to allow Rachel Smolinski to put together the packet for applications with a deadline of the close of business on January 5<sup>th</sup> for receiving the applications.

Motion carried 5-0.

#### **VARIANCE FROM PURCHASING POLICY FOR DIGESTER GRIND PUMP**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve the request for variance from the purchasing policy and issue a purchase order for the digester grind pump.

Motion carried 5-0.

#### **2023 FAIR AVENUE RECONSTRUCTION PROJECT**

On October 31, 2023, the City received and opened the following bids for the 2023 Fair Avenue Reconstruction Project:

MacArthur Construction	Alpena, MI	\$1,190,882
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Team Elmer's	Hillman, MI	\$1,327,634
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Moved by Mayor Waligora, seconded by Mayor Pro Tem Johnson, to allow Councilmember Nowak to abstain from voting [on the 2023 Fair Avenue Reconstruction Project].

Motion carried 4-0, Councilmember Nowak abstained.

Moved by Councilmember Mitchell, seconded by Mayor Pro Tem Johnson, to award the 2023 Fair Avenue Reconstruction Project to MacArthur Construction in the amount of \$1,190,882.

Motion carried 4-0, Councilmember Nowak abstained.

#### **2023 FIRE HYDRANT REPLACEMENT PROJECT**

On October 31, 2023, the City received and opened the following bids for the 2023 Fire Hydrant Replacement Project:

E & M Property Improvements	Hillman, MI	\$26,775.00
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MacArthur Construction    Alpena, MI    \$33,750.00

Bedrock Contracting        Alpena, MI    \$34,821.30

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to award the 2023 Fire Hydrant Replacement Project to E & M Property Improvements in the amount of \$26,775.

Motion carried 5-0.

#### **CULLIGAN PLAZA WATER FOUNTAIN WISH MONEY**

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Walchak, to use the wishing coin funds and put it in the Parks [Department] every year.

Motion carried 5-0.

#### **COUNCIL REPRESENTATIVE ON ALPENA COUNTY LAND BANK AUTHORITY**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to rescind the mayor's appointment to the Alpena County Land Bank Authority.

Motion carried 5-0.

Moved by Mayor Pro Tem Johnson, seconded by Councilmember Nowak, to appoint Danny [Mitchell] to the Land Bank Authority.

Motion carried 5-0.

#### **DDA EXPANSION INTERLOCAL AGREEMENT**

Moved by Councilmember Nowak, seconded by Mayor Pro Tem Johnson, to approve the 2023 DDA Expansion Interlocal Agreement with the County of Alpena and authorize Mayor Waligora to sign.

Motion carried 5-0.

#### **CENTER ALLEYWAY CLOSURE**

Moved by Councilmember Walchak, seconded by Mayor Pro Tem Johnson, to approve the closure of the alleyway between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue through November 01, 2024.

Motion carried 5-0.

**RECESS**

The Municipal Council recessed from 7:36 p.m. to 7:40 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 on pending litigation in the Michigan Tax Tribunal for the City of Alpena vs County of Alpena.

Motion carried 5-0.

**RECONVENE IN OPEN SESSION**

The Municipal Council reconvened in open session at 8 p.m.

**ADJOURNMENT**

On motion of Councilmember Nowak, seconded by Mayor Pro Tem Johnson, the Municipal Council adjourned at 8:01 p.m.

Matthew Waligora  
Mayor

ATTEST:

Anna Soik  
City Clerk