

## **ALPENA CITY COUNCIL MEETING**

**November 05, 2018 – 6:00 p.m.**

### **AGENDA**

1. Call to Order.
2. Pledge of Allegiance.
3. Modifications to the Agenda.
4. Approve Minutes – Open and Closed Sessions of October 15, 2018.
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 \$321,913.99.
  - B. Budget Amendment Request – Transfer \$1,245 from General Fund to the Police Fund.
  - C. Mayoral Reappointment of Paul Sabourin, Gretchen Kirschner and Steve Gilmore to the Planning Commission for a 3-Year Term Expiring on 11/1/21.
7. Presentations.

Congressional Fire Service Institute's Award – Excellence in Fire-Based EMS Award.
8. Announcements.
9. Mayoral Proclamation.
10. Public Hearing.
11. Report of Officers.

Health Insurance – 2019 Opt-Out of P.A. 152.
12. Communications and Petitions.
13. Unfinished Business.

Medical and Recreational Marijuana Update.
14. New Business.
15. Adjourn to Closed Session to Discuss Water/Sewer Litigation.
16. Return to Open Session.
17. Adjourn.

Greg E. Sundin  
City Manager

## **COUNCIL PROCEEDINGS**

**October 15, 2018**

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, Nielsen, Johnson and Hess.

Absent: None.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **MINUTES**

The minutes of the open and closed sessions of the October 1, 2018 meeting, and the minutes of the Intergovernmental Meeting of October 4, 2018 were approved as printed.

### **CONSENT AGENDA**

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

1. Bills Allowed – in the Amount of \$626,766.65 be Allowed and the Mayor and City Clerk Authorized to Sign Warrant in Payment of Same.
2. Mayoral Appointment of Matt Wojda to the Downtown Development Authority to a Four-Year Term, Effective October 1, 2018, Expiring August 15, 2022.
3. Mayoral Appointment of Griffin James to the Downtown Development Authority to a Four-Year Term expiring on October 15, 2022.

Carried by unanimous vote.

### **DARK STORES LITIGATION**

Moved by Councilmember Nowak, seconded by Councilmember Johnson, to approve a request to donate \$2,000 to the City of Escanaba for legal fees in the Dark Store Litigation.

Carried by unanimous vote.

### **CITY TREASURER'S QUARTERLY FINANCIAL REPORT**

Moved by Councilmember Johnson, seconded by Councilmember Nielsen, to receive and file the Treasurer's Quarterly Finance Report of July 1, 2018 through September 30, 2018.

Carried by unanimous vote.

### **NORTH INDUSTRIAL AND WATER PRODUCTION PLANT PUMP MOTORS AND VFD**

#### **PROGRAMMING BID**

The following sealed bids were received October 1, 2018 for the North Industrial and Water Production Plant Pump Motors and Variable Frequency Drive Programming (VFD).

Thunder Bay Electric, Alpena, MI

	Water Production Plant	\$53,966
	North Industrial	\$42,600
AE2S Construction dba EIM Co., Watersmeet, MI		
	Water Production Plant	\$91,045
	North Industrial	\$54,350
Buist Electric, Bryon Center, MI		
	Water Production Plant	\$111,925
	North Industrial	\$79,800

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that the North Industrial Pump Station Motor and VFD Programming be awarded to Thunder Bay Electric, for the proposed price of \$42,600 and the Water Production Plant High Service Motor and VFD Programming for the proposed price of \$53,966.

Carried by unanimous vote.

**ALPENA COMMUNITY COLLEGE – REVISED AGREEMENT**

Moved by Councilmember Nowak, seconded by Councilmember Johnson, to approve the agreement for enhanced police presence at Alpena Community College.

Carried by unanimous vote.

**EXTENSION OF LIABILITY INSURANCE**

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, to approve the request to extend the current property and liability insurance for one year.

Carried by unanimous vote.

**RECESS**

The Municipal Council recessed at 6:47 p.m.

**RECONVENE – CLOSED SESSION**

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that the Municipal Council adjourn to closed session at 6:55 p.m. to discuss water and sewer litigation.

Carried by unanimous vote.

**RECONVENE – OPEN SESSION**

On motion of Councilmember Nowak, seconded by Councilmember Johnson, the Municipal Council reconvened in open session at 8:07 p.m.

Carried by unanimous vote.

**ACTION ON CLOSED SESSION**

Moved by Councilmember Nowak, seconded by Councilmember Johnson, to direct City Attorney Bill Pfeifer to file a cross appeal in regards to the water and sewer litigation.

Carried by unanimous vote.

On motion of Councilmember Nowak, seconded by Councilmember Johnson, the Municipal Council adjourned at 8:08 p.m.

MATTHEW J. WALIGORA  
MAYOR

ATTEST:

Anna Soik  
City Clerk

# INVOICE REGISTER

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EXP CHECK RUN DATES 11/06/2018 - 11/06/2018

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

6.A.

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
AIRGAS USA LLC	9080814645	SUPPLIES - AMB DISP	36.96
AIRGAS USA LLC	9956343189	VEH MAINT - DPW	75.90
AIRGAS USA LLC	9956378837	SUPPLIES - AMB DISP	20.70
AIRGAS USA LLC	9080877597	SUPPLIES - AMB DISP	40.16
AIRGAS USA LLC	9081122688	SUPPLIES - AMB DISP	43.36
AIRGAS USA LLC	9081222095	SUPPLIES - AMB DISP	29.20
AIRGAS USA LLC	9081471021	VEH MAINT - DPW	88.10
ALICE HADDY	AP17-3026C	AMBULANCE REFUND	84.34
ALPENA ALCONA AREA CREDIT UNION	102418	SHOP WITH A COP PROGRAM	240.00
ALPENA COUNTY CLERK	AP1778-9	AMBULANCE REFUND	51.55
ALPENA DIESEL SERVICE	58571	VEH MAINT - DPW	75.50
ALPENA DIESEL SERVICE	58647	VEH MAINT - DPW	308.56
ALPENA DIESEL SERVICE	58769	VEH MAINT #45/#46	262.65
ALPENA DIESEL SERVICE	58810	VEH MAINT #45	41.21
ALPENA DIESEL SERVICE	58739	VEH MAINT - DPW	84.29
ALPENA MARKETPLACE PRODUCTIONS	100 10/18	TAPING FEES - COUNCIL MTG	450.00
ALPENA POWER COMPANY	100818	ELECTRIC - DDA	97.73
ALPENA POWER COMPANY	110618	ELECTRIC	8,803.68
ALPENA TRIM LLC	090718	MAINT - BOAT HARBOR	70.00
AMAZON CAPITAL SERVICES INC	169Q-RXV6-K3QX	SUPPLIES - POLICE	79.99
AMERICAN PLANNING ASSN	242948-1871	2019-20 MEMBERSHIP DUES	331.00
APLEX	110618	POLLING PLACE FEE 11/06/18	100.00
BEAVERS AUTOMOTIVE & RADIATOR	24560	VEH MAINT - POLICE	99.90
BERG ASSESSING & CONSULTING INC	1029108	ASSESSING CONTRACTED SVCS 11/18	6,250.00
BOUND TREE MEDICAL LLC	82996031	SUPPLIES - AMB DISP	3,288.70
BOUND TREE MEDICAL LLC	82997379	SUPPLIES - AMB DISP	24.79
BOUND TREE MEDICAL LLC	83006094	SUPPLIES - AMB DISP	319.80
BOUND TREE MEDICAL LLC	83009247	SUPPLIES - AMB DISP	341.13
CHARTER COMMUNICATIONS	0591 11/18	FAX LINE - CITY HALL	79.98
CHARTER COMMUNICATIONS	5434 11/18	FAX LINE - PUBLIC SAFETY	39.99
CHARTER COMMUNICATIONS	7316 11/18	FAX LINE - PUBLIC WORKS	89.98
CHRISTOPHER STEPHENS	102218	TRAVEL EXPENSE - AMB	80.79
CITY OF ALPENA	1271-001 1018	SEW/WATER - MICH-E-KE-WIS	516.63
CITY OF ALPENA	4397-001 1018	SEW/WATER - CEMETERY	133.08
CITY OF ALPENA	4398-001 1018	SEW/WATER - CEMETERY	60.18
CITY OF ALPENA	4528-001 1018	SEW/WATER - PUBLIC SAFETY	5,858.88
CITY OF ALPENA	4709-001 1018	SEW/WATER - CEMETERY IRR	2,764.92
CITY OF ALPENA	6656-001 1018	SEW/WATER - PSF ANNEX	35.88
CITY OF ALPENA	8110-001 1018	SEW/WATER - STARLITE PROM	653.28
CITY OF ALPENA	8111-001 1018	SEW/WATER - STARLITE PROM	1,292.40
CLIFF ANSCHUETZ CHEVROLET	CVW221375	VEH MAINT #25	107.19
CLIFF ANSCHUETZ CHEVROLET	CVW221383	VEH MAINT - POLICE	8.13
CLIFF ANSCHUETZ CHEVROLET	CVW221421	VEH MAINT - AMB	77.38
COMPASS MINERALS	317041	STORES - ROAD SALT	3,364.39
DEAN ARBOUR FORD LINCOLN MERCURY	142967	VEH MAINT - FIRE EQ	306.00
DECRALITE INC	2018US013	MAINT - LIGHTS	1,073.89
DICKENSON WRIGHT PLLC	110118	LEGAL DOCUMENT FEE	700.00
DOGPOOPBAGS.COM LLC	7348	SUPPLIES - CEM/PARKS	620.00
DONALD H GILMET	103118	MILEAGE 10/18	213.64
DOUGLAS KRUEGER	091818	TRAVEL EXPENSE - AMB	176.41
DOUGLAS KRUEGER	101418	TRAVEL EXPENSE - AMB	57.39
DUFF & PHELPS LLC	MW00314543	PROF SERVICES - GEN	1,100.00
EAGLE SUPPLY CO	108729	SUPPLIES - CITY HALL	26.20
EAGLE SUPPLY CO	108732	SUPPLIES - FIRE/AMB	339.36
EAGLE SUPPLY CO	108735	SUPPLIES - PARKS	57.50
ERIC PETERSON	103118	MULCH/FLOWERS - DDA	182.65
EVERETT GOODRICH	28673	STORES - COLD PATCH	226.54
FAMILY ENTERPRISE EMBROIDERY	61444	BUTTONS - DDA	160.00
FAMILY ENTERPRISE EMBROIDERY	61449	UNIFORMS - FIRE/AMB	25.00
FASTENAL COMPANY	MIALP161095	VEH MAINT - DPW	111.24
FASTENAL COMPANY	MIALP161444	VEH MAINT - DPW	462.98
FASTENAL COMPANY	MIALP161445	SUPPLIES - PARKS	442.12
FASTENAL COMPANY	MIALP161490	SUPPLIES - PARKS	241.99
FASTENAL COMPANY	MIALP161650	SUPPLIES - CEMETERY	32.65
FASTENAL COMPANY	MIALP161736	VEH MAINT - DPW	66.02
FASTENAL COMPANY	MIALP161862	SUPP/VEH MAINT - PW/PKS	22.77
FEDERAL EXPRESS	6-343-46118	SHIPPING FEES	89.73
FIRST UNITED METHODIST CHURCH	110618	POLLING PLACE FEE 11/06/18	200.00
FITZPATRICK'S HARDWARE	5125265	SUPPLIES - FIRE	19.98
FRONTIER	2793 10/18	TELEPHONE - POL/FIRE/AMB	103.79
GALLS LLC	010867268	UNIFORMS - FIRE/AMB	145.60
GEORGIES TOWING & WRECKER SVC	824379	IMPOUND TOWING	75.00

# INVOICE REGISTER

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EXP CHECK RUN DATES 11/06/2018 - 11/06/2018

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OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
GERALD JOHNSON	AP18-2006C	AMBULANCE REFUND	121.59
HALLS SERV-ALL	T10061818	RENTAL FEE - PARKS	761.15
HALLS SERV-ALL	T101218	RENTAL FEE - PARKS	591.55
HALLS SERV-ALL	T102418	RENTAL FEE - PARKS	182.45
HAROLD KNOPP	100718	TRAVEL EXPENSE - AMB	15.00
HAROLD KNOPP	101218	TRAVEL EXPENSE - AMB	15.00
HELPNET EAP	21588	EMP ASST PROGRAM 10-12/18	631.20
HOME DEPOT CREDIT SERVICES	1574321	SUPPLIES - FIRE/AMB	29.85
HOME DEPOT CREDIT SERVICES	8061563	SUPPLIES - PUBLIC WORKS	194.64
HOME DEPOT CREDIT SERVICES	4061713	SUPPLIES - POLICE	48.57
HOME DEPOT CREDIT SERVICES	3061818	SUPPLIES - POLICE	13.92
HOME DEPOT CREDIT SERVICES	1210295	SUPPLIES - PUBLIC WORKS	58.70
HOME DEPOT CREDIT SERVICES	9054475	SUPPLIES - AMB	3.66
HUNT TREASURER	101918	FY 2019 CONTRIBUTION - POLICE	4,000.00
HURON ENGINEERING AND SURVEYING INC	2763	MAJ ST/SEW/WATER MAINS - MILLER ST	18,237.50
JASON ROUSE	100918	TRAVEL EXPENSE - AMB	93.74
JEREMIAH MISIAK	041918	TRAVEL EXPENSE - AMB	15.00
JEREMIAH MISIAK	101918	TRAVEL EXPENSE - AMB	60.59
JEWELLS DISPOSAL SERVICE INC	665710 10/18	TRASH REMOVAL - CODE ENF	45.00
JOANNE BENAC	AP18-1946C	AMBULANCE REFUND	110.00
KCI	197659	POSTAGE - TAXES	2,187.86
KENNETH MODRZYNSKI	AP18-0405C	AMBULANCE REFUND	605.80
LAKESHORE PLUMBING, HEATING &	39085	WATER MAIN - MILLER ST	242.00
MACARTHUR CONSTRUCTION INC	NRP 2018-06	WALKWAY REPR - N RIVERFRONT PK	1,125.00
MACARTHUR CONSTRUCTION INC	NRP 2018-06A	WALKWAY REPR - N RIVERFRONT PK	22,469.58
MACARTHUR CONSTRUCTION INC	CIP 2018-04	SEW/WATER MAINS - FOURTH/FIFTH/BEDFOI	29,073.43
MCDONALD AUTO SUPPLY INC	886009	VEH MAINT - AMB	7.69
MCDONALD AUTO SUPPLY INC	888703	SUPPLIES - FIRE	7.78
MCVEIGHS TRUCK SPRINGS	012635	VEH MAINT - DPW	1,312.12
MICHAEL MANCHESTER	101618	TRAVEL EXPENSE - AMB	8.52
MICHIGAN ASSN OF FIRE CHIEFS	1707	2019 MEMBERSHIP DUES - F/A	135.00
MICHIGAN ASSN OF FIRE CHIEFS	1227	CONFERENCE REG - FIRE/AMB	40.00
MICHIGAN CONFIDENTIAL DOCUMENT	12910	DOCUMENT DESTR FEE - CITY HALL	115.00
MICHIGAN CREDIT SERVICES	18474	SUBSCRIPTION - MANAGER	300.00
MICHIGAN ELECTION RESOURCES	40913	ELECTION SUPP - CLERK/TREAS	118.58
MICHIGAN PIPE & VALVE	T86791	STORES - PIPE/SLEEVES	5,228.60
MID MICHIGAN HEALTH	083118	BLS CARDS - AMB	66.00
MID MICHIGAN HEALTH	100318	BLS CARDS - AMB	120.00
MID MICHIGAN HEALTH	5000353048	EMPLOYEE PHYS - POLICE	118.00
MID MICHIGAN MEDICAL CENTER-ALPENA	100518	SUPPLIES - AMB DISP	440.00
MILLER OFFICE MACHINES	AR4395	SUPPLIES - DDA	18.90
MML WORKERS COMP FUND	4404205	WORKERS COMP AUDIT PREMIUM - DDA	10.00
MML WORKERS COMP FUND	4460205	WORKERS COMP - AUDIT PREM	316.00
MUNICIPAL CODE CORPORATION	319125	ORDINANCE ELECTRONIC UPDATE	396.00
NALCO COMPANY	67176297	POLYMER VELIGON - WATER	1,767.19
NATIONAL FIRE PROTECTION ASSN	7331881Y	SUPPLIES - FIRE	900.95
NEMCOG	09-602-181019	MASTER PLAN UPDATE	458.79
NORTHERN CLEANING & MAINTENANCE	100118	MAINT - DDA	60.00
NOVELTY LIGHTS.COM	SI-11883444	CHRISTMAS LIGHTS - DDA	2,250.00
OFFICE DEPOT	197480440001	SUPPLIES - PUBLIC SAFETY	88.30
OFFICE DEPOT	201710271001	SUPPLIES - PUBLIC SAFETY	70.53
OFFICE DEPOT	201713002001	SUPPLIES - POLICE	8.99
OFFICE DEPOT	205827986001	SUPPLIES - PUBLIC SAFETY	20.43
OFFICE DEPOT	205829202001	SUPPLIES - POLICE	3.99
OFFICE DEPOT	201666285001	SUPPLIES - PUBLIC WORKS	34.99
PRIORITY ONE EMERGENCY	70046591	UNIFORMS - FIRE/AMB	72.99
PRIORITY ONE EMERGENCY	70046595	UNIFORMS - POLICE	74.99
PRIORITY ONE EMERGENCY	70046846	UNIFORMS - FIRE/AMB	137.98
PRIORITY ONE EMERGENCY	70046889	UNIFORMS - FIRE/AMB	68.09
PRIORITY ONE EMERGENCY	70047112	UNIFORMS - FIRE/AMB	149.98
PVS TECHNOLOGIES INC	246035	FERROUS CHLORIDE - SEWER	2,753.79
ROBERT EDGAR	AP18-1978C	AMBULANCE REFUND	614.20
ROBERT WHEELLOCK	100918	SAFETY SHOE ALLOW - PW	137.79
RR DONNELLEY	368615171	SUPPLIES - CLERK/TREAS	783.59
SEVAN K INC	313 09/18	VEH MAINT - POLICE	156.75
SHALLAS SERVICE	11296	VEH MAINT - POLICE	969.60
SPECIFICATION STONE PRODUCTS	2340490	STORES - 6AA STONE	149.81
ST ANNE CATHOLIC CHURCH	110618	POLLING PLACE FEE 11/06/18	200.00
STANDISH MILLING COMPANY INC	0079898-IN	SUPP/STORES - CH/PKS/STORES	524.07
STATE OF MICHIGAN	0804502 10/18	UNEMPLOYMENT - POL/PARKS	1,155.40
STATE OF MICHIGAN	CARE1591REIM180	MAJ ST/SEW/WATER MAINS - MILLER ST	142,953.77
STRALEY LAMP & KRAENZLEIN PC	28593	MONTHLY FEE 09/18	3,195.00

**INVOICE REGISTER**

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EXP CHECK RUN DATES 11/06/2018 - 11/06/2018

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
SUPERIOR FABRICATING INC	15038	VEH MAINT #39/#40	230.00
SUPERIOR FABRICATING INC	15040	VEH MAINT #39/#40	319.00
SUPERIOR FABRICATING INC	15041	VEH MAINT #39/#40	134.00
SUPERIOR IMAGE CLEANING	110118	CLEANING-CH/PSF/PW/PKS/TRLHD/BH/BRIDC	3,362.91
TAMI ROMEL	101318	WORK APPAREL ALLOW - PW	106.74
TED FESTERLING LLC	7545	VEH MAINT - DPW	126.61
TED FESTERLING LLC	7554	VEH MAINT - DPW	116.73
TERMINAL SUPPLY CO	64261-00	VEH MAINT - DPW	25.04
TERMINAL SUPPLY CO	64261-01	VEH MAINT - DPW	12.52
TERMINAL SUPPLY CO	68157-00	VEH MAINT - DPW	29.94
TRUGREEN PROCESSING CENTER	95584559	MAINT - CEMETERY	36.95
ULINE	102310976	SUPPLIES - POLICE	120.40
UNIFIRST CORPORATION	1394893 10/18	SUPP/MAINT - CH/PSF/PW/EQUIP	367.60
VERIZON WIRELESS	9815620909	IPADS - GEN/FIRE/AMB	840.21
VERIZON WIRELESS	9816212907	TELEPHONE	330.61
VERIZON WIRELESS	9816212908	TELEPHONE	806.90
WAL-MART	002820	SUPPLIES - CITY HALL/PW	124.00
WAYTEK INC	2702190	SUPPLIES - PUBLIC WORKS	132.84
WEINKAUF PLUMBING & HEATING INC	1345	REPL WATER HEATER - BOAT HARBOR	1,029.09
WEST END DISTRIBUTING	28427	VEH MAINT - DPW	255.00

**Total: 302,140.75**

**CHECKS RAN ON 10/24/18****19,773.24****(BREAKDOWN OF INVOICES PAID ATTACHED)****TOTAL FOR 11/5/18 COUNCIL MEETING****321,913.99**

**INVOICE REGISTER**

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EXP CHECK RUN DATES 10/24/2018 - 10/24/2018

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

<b>VENDOR</b>	<b>INVOICE #</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
ALPENA POWER COMPANY	102418	ELECTRIC	10,173.84
BARRINGTON HOMES INC	112218	FACADE IMPROVEMENT - DDA	5,000.00
CITY OF ESCANABA	101618	DARK STORE LITIGATION	2,000.00
DTE ENERGY	102418	GAS	2,599.40
		<b>Total:</b>	<b>19,773.24</b>



# BUDGET AMENDMENT REQUEST

6.B.

FUND: General Fund  
 DEPARTMENT: Police  
 PROJECT: Pay 17-18 FY Unemployment Benefit Invoice from State of MI

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
101-301 705-700	Unemployment	\$1,300	\$1,245	\$2,545

## Justification for Budget Amendment

State of Michigan just submitted an invoice for an unemployment claim (crossing guard) from the summer of 2017. Money had been budgeted at that time, but the invoice was not received in a timely manner. I'm requesting funds from the General Fund to cover the expense.

## 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.

[Signature] 10-18-18  
 Department Head Date

Anna Soik 10/19/18  
 Clerk/Treasurer Date

[Signature] 10-19-18  
 City Manager Date

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


11/5/2018

	NAME	BOARD	TERM	New Ex. Date	APPT AUTH
REAPPOINT	Paul Sabourin	Planning Commission	3	11/1/2021	Mayor
REAPPOINT	Gretchen Kirschner	Planning Commission	3	11/1/2021	Mayor
REAPPOINT	Steve Gilmore	Planning Commission	3	11/1/2021	Mayor



Alpena Fire Department  
Alpena County EMS  
501 W Chisholm Street  
Alpena, Michigan 49707  
[www.alpena.mi.us](http://www.alpena.mi.us)

**Fire/EMS**

To: Honorable Mayor and Council  
From: Bill Forbush, Fire Chief   
Date: November 1, 2018  
Re: CFSI Award at November 5<sup>th</sup> Council Meeting

In April, we were honored in Washington D.C. as the 2018 recipient of the Congressional Fire Service Institutes's (CFSI) *Excellence in Fire-Based EMS Award*.

The *Excellence in Fire-Based EMS Award* is a special recognition given to one career fire-EMS department and one volunteer service each year. Nominations come in from across the country and winners are selected by a committee of national fire-based-EMS experts. The award was initially presented before a packed auditorium at the Washington Hilton, attended by 2,000 of the top fire service leaders, FEMA and NHTSA administrators, legislators and their staff.

The Alpena Fire Department was selected for its comprehensive emergency cardiac care program, comprised of:

- MiREMS high-performance CPR training for paramedics, first responders, law enforcement and more
- AED placement, training and the creation of an AED registry for the community
- Participation in a national database of cardiac arrest research data
- The Echo Program providing rapid ALS response to rural areas of the county and augmenting local first responder coverage
- The Mobile Intensive Care Unit (MICU) program with specially equipped ambulances staffed by nationally certified critical care paramedics to facilitate moving Alpena patients to larger medical centers when needed for definitive care.
- The City of Alpena Fire Department provides Advanced Life Support (ALS) ambulance service to the over 1700 square miles of Alpena County. Through an interlocal agreement initially established in the 1980's, a countywide millage assures every resident of 24/7 paramedic ambulance response.



Together, these initiatives give Alpena County residents a better opportunity for survival and positive medical outcome following heart emergencies here as compared to other EMS systems nationwide.

CFSI is a nonprofit, nonpartisan policy institute. It is designed to educate members of Congress about the needs and challenges of our nation's fire and emergency services to help them understand how the federal government can support the needs of our local first responders. CFSI coordinates the Fire Service Caucus, a bi-partisan group of Senators and Members of Congress who support fire and emergency services. Senators Debbie Stabenow and Gary Peters, and Congressman Jack Bergman all participate in the Caucus.

CFSI is governed by a five-member Board of Directors, but its strength is its National Advisory Committee (NAC), which is composed of 38 national fire and emergency services organizations. It's role is to develop consensus positions on major issues so that the fire service can deliver unified messages to Congress.

CFSI Executive Director Bill Webb will be flying to Alpena Monday to re-present the award before our local officials and citizens. A representative of Masimo, a medical equipment manufacturer that sponsors the award, will be present as well. We'd like to briefly share this recognition with the many people that make the Alpena County EMS system so successful, including the Alpena Municipal Council, Alpena County Board of Commissioners, MidMichigan Health, first responders in each community that assist our paramedics, and the citizens who make it all possible, and whom the system is designed to serve.



# Memorandum

Date: November 1, 2018

To: Mayor Matthew J. Waligora  
Alpena City Council Members

From: Greg Sundin, City Manager *GES*

RE: Opt-Out of PA 152 Health Insurance Shared Cost Options for 2019

Each of the last six 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 two years 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 the new rates for 2019. The two high deductible HMO HSA plans increased a modest 4.09% and 4.73%; however, the two Simply Blue PPO plans increased 28.55% and 31.15%. Consequently, the two PPO plans were dropped and replaced with a single HMO plan that retains some PPO elements such as immediate co-

pays for office visits and prescriptions, which makes it HSA ineligible. Employees will once again pay 20% of the premium for their selected plan with the City paying 80% along with the same level of contribution to an employee's HSA and a slight increase into the FSA (Flexible Savings Account). This results in a total City contribution in excess of 80%. 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 2019.

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: October 31, 2018

To: Mayor Matt Waligora and City Council

Copy: Greg Sundin, City Manager

From: Adam Poll, Planning and Development Director

Subject: Medical and Recreational Marijuana Update

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On October 11, the Medical Marijuana Committee met and discussed medical marijuana and recreational marijuana (Proposal 1). Additionally staff attended a Michigan Municipal League workshop on the subject on October 23 where the Director of the State Bureau of Medical Marijuana Regulation and a municipal attorney addressed both medical and recreational marijuana. The committee wanted to provide the City Council with an update of the progress medical marijuana has made and some of the specifics of the recreational marijuana proposal.

**MEDICAL MARIJUANA-** December of 2017 marked the date where it became legal to open medical marijuana facilities in the State of Michigan. The State's Licensing and Regulatory Affairs division (LARA) took on the task of creating a regulatory frame work and started processing applications utilizing temporary rules that would be replaced with permanent rules by June of 2018. LARA created a separate division within their agency called the Bureau of Medical Marijuana Regulation (BMMR) who began processing applications. Over 700 applications have been received for facilities in Michigan, as of mid-October, 50 have been approved in the 10 months since they began processing the licenses. October 25 marked the first time medical marijuana was sold using the BMMR approved regulations, which include seed to sale tracking. Permanent rules have still not been implemented, and BMMR noted they were hoping to have permanent rules in place by late November. At the moment communities who opt in for these facilities will currently receive 25% of the 3% excise tax. If Proposal 1 passes that tax will no longer be present. On October 30<sup>th</sup>, courts ruled that the medical marijuana program was no being rolled out fast enough to justify shutting down existing unlicensed medical marijuana shops (as they were scheduled to be closed on October 31<sup>st</sup>) and would not allow the State to set a shutdown date for these shops at this time.

**RECREATIONAL MARIJUANA-** Proposal 1 allows recreational marijuana use, and will be voted on November 6. Part of this proposal allows for communities to regulate commercial facilities based on location if they choose. If a local unit of government would prefer these facilities not be allowed at all, the governmental unit must pass an ordinance or resolution to opt out from commercial/industrial facilities. The community could later choose to opt back in at any time.



It should also be noted that much like the original medical marijuana law in 2008, Proposal 1 is voter initiated. The Medical Marijuana Facilities Licensing Act (MMFLA) came out of the Legislature. Because of this, Proposal 1's language does not match the existing MMFLA which would appear to leave elements of the proposal ripe to be determined within the courts. For instance, there is a section that states that communities can regulate commercial facilities but cannot place "unreasonably impracticable" restrictions on these facilities. Although they attempt to define the term in their definitions section, the courts will likely have to determine what the exact definition is and when it applies. In addition, the proposal states that facilities will not be allowed in "exclusively" residentially zoned areas. The problem is that our community (and most others around the state and nation) allow for churches, schools, and limited commercial (corner stores and the like) which are nonresidential uses located in residential zones. This creates a potential loophole within the law if passed as none of our residentially zoned area would be considered "exclusive" to residential use. In addition many other parts of the proposal do not line up which causes regulatory issues. For instance, under the MMLFA commercial grower sizes are 500, 1000, and 1500 plants. Under Proposal 1 a grower can grow 100, 500, and 2000 plants. In addition, Proposal 1 allows the City to limit the total number of facilities, but includes not on the type of facility, meaning all types could be constructed unlike the MMLFA which allows a municipality to choose to limit types of facilities. (e.g. allowing growers but not provisioning centers.) If a municipality sets limits on the number they must select from competing applications using a "competitive process" and select applicants who are "best suited" to operate a facility. To date, most municipalities have utilized either a lottery system or first come first serve system to avoid the lawsuits that a competitive process often generate.

The proposal also stipulates that local units of government will receive 15% of the revenues from the 10% tax on the sale. (10% is the lowest of any recreational tax in the US.) It also eliminates the 3% tax on medical marijuana, which means that communities that only opt to allow medical marijuana facilities would receive no additional revenue beyond the application fee. The City's Marijuana Committee has previously recommended that if the City decides to opt in to either medical or recreational marijuana, money from the purposed tax should not be a motivating factor.

Another issue that is not addressed by the proposal is stacking of medical and recreational possession limits. Because Proposal 1 is silent on the topic of medical marijuana, one person could legally have 84 plants in their home. A person could also carry up to 5 ounces on their person, with 2.5 ounces for recreational marijuana and 2.5 ounces for medical marijuana. Additionally, there are no purchase limits with recreational marijuana. Medical marijuana only allows a purchase of 2.5 ounces per day.

**TIMELINE-** If Proposal 1 passes, local units of government will have at least 12 months before LARA starts issuing recreational facilities licenses. Hopefully many of the questions inherent to this proposal will be addressed prior to that time. If the City would prefer to opt out of recreational marijuana, it is recommended that the opt out be done via ordinance and not a resolution.



# Alpena School Zones and Residentially Zoned Areas

