

ALPENA CITY COUNCIL MEETING

December 2, 2013 - 7:00 p.m.

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Minutes –Regular Session of November 18, 2013 and Closed Session of November 18, 2013.
4. Modifications to the Agenda.
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. Announcements.
7. Consent Agenda.
 - A. Bills to be Allowed, in the Amount of \$264,230.32.
 - B. One City Manager Reappointment to the Housing Commission for a Five-Year Term Expiring 12/4/2018 (James Malaski).
 - C. One Re-instatement to the Compensation Committee for the Unexpired Term Expiring October 1, 2016 (Joanne Gallagher).
 - D. Approval of Budget Amendment to Increase Available Funds by \$30,000 for Water and Sewer Consulting Services.
8. Public Hearing.
9. Report of Officers.
 - A. Resolution Number 2013-16 – A Resolution Granting Approval of an Application for a Neighborhood Enterprise Zone Certificate for Thunder Bay Properties, LLC.
10. Communications and Petitions.
11. Unfinished Business.
12. New Business.

Greg Sundin
City Manager

COUNCIL PROCEEDINGS

November 18, 2013

The Municipal Council of the City of Alpena met in regular session in the City Hall on the above date and was called to order at 7:00 p.m. by the Mayor.

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

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The minutes of the regular session of November 4, 2013, were approved as printed.

CONSENT AGENDA

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

1. Bills Allowed – in the amount of \$1,052,968.39 be allowed and the Mayor and City Clerk authorized to sign warrants in payment of same.
2. Approval of 2014 Municipal Council meeting schedule.

Carried by unanimous vote.

ALPENA CIVIC THEATRE LEASE

Moved by Councilwoman Nielsen, seconded by Councilman Nowak, to renew the lease agreement between the City of Alpena and Alpena Civic Theatre and authorize the Mayor and City Clerk to sign on behalf of the City.

Carried by unanimous vote.

TREASURER'S FINANCIAL REPORT

Moved by Councilman Sexton, seconded by Councilman Eiler, to receive and file

the Treasurer's Financial Report of July 1, 2013, through October 31, 2013.

Carried by unanimous vote.

PUBLIC ACT 152 HEALTH INSURANCE PREMIUM OPT-OUT

Moved by Councilman Sexton, seconded by Councilman Nowak, that pursuant to Public Act 152, the City of Alpena will opt-out of the publicly funded health insurance contribution act for coverage year beginning on or after January 1, 2014.

Carried by unanimous vote.

BEACH MOTEL DEMOLITION

The following sealed bids were received on November 12, 2013, for the demolition of the buildings and pavement at the former Beach Motel:

Bedrock	\$10,700
Macarthur Construction	\$16,000
Dave Marchlewski	\$19,995
Environmental Excavating	\$24,499
Team Elmer's	\$28,500
Homrich	\$34,800
Dore & Associates	\$38,600
Bierlein	\$54,000

Moved by Councilman Eiler, seconded by Councilwoman Nielsen, that the bid by Bedrock, in the amount of \$10,700, be accepted.

Carried by unanimous vote.

LAPTOP WORKSTATIONS

The following sealed bids were received on November 11, 2013, for laptop computers for department heads and council members:

Y&S Technologies	\$14,022.70
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Chowen	\$14,193.75
OM Office Supply	\$14,650.00

Moved by Councilman Sexton, seconded by Councilwoman Nielsen, that the bid by Chowen, in the amount of \$14,022.70, a reduction of their original bid by \$171.05 to align with the low bidder's total project cost, be accepted.

Carried by unanimous vote.

PORTABLE TOILETS

Sealed bids were received from the following companies on November 5, 2013, for providing and servicing portable toilets used throughout the City:

Hall's Serv-All
Alpena Septic

Moved by Councilman Eiler, seconded by Councilman Nowak, that the bid by Hall's Serv-All, for the as-bid unit prices, be accepted.

Carried by vote as follows:

Ayes: Nowak, Waligora, and Eiler.

Nays: Sexton and Nielsen.

OPTION TO OPT-OUT OF ODD-YEAR ELECTIONS

Moved by Councilman Nowak, seconded by Councilwoman Nielsen, to schedule a public hearing for the December 16, 2013, council meeting, regarding the option for municipalities with odd-year November election dates to move to even-year November election dates pursuant to new election law.

Carried by unanimous vote.

CLOSED SESSION

Moved by Councilman Sexton, seconded by Councilman Nowak, that the Municipal Council adjourn to a closed session at 8:07 p.m., to discuss attorney client

privilege opinion.

Carried by unanimous vote.

RECESS

The Municipal Council recessed at 8:07 p.m.

RECONVENE – CLOSED SESSION

The Municipal Council reconvened in closed session at 8:17 p.m.

RECONVENE – OPEN SESSION

The Municipal Council reconvened in open session at 9:58 p.m.

On motion of Councilman Sexton, seconded by Councilwoman Nielsen, the Council adjourned at 9:59 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Julie Krajniak
Deputy City Clerk

INVOICE REGISTER FOR CITY OF ALPENA

POST DATES 12/03/2013 - 12/03/2013
 BOTH JOURNALIZED AND UNJOURNALIZED
 OPEN

7.A.

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
A1 TREE SERVICE	111313	MAINT - PARKS	150.00
AIRGAS USA LLC	9913273316	VEH MAINT - DPW	59.40
AIRGAS USA LLC	9914186693	VEH MAINT - DPW	59.40
AIRGAS USA LLC	9021439227	SUPPLIES - AMB DISP	150.44
AIRGAS USA LLC	9021755269	SUPPLIES - AMB DISP	87.76
ALPENA AUTO ELECTRIC	52470	VEH MAINT - RESCUE 1	325.00
ALPENA AUTO ELECTRIC	52475	VEH MAINT - AMB	220.00
ALPENA COUNTY TREASURER	111813	TAX COMM ORDER - ZEEMAN 11-12	70.95
ALPENA PAPER & SUPPLY CO	451201	SUPPLIES - AMB DISP	129.36
ALPENA POWER COMPANY	120313	ELECTRIC	8,111.77
ALPENA SPORTSMENS CLUB	092713	2013-14 RANGE FEES - POLICE	350.00
ALPENA SUPPLY CO	2057237	MAINT/SUPPLIES - PARKS/BH/DPW	41.94
ALPENA SUPPLY CO	2057638	SUPPLIES - FIRE/AMB	44.00
ALPENA SUPPLY CO	2057621	SUPPLIES - FIRE/AMB	139.50
ALPENA SUPPLY CO	2058325	MAINT - PUBLIC WORKS	3.15
ALPENA SUPPLY CO	2059798	SUPPLIES - FIRE/AMB	3.89
ALPENA SUPPLY CO	2059931	SUPPLIES - FIRE/AMB	20.49
ALPENA SUPPLY CO	2060481	MAINT - SEWER	195.40
ALPENA SUPPLY CO	2060506	MAINT - SEWER	31.22
ALPENA SUPPLY CO	2060513	MAINT - SEWER	30.47
ALPENA SUPPLY CO	2062941	SUPPLIES - FIRE/AMB	3.06
AMERICAN UNITED LIFE INSURANCE	30320 12/13	PREMIUM-LIFE 12/13	929.34
BELL EQUIPMENT COMPANY	0097755	VEH MAINT - DPW	51.59
BLUE CROSS BLUE SHIELD	64088 12/13	PREMIUM-HEALTH 12/13	89,299.77
BOUND TREE MEDICAL LLC	81254271	SUPPLIES - AMB DISP	51.87
BOUND TREE MEDICAL LLC	81259231	SUPPLIES - AMB DISP	41.44
BOUND TREE MEDICAL LLC	81263976	SUPPLIES - AMB DISP	67.32
BROERS OF ALPENA	112413	RENTAL REHAB PROGRAM	4,062.00
CHARTER COMMUNICATIONS	0096167 12/13	CABLE SVC - BOAT HARBOR	5.80
DAVE SCHULTZ CONSTRUCTION & GARAGE	111813	BLDG MAINT - FIRE/AMB	83.30
DEAN ARBOUR FORD LINCOLN MERCURY	13479	VEH MAINT - CHIEF	40.58
DOGPOOPBAGS.COM LLC	5168	SUPPLIES - CEM/PKS/BH	514.16
DONALD H GILMET	120313	MILEAGE 11/13	139.56
DORNBOS SIGN & SAFETY INC	13632	TRAFF SIGNAL MAINT - MAJ/LOC ST	79.68
DTE ENERGY	120313	GAS	1,857.05
EAST SHORE ASPHALT PAVING	2013-09	HMA PATCHING 2013	378.00
ERIC HAMP	110713	TRAVEL ADVANCE - POLICE	60.00
ETNA SUPPLY CO	S100894748.001	STORES - COUPLING	324.18
EVERETT GOODRICH TRUCKING & ASPHALT	2013-05	RESURFACING 2013	43,159.30
FASTENAL COMPANY	MIALP112191	VEH MAINT - DPW	62.12
FASTENAL COMPANY	MIALP112192	SUPP/MAINT - PW/PKS/MAJ/LOC	38.12
FRANCIS DETTLOFF	AP2059-13C	AMBULANCE REFUND	561.00
FREDRICK ST CHARLES	AP2159-13C	AMBULANCE REFUND	89.09
FREDRICK ST CHARLES	AP6136-13C	AMBULANCE REFUND	100.00
FRONTIER	4-0167 11/13	TELEPHONE - WATER	128.41
FRONTIER	6-0135 11/13	TELEPHONE - CEMETERY	37.53
FRONTIER	6-2515 11/13	TELEPHONE - WATER	46.78
FRONTIER	6-2992 11/13	TELEPHONE - WATER	108.97
FRONTIER	6-6422 11/13	TELEPHONE - DDA	58.41
GARANTS OFFICE SUPPLIES & PRINTING	52129	SUPPLIES - IT	119.00
GARTH GRULKE	120313	WORK APPAREL ALLOW - PW	105.99
GBS GOVT BUSINESS SYSTEMS	13-17741	SUPPLIES - ELECTION	3,724.07
GENERAL CHEMICAL PERFORMANCE	90607795	ALUM SULFATE - WATER	6,218.40
GOSLING CZUBAK	69791	SEWER/WATER RATE STUDY	480.00
HASTINGS MUTUAL INSURANCE CO	AP1993-13C	AMBULANCE REFUND	636.50
HERITAGE FLAG & BANNER	48579	SUPPLIES - PSF/PKS/BH	1,113.29
INTERSTATE BATTERY SYSTEM INC	23376423	VEH MAINT - DPW	(174.95)
INTERSTATE BATTERY SYSTEM INC	23376422	VEH MAINT - POLICE	107.95
INTERSTATE BATTERY SYSTEM INC	23376887	VEH MAINT - DPW	191.90
JAMES G YOUNG	112013	SEWER/WATER RATE NEGOTIATIONS	7,388.00
JEROMES TOWING	38128	IMPOUND TOWING - POLICE	115.00
LAKESHORE PLUMBING, HEATING &	25993	MAINT - CITY HALL	172.39
LARRY'S TRUCK STUFF	3049	BRUSH GUARD - AMB	700.00
LEFAVE PHARMACY INC	111513	SUPPLIES - AMB DISP	5.39
LERMA INC	120313	2014 MEMBERSHIP DUES	35.00
MASTERS & LALONDE SHOES	21226	UNIFORMS - POLICE	96.01
MASTERS & LALONDE SHOES	21429	UNIFORMS - FIRE/AMB	188.00
MASTERS & LALONDE SHOES	21430	UNIFORMS - FIRE/AMB	188.00
MASTERS & LALONDE SHOES	21431	UNIFORMS - FIRE/AMB	92.00
MCDONALD AUTO SUPPLY INC	717972	VEH MAINT - AMB	16.90
MICH ASSN OF CHIEFS OF POLICE	110713	2014 MEMBERSHIP DUES	115.00
MICHIGAN TASER DISTRIBUTING	10219	SUPPLIES - POLICE	824.07

INVOICE REGISTER FOR CITY OF ALPENA

POST DATES 12/03/2013 - 12/03/2013

BOTH JOURNALIZED AND UNJOURNALIZED


OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
MUTUAL OF OMAHA	074LA 12/13	PREMIUM-DISABILITY 12/13	798.06
NEMCOG	120313	WORKSHOP REG - PLAN COMM	100.00
NORTHERN MICHIGAN GLASS LLC	110413	CENTER BLDG FACADE - CDBG	56,095.20
NYE UNIFORM COMPANY	428759	UNIFORMS - FIRE/AMB	693.73
NYE UNIFORM COMPANY	441330	UNIFORMS - POLICE	153.98
NYE UNIFORM COMPANY	441332	UNIFORMS - POLICE	14.99
PHILLIPS EXPERT TREE	120313	LEAF PICK-UP 11/13	9,900.00
SHIRLEY DINGMAN	AP1851-13C	AMBULANCE REFUND	20.00
SIRCHIE FINGERPRINT LABORATORIES	0144376-IN	SUPPLIES - POLICE	70.45
SOUTHERN COMPUTER WAREHOUSE	137468	SUPPLIES - IT	618.40
SPECIFICATION STONE PRODUCTS	1920584	MAINT - PUBLIC WORKS	250.00
SPECIFICATION STONE PRODUCTS	1920624	STORES - 22A STONE	4,016.50
STAPLES INC	40379	SUPPLIES - IT	229.99
STAPLES INC	41221	SUPPLIES - ELECTION	6.98
STRALEY ILSLEY & LAMP PC	19146	MONTHLY FEE 10/13	2,995.00
SUPERIOR FABRICATING INC	13609	VEH MAINT #20	58.00
TED FESTERLING LLC	3492	VEH MAINT - DPW	468.00
TED FESTERLING LLC	3509	VEH MAINT - DPW	947.88
TED FESTERLING LLC	3539	VEH MAINT - DPW	856.25
THE GRIND-DING SHOP	98363	VEH MAINT - DPW	22.99
THE GRIND-DING SHOP	99798	VEH MAINT - DPW	54.14
THE GRIND-DING SHOP	101587	MAINT - LOC ST	6.95
THE LINCOLN NATIONAL LIFE	202473 12/13	PREMIUM-DENTAL 12/13	8,872.42
TIGERDIRECT INC	J56469270101	SUPPLIES - IT	8.73
TIGERDIRECT INC	J56469270102	SUPPLIES - IT	98.32
TRI HOSPITAL EMS	5874	SUPPLIES - AMB DISP	150.00
VERIZON WIRELESS	9714764544	TELEPHONE	852.38
VERIZON WIRELESS	9714700680	TELEPHONE	569.58
WEINKAUF PLUMB & HEATING INC	61168	BLDG MAINT - POLICE	151.29
WINN TELECOM	3371 11/13	TELEPHONE - LONG DISTANCE	89.63

Total: 264,230.32



Memorandum

Date: November 26, 2013
To: Greg Sundin, City Manager
Copy: Karen Hebert, City Clerk/Treasurer/Finance Director
From: Rich Sullenger, City Engineer 
Subject: Budget Amendment – Consulting Services Water and Sewer

Staff previously approached City Council and garnered authorization to expend up to \$10,000 for professional services associated with the water and sewer negotiations with Alpena Township. Staff has been utilizing the services of James Young, Attorney, and Tim Roache, Engineer, with Gosling Czubak to provide these services. As negotiations and evaluations of options ensue we have utilized the funding approved and will need to provide for additional funding to continue these services.

The City has completed two sewer and water projects under budget with sufficient funding remaining to transfer \$15,000 from each fund into the appropriate expense line item for these professional services. Thus, I will be transferring a total of \$30,000 to provide the funding for these consulting services.

Attachment

BUDGET AMENDMENT REQUEST

FUND: Water and Sewer
DEPARTMENT: Production and Treatment
PROJECT DESCRIPTION: Professional Services

Account No.	Account Description	Current Budget	Proposed Increase or (Decrease)	Proposed Budget
590-538-981-051	Cap - Sewer Mains	\$601,800	(\$15,000)	\$586,800
591-542-982-051	Cap - Water Mains	\$589,700	(\$15,000)	\$574,700
590-537-956-000	Miscellaneous	\$5,000	\$15,000	\$20,000
591-541-956-000	Miscellaneous	\$5,000	\$15,000	\$20,000

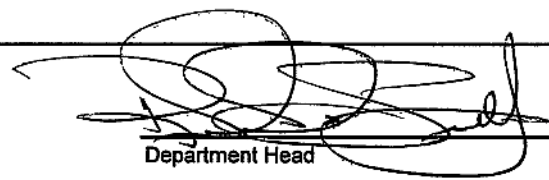
Justification for Budget Amendment

Professional Services associated with contract negotiations with Alpena Township

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.


 Department Head Date 11-26-13

 Clerk/Treasurer Date

 City Manager Date

 City Council Date

MEMORANDUM

TO: Mayor Waligora and Municipal Council
FROM: Karen Hebert, City Clerk/Treasurer/Finance Director
SUBJECT: Neighborhood Enterprise Zone Certificate
DATE: November 25, 2013

The City of Alpena established a Neighborhood Enterprise Zone on October 6, 2003. A Neighborhood Enterprise Zone provides for the development and rehabilitation of residential housing by obtaining certificates for a period of time that provides exemptions from certain taxes. The City Assessor will calculate the taxes to be levied which are known as the neighborhood enterprise zone tax.



Thunder Bay Properties, LLC submitted an application on November 5, 2013, for rehabilitation of an existing structure at 121 N. Second Avenue for a 12 year tax exemption. The application has been reviewed by Jeff Shea, City Assessor, and Don Gilmet, City Building Inspector and found to be favorable.

Under Public Act 147, The State Tax Commission requires the governing body of the local governmental unit by resolution to approve the application for a neighborhood enterprise zone certificate. If so approved, I will forward the resolution to the State Tax Commission within the required time period. The State Tax Commission will then review the application for compliance. The City Assessor and all taxing units affected will be notified by certified mail if a certificate will be issued.

Copy: Greg Sundin, City Manager

MEMORANDUM

TO: Karen Hebert, City Clerk/Treasurer/Finance Director

FROM: Jeff Shea, City Assessor and Donald Gilmet, City Building
Official  

SUBJECT: NEZ Application from Thunder Bay Properties, LLC, 121 N.
Second Avenue

DATE: November 12, 2013

For each Neighborhood Enterprise Zone (NEZ) application the Assessor must make several determinations as part of the approval process. This memo addresses all those determinations.

Assessor Determinations:

1. Is the current true cash value of the property being rehabilitated less than \$80,000 per unit?
 - a. Yes, the current true cash value of each unit is approximately \$7,067.00.
2. Is the current owner the same as listed on the NEZ application form?
 - a. Yes. See attached deed.
3. The Assessor attaches the legal description, dimensions of the lot and the parcel identification number.
 - a. See attached.
4. Do the project costs meet the requirements of the Neighborhood Enterprise Zone Act?
 - a. Yes.
 - i. For a rehabilitated facility, with work done by a contractor in a rental unit, the cost requirement is that \$7,500 per unit or 50% of the true cash value of the unit, whichever is less, must be invested in the rehabilitation.
 - ii. For this facility it is estimated that \$190,000 will be spent in rehabilitating the 3 units. This meets the requirements of the NEZ Act.
5. Statement by assessor showing the taxable value of the rehabilitated facility not including land, for the tax year immediately preceding the effective date of the rehabilitation.
 - a. The 2013 taxable value of the property being rehabilitated is \$126,300 and the State Equalized Value is \$126,300, including land value. However, the only part of the property being rehabilitated is a portion of the second floor of the building on the lot. The 2013 taxable value for the part of the building being rehabilitated is apportioned as follows:
 - i. 2013 Taxable Value: \$ 10,600
 - ii. 2013 State Equalized Value: \$ 10,600

121-127 N. Second Ave.

L: 480 P: 784 DWD

01/04/2011 02:57 PM Page: 1 of 3
Kaiser 3 Antares Register Alpena Co., MI 528.00

93-637-122-001
93-637-122-01 (201)
93-820-000-003-00

Alpena County Alpena Michigan
I hereby certify that there are no taxes or liens levied by the State on lands
described herein, and that there are no tax liens or liens levied by the State
on said lands for the five years preceding the day of January 2011
and that all taxes for said five years are paid as shown by the records of this office.
This certificate does not apply to taxes, if any, now in process of
collection by township, city or village treasurers.
Justin McCollum Alpena County Treasurer
1800 7th Avenue 1190 or recorded See 357 IL 1522

093-637-000-122-00

GENERAL WARRANTY DEED

Thunder Bay Holdings, LLC, a Michigan limited liability company, of 1009
Reynoldsburg New Albany Road, Blacklick, Ohio 43004 for valuable consideration paid,
grants and conveys with general warranty covenants, all right, title and interest of grantor
to Thunder Bay Properties LLC, a Michigan limited liability company, whose tax-mailing
address is 1202 West Chisholm, Alpena, Michigan 48707, the following described
premises situated in the City of Alpena, County of Alpena, State of Michigan, and more
particularly described as follows:

SEE EXHIBIT "A" ATTACHED
HERETO AND INCORPORATED HEREIN

Prior Instrument Reference: Liber. 00461, Page 83 of the Deed Records of Alpena
County, Michigan.
Parcel No. 093-637-000-122-00
Street Address: 121-127 N. 2nd Avenue, Alpena, Michigan

An executed Real Estate Transfer Tax Valuation Affidavit has been completed and filed
in accordance with P.A. 134 of 1988 and 330 of 1993, as amended.

Subject to easements, reservations, exceptions and building and use restrictions of
record.

Signed this 3rd day of January, 2011 \$260,000

THUNDER BAY HOLDINGS, LLC
a Michigan limited liability company

Craig Patterson
By: Craig Patterson, aka Patrick Craig Peterson
Title: General Manager of Thunder Bay
Holdings, LLC

Building Official's Determination:

The proposed improvements will bring the unit up to current existing building codes for residential rental units. An inspection will be performed at the conclusion of the improvements. The owner of the building will be required to provide at least one parking space for the occupants that may have to be leased in the event there is not already dedicated parking at the building.

RESOLUTION NO. 2013-16

**RESOLUTION GRANTING APPROVAL OF APPLICATION
FOR NEIGHBORHOOD ENTERPRISE ZONE CERTIFICATE
FOR THUNDER BAY PROPERTIES, LLC**

WHEREAS, pursuant to Act 147, Public Acts of Michigan, 1992, this Municipal Council, by resolution adopted on October 6, 2003, established a Neighborhood Enterprise Zone, and

WHEREAS, on November 5, 2013, Thunder Bay Properties, LLC, filed an Application for a Neighborhood Enterprise Zone Certificate under Act 147, Public Acts of Michigan, 1992, with respect to rehabilitation of an existing structure located at 121 N. Second Avenue within the District on the land described on the legal description attached to the Application, and

WHEREAS, the City Assessor has determined that the property is eligible and has attached the legal description, lot dimensions and parcel identification number; verified proof of ownership and projected costs of rehabilitation, and prepared a statement showing the taxable value of the property in the tax year immediately preceding the start of your rehabilitation project, and has recommended that the application be approved, and

WHEREAS, the City Building Inspector has reviewed the application, project description and the detailed cost breakdown of the project, and determined that the proposed improvements will bring the unit up to current building codes for residential rental units, and

WHEREAS, this Municipal Council finds and determines that the Application complies with the Neighborhood Enterprise Zone Act, Act 147 of 1992,

NOW, THEREFORE, BE IT RESOLVED, that the Application by Thunder Bay Properties, LLC for rehabilitation of the property within the Neighborhood Enterprise Zone and on the land described in the Application for a period of 12 years is approved and that the City Clerk shall forthwith complete the Application and forward the original of the Application together with the required attachments to the State Tax Commission.

Councilmember _____ moved adoption of the above resolution and it was seconded by Councilmember _____.

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Karen Hebert, 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 December 2, 2013.

Karen Hebert
City Clerk