

ALPENA CITY COUNCIL MEETING

November 19, 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 November 05, 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.
Bills to be Allowed, in the Amount of \$327,397.63.
7. Presentations.
Thunder Bay Arts Council Monitoring Oral Report.
8. Announcements.
9. Mayoral Proclamation.
10. Public Hearing.
11. Report of Officers.
Resolution in Opposition to Senate Bill 637, Placement of “Small Cell” 5G Technology within Public Rights of Way.
12. Communications and Petitions.
Recognize Martin Luther King, Jr. Day as a Holiday for City Council Meeting Purposes.
13. Unfinished Business.
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

November 5, 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 15, 2018 meeting 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 \$321,913.99 be Allowed and the Mayor and City Clerk Authorized to Sign Warrant in Payment of Same.
2. Budget Amendment Request – Transfer \$1,245 from General Fund to Police Fund.
3. Mayoral Reappointment of Paul Sabourin, Gretchen Kirschner, and Steve Gilmore to the Planning Commission for a Three-Year Term expiring on November 1, 2021.

Carried by unanimous vote.

HEALTH INSURANCE – 2019 OPT-OUT OF P.A. 152

Moved by Councilmember Nowak, seconded by Councilmember Johnson, to opt out of the PA 152 health insurance cost options listed:

- Maximum local government premium contribution for single person, two-person, and family coverage, also known as the hard cap.
- Local governing body contribution limited to 80% of the cost of the medical plan regardless of type.

Carried by unanimous vote.

RECESS

The Municipal Council recessed at 6:34 p.m.

RECONVENE – CLOSED SESSION

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that the Municipal Council adjourn to closed session at 6:43 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 7:22 p.m.

Carried by unanimous vote.

On motion of Councilmember Nowak, seconded by Councilmember Nielsen, the Municipal Council adjourned at 7:22 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Anna Soik
City Clerk

INVOICE REGISTER

EXP CHECK RUN DATES 11/20/2018 - 11/20/2018

UNJOURNALIZED

OPEN - CHECK TYPE: PAPER CHECK

6.

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
A-1 TREE SERVICE	18-217	LEAF PICK-UP 11/18	10,000.00
AIRGAS USA LLC	9081423897	SUPPLIES - AMB DISP	36.96
AIRGAS USA LLC	9081621913	SUPPLIES - AMB DISP	32.40
AIRGAS USA LLC	9081824180	SUPPLIES - AMB DISP	21.44
AIRGAS USA LLC	9957068119	SUPPLIES - AMB DISP	20.70
AIRGAS USA LLC	9082051941	SUPPLIES - AMB DISP	40.16
ALPENA AGENCY INC	37712	FIDUCIARY INS - RET/C/T	7,539.00
ALPENA COUNTY TREASURER	111218	IT CONTRACTED SVCS 11/18	7,803.00
ALPENA DIESEL SERVICE	58926	VEH MAINT #46	13.76
ALPENA ELECTRIC MOTOR SERVICE	149	NO INDUSTRIAL PUMP STN MOTORS	7,765.00
ALPENA LAWNCARE & MAINTENANCE	4600	MOWING - CODE ENFORCEMENT	80.00
ALPENA POWER COMPANY	110718	ELECTRIC - DDA	86.35
ALPENA POWER COMPANY	112018	ELECTRIC	29,694.13
ALPENA SUPPLY CO	S100112812.001	SUPPLIES - PARKS	17.94
ALPENA SUPPLY CO	S100115343.001	VEH MAINT #40	47.22
ALPENA SUPPLY CO	S100115936.001	CHEMICALS - SEWAGE	1,030.00
ALPENA SUPPLY CO	S100117382.001	SUPPLIES - BOAT HARBOR	17.94
AMAZON CAPITAL SERVICES INC	1WPJ-HRL1-NDTG	SUPPLIES - IT	219.00
AMAZON CAPITAL SERVICES INC	1F3H-7NYF-113V	SUPPLIES - IT	167.97
AMAZON CAPITAL SERVICES INC	1MHY-4YC1-9JCN	SUPPLIES - IT	397.88
AMAZON CAPITAL SERVICES INC	1GDJ-4GJW-1R3H	SUPPLIES - IT	87.52
AMAZON CAPITAL SERVICES INC	1Q6G-R7KF-3TYR	SUPPLIES - IT	213.66
AMAZON CAPITAL SERVICES INC	1MMR-HP44-G3W6	SUPPLIES - IT	60.72
AMERICAN MESSAGING	Z2535843SK	PAGER FEES	35.55
ANDREW WILLIAMS	110618	TRAVEL EXPENSE - AMB	61.85
ANNE GENTRY	111418	REIMB CELL PHONE EXP - DDA	60.00
AS YOU WISH GOURMET EATERY	111418	TOKEN REIMB - DDA	82.50
BALL TIRE & GAS INC	156101	VEH MAINT #7	94.00
BALL TIRE & GAS INC	156358	VEH MAINT #45	112.93
BALL TIRE & GAS INC	156961	VEH MAINT - DPW	181.16
BALL TIRE & GAS INC	156994	VEH MAINT - POLICE	15.00
BALL TIRE & GAS INC	157048	VEH MAINT #49	288.28
BALL TIRE & GAS INC	157112	VEH MAINT #19	15.00
BELL EQUIPMENT COMPANY	0147055	VEH MAINT - DPW	1,037.95
BENTLEY SYSTEMS INC	47954036	BENTLEY SELECT SUB - CAD SOFTWARE	5,252.00
BLACK SHEEP PUB	111418	TOKEN REIMB - DDA	280.25
BOUND TREE MEDICAL LLC	83021732	SUPPLIES - AMB DISP	574.20
BOUND TREE MEDICAL LLC	83021733	SUPPLIES - AMB DISP	77.64
BP	54659707	GAS/FUEL - FIRE/AMB/EQ/MICU	9,368.81
BRUCE TILLINGER	103118	PLUMB/MECH INSP SVCS 10/18	5,376.00
BS&A	119950	INTERNET SVC/SUPPORT FEE - C/T/BLDG/AS	4,266.00
CARQUEST AUTO PARTS	361860	VEH MAINT - POLICE	3.46
CARQUEST AUTO PARTS	361862	VEH MAINT - DPW	225.67
CARQUEST AUTO PARTS	362053	VEH MAINT - DPW	205.67
CARQUEST AUTO PARTS	362104	SUPPLIES - FIRE	9.54
CARQUEST AUTO PARTS	362254	VEH MAINT #89	21.83
CARQUEST AUTO PARTS	362761	VEH MAINT #25	196.21
CARQUEST AUTO PARTS	362763	VEH MAINT - POLICE	561.41
CARQUEST AUTO PARTS	362863	VEH MAINT - POLICE	3.46
CARQUEST AUTO PARTS	362864	VEH MAINT - DPW	132.96
CARQUEST AUTO PARTS	362869	VEH MAINT - DPW	4.00
CARQUEST AUTO PARTS	362983	VEH MAINT - AMB	12.12
CARQUEST AUTO PARTS	363164	VEH MAINT - AMB	2.84
CARQUEST AUTO PARTS	363229	VEH MAINT - AMB	185.12
CARQUEST AUTO PARTS	363549	VEH MAINT - AMB	(11.78)
CARQUEST AUTO PARTS	363678	VEH MAINT - AMB	21.62
CARQUEST AUTO PARTS	364098	VEH MAINT - DPW	31.93
CARQUEST AUTO PARTS	364171	VEH MAINT - FIRE	11.87
CHARTER COMMUNICATIONS	2978 11/18	WATER TWR INTERNET SIGNALS	504.88
CITY TREASURER	112018	PETTY CASH - CITY HALL	570.70
CORE TECHNOLOGY CORPORATION	MN3000729	LEIN SUPPORT LICENSE	4,339.00
DE LAGE LANDEN FINANCIAL SERVICES	61219108	COPIER LEASE 12/18 - DDA	56.55
DEAN RIVARD	111218	TRAVEL EXPENSE - AMB	144.02
DELMAR MARSHALL	AP18-0834C	AMBULANCE REFUND	532.40
DIGITAL-ALLY	1104021	SUPPLIES - POLICE	50.00
DORNBOS SIGN & SAFETY INC	INV40939	STORES - SIGNS	177.90
DORNBOS SIGN & SAFETY INC	INV41049	TRAFF CONTROL MAINT/STORES - MAJ ST	84.30
DTE ENERGY	112018	GAS	6,645.24
EAGLE SUPPLY CO	108972	SUPPLIES - PUBLIC WORKS	86.00
EASY IC EMS EDUCATION NETWORK	A00082318	EMS ONLINE MEMBERSHIP	349.00
EASY IC EMS EDUCATION NETWORK	111118	EMS INSTR CONT ED COURSES	84.00
EMERY ENTERPRISES	28089	SUPPLIES - CODE OFFL	6.90

INVOICE REGISTER

EXP CHECK RUN DATES 11/20/2018 - 11/20/2018

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VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ENVIRONMENTAL SYSTEMS RESEARCH	93549576	ARCGIS SOFTWARE - IT	700.00
F.D. LAKE COMPANY	285080	VEH MAINT #43	436.50
FAMILY ENTERPRISE EMBROIDERY	61105	UNIFORMS - FIRE/AMB	66.00
FAMILY ENTERPRISE EMBROIDERY	61432	SUPPLIES - FIRE/AMB	22.00
FAMILY ENTERPRISE EMBROIDERY	61490	T-SHIRTS - DDA	238.84
FAMILY ENTERPRISE EMBROIDERY	61501	UNIFORMS - FIRE/AMB	22.00
FRANCIS ROSINSKI	103118	ELECTRICAL INSP SVCS 10/18	1,962.00
FRONTIER	2793 11/18	TELEPHONE - POL/FIRE/AMB	114.05
FRONTIER	4175 11/18	TELEPHONE - FIRE/AMB	39.08
FRONTIER	5445 11/18	TELEPHONE - FIRE/AMB	69.89
FRONTIER	7204 11/18	ELEVATOR TELEPHONE - CITY HALL	54.91
FRONTIER	7430 11/18	ELEVATOR TELEPHONE - PUBLIC SAFETY	54.91
FRONTIER	9535 11/18	ALARM PHONE LINES- SEWER	515.64
GALLS LLC	011090667	UNIFORMS - FIRE/AMB	120.00
GARANTS OFFICE SUPPLIES & PRINTING	67426	SUPPLIES - CITY HALL	1,728.00
GOV CONNECTION INC	56237628	LENOVO LAPTOPS	669.71
GOV CONNECTION INC	56276824	LENOVO LAPTOPS	3,348.55
GOV CONNECTION INC	56280901	LENOVO LAPTOPS	1,339.42
GOV CONNECTION INC	56285059	LENOVO LAPTOPS	999.44
GOV CONNECTION INC	56264768	LENOVO MONITORS	4,416.40
GREENWAY	103118	DUMPSTER CHARGES 10/18	1,115.00
GT SOUNDS UNLIMITED	110918	TREE LIGHTING MUSIC - DDA	300.00
HALLS SERV-ALL	T110418	RENTAL FEE - PARKS	182.45
HAROLD KNOPP	1110818	TRAVEL EXPENSE - AMB	15.00
HAVILAND	298478	SODIUM HYPOCHLORITE - WATER	5,057.88
INK AND TONER ALTERNATIVE	18-4112	SUPPLIES - IT	249.99
INTERNATIONAL CODE COUNCIL INC	1000965751	SUPPLIES - BLDG	110.00
INTERSTATE BATTERY SYSTEM INC	23410327	VEH MAINT - AMB	229.90
JEFF TINGLER	110818	FSA MEDICAL REIMB 01-09/18	600.00
JEFFERY KING	110618	TRAVEL EXPENSE - AMB	159.33
JOHN BRODZIAK	110518	WORK APPAREL ALLOW - PW	52.99
KENDALL ELECTRIC INC	S107343854.001	MAINT - LIGHTS	5.40
KINGSLI KRAFT	111418	SUPPLIES/PROMO - DDA	19.44
MASTERS & LALONDE SHOES	44669	UNIFORMS - FIRE/AMB	111.99
MASTERS & LALONDE SHOES	44759	UNIFORMS - FIRE/AMB	188.00
MBANK ALPENA MAIN	1803 11/18	LAND PURCHASE - DDA	1,328.59
MCDONALD AUTO SUPPLY INC	890261	SUPPLIES/LATE FEE - FIRE	8.46
MICHAEL KIELISZEWSKI	103118	MILEAGE 10/18	103.55
MICHAEL TOROK	110918	TRAVEL EXPENSE - AMB	102.99
MICHIGAN STATE FIREMEN'S ASSOC	110118	2019 MEMBERSHIP DUES - FIRE/AMB	75.00
MID MICHIGAN MEDICAL CENTER-ALPENA	110518	SUPPLIES - AMB DISP	575.00
MILLER OFFICE MACHINES	AR4718	SUPPLIES - DDA	38.76
MUNICIPAL CODE CORPORATION	320373	YEARLY ORDINANCE INTERNET FEE	550.00
MY COMMUNITY MOBILE	1149	CITY APP SUPPORT 10/18	99.00
NEMROC INC	26689	MAINT - PARKS	200.00
NORTHERN CLEANING & MAINTENANCE	110118	MAINT - DDA	40.00
OFFICE DEPOT	211579781001	SUPPLIES - PUBLIC WORKS	58.48
OFFICE DEPOT	216879408001	SUPPLIES - POLICE	46.78
OFFICE DEPOT	220351284001	SUPPLIES - POLICE	45.98
OFFICE DEPOT	221049020001	SUPPLIES - PUBLIC SAFETY	6.99
OFFICE DEPOT	223016129001	SUPPLIES - PUBLIC SAFETY	41.96
OFFICE DEPOT	223381132001	SUPPLIES - FIRE/AMB	28.08
OFFICE DEPOT	213831173001	SUPPLIES - CITY HALL	298.12
OFFICE DEPOT	213831839001	SUPPLIES - CLERK/TREAS	18.99
OFFICE DEPOT	224502743001	SUPPLIES - CITY HALL	415.55
PRATTSCAPE LLC	102418	POCKET PARK LANDSCAPING	7,925.00
PRESQUE ISLE ELECTRIC & GAS CO	81166373 1018	ELECTRIC - AIR BASE	30.50
PRIORITY ONE EMERGENCY	70047551	MAINT - FIRE/AMB	82.90
R A TOWNSEND CO	S1495504.001	MAINT - CLERK/TREAS	25.28
R W MERCER COMPANY INC	125266	MAINT - BOAT HARBOR	250.00
SHELL	133811	UNLEADED GAS/FUEL-POL/F/A/GEN/MICU/DF	2,859.91
STANDARD ELECTRIC CO	487913-00	MAINT - LIGHTS	11.27
STANDARD ELECTRIC CO	488211-00	MAINT - PARKS	154.87
STANDARD ELECTRIC CO	489013-00	MAINT - LIGHTS	20.13
STEVE DAVIS	110918	UNIFORM EXPENSE REIMB - POLICE	71.00
SUEZ WATER ENVIRONMENTAL SERVICES	201835224	CONT OPERATIONS 10/18	137,922.75
SUEZ WATER ENVIRONMENTAL SERVICES	201835343	CONT OPERATIONS 10/18	26,801.60
TARGET SOLUTIONS LEARNING	110618	TRAINING MATLS - AMB	1,438.50
TED FESTERLING LLC	7474	VEH MAINT - DPW	317.49
TED FESTERLING LLC	7504	VEH MAINT - DPW	918.28
TELNET	151182	TELEPHONE	422.13
THE ALPENA NEWS	DA1481 10/18	PUBLISHING/ADV - FIRE	130.00

INVOICE REGISTER

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VENDOR	INVOICE #	DESCRIPTION	AMOUNT
THE ALPENA NEWS	DC1107 10/18	PUBLISHING/ADVERTISING	612.34
THE ALPENA NEWS	LC1107 10/18	PUBLISHING/ADVERTISING	63.50
THE FRESH PALATE	111418	TOKEN REIMB - DDA	420.00
THUNDER BAY ELECTRIC INC	226984	CONTRACTUAL SERVICES	1,242.00
THUNDER BAY ELECTRIC INC	227006	MAINT - LIGHTS	390.28
THUNDER BAY ELECTRIC INC	227035	TRAFF SIGNAL MAINT - MAJ ST	69.00
THUNDER BAY ELECTRIC INC	227041	MAINT - MAJ ST	1,487.45
THUNDER BAY THEATRE	1235	BARD AT THE BAR PERFORMANCE - DDA	1,500.00
THUNDER BAY WINERY	111418	TOKEN REIMB - DDA	275.00
TIM SLOSSER	110618	TRAVEL EXPENSE - AMB	45.54
VERIZON WIRELESS	9817499919	IPADS - GEN/FIRE/AMB	840.21
VISA/ELAN FINANCIAL SERVICES	1790 11/18	TR EXP/VEH MAINT/MEMBERSHIP DUES - PO	386.68
VISA/ELAN FINANCIAL SERVICES	6116 11/18	TR MATLS/FOOD/SERVICE/EMT LIC/FUEL - F/	608.78
VISA/ELAN FINANCIAL SERVICES	6134 11/18	WATER LEAK DETECTOR/VEH MAINT - PKS/F	127.54
VISA/ELAN FINANCIAL SERVICES	7337 11/18	TRAVEL EXPENSE - PLANNER	10.48
VISA/ELAN FINANCIAL SERVICES	3610 11/18	SUPP/TR EXP/PROMO/DTE/LAPTOP - DDA	1,398.36
VISA/ELAN FINANCIAL SERVICES	7653 11/18	MEMBERSHIP DUES/BLDG MAINT - C/T/PSF	1,048.64
VOSS SIGNS LLC	20171230-00	SUPPLIES - PUBLIC WORKS	161.55
WEINKAUF PLUMBING & HEATING INC	1501	BLDG MAINT - POLICE	75.00
WITMER PUBLIC SAFETY GROUP	1850655.001	SUPPLIES - FIRE/AMB	35.99

Total: 327,397.63



Memorandum

Date: November 15, 2018

To: Mayor Matthew J. Waligora
Alpena City Council Members

From: Greg Sundin, City Manager *GES*

RE: Opposition to Senate Bill 637

Over the past few years the telecommunications industry has become more aggressive in its attempts to strip away local control over a community's rights-of-way in regards to the installation of new telecommunication technology. Senate Bill 637 is the tool being proposed to greatly limit a municipality's authority over how its rights-of-way are used and the criteria and rules under which they are used. The usurping of local control over a variety of issues has become a recurring theme of the State legislature for many years. Short term rentals is another issue our elected officials in Lansing area are currently working to wrest control from local jurisdictions.

Many municipalities and Road Commissions in the state, especially the larger ones in southern Michigan, are opposing this bill. Although the impact is not nearly as significant on us, it may be in the future. Additionally, it is important to stand up to these ongoing efforts to usurp local control over issues that are best understood and regulated at the local level. Consequently, we request that the attached Resolution No. 2018-05 opposing SB 637 be adopted and that the Clerk be directed to forward it to House leaders and Representative Allor.

RESOLUTION NO. 2018-05
RESOLUTION IN OPPOSITION TO SB 637

WHEREAS, Michigan Senate Bill 637 (SB 637) has been passed by the Michigan Senate, and, on Oct. 4, 2018, was approved by the Michigan House Energy Policy Committee. The bill would take away local control of the placement of “small cell” 5G technology within the public rights of way and cause governmental agencies to subsidize for-profit telecommunications companies with taxpayer dollars; and

WHEREAS, SB 637 would eliminate local governments’ ability to set annual permit and zoning fees, if necessary, related to the installation of “small cell” 5G technology. Instead, the bill sets those rates at artificially low levels that will not cover local governments’ costs related to the technology; and

WHEREAS, the installation of this 5G equipment on publicly owned poles or in public rights of way requires initial and ongoing inspections to ensure the equipment does not interfere with the operation of traffic signals and other public equipment for which the poles were originally placed, or the right of way established; and

WHEREAS, SB 637 does not provide for inspection fees, and the permit fees that would be allowed under SB 637 would cover only a fraction of the costs of these inspections, meaning the remainder of the cost for these critical services would be absorbed by the local governmental entities. Nor would the fees cover the cost of repairing any damage to the right of way done by the telecommunication companies during installation; and

WHEREAS, the bill would eliminate the possibility of the City entering into public/private partnerships with private telecommunication businesses in the future that would be beneficial to both parties, rather than the one-sided agreement proposed in SB 637; and

WHEREAS, the proposed legislation gives access to and use of taxpayer-funded infrastructure to multi-billion-dollar corporations for pennies on the dollar and is not in the best interest of the businesses and residents of the City of Alpena; and

WHEREAS, the City of Alpena does not want to ban small cell companies from the right-of-ways and has worked with companies to plan, place and install these technologies. We recognize and support the general purpose of streamlining access and utility rights-of-way in order to accelerate the deployment of emerging technologies, so long as it is beneficial to both the business and the City and its constituents.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council for the City of Alpena does hereby urge Michigan’s state representatives, especially those representing the City of Alpena, to oppose Senate Bill 637.

Councilmember _____ moved to adopt the above resolution, seconded by Councilmember _____.

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Anna Soik, 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 its regular meeting held November 19, 2018.

Anna Soik
City Clerk

Please add to the agenda

Hess, Amber

Mon 11/12/2018 10:09 PM

To: Soik, Anna <annas@ALPENA.MI.US>;

Cc: Sundin, Greg <GregS@ALPENA.MI.US>;

Hi Anna,

I would like to add to the agenda the matter of recognizing MLK Day as a holiday for City Council meeting purposes starting in 2019 - and moving the meeting in the future from Monday to Tuesday that week. I think there will be enough support from other Council Members to do this. I know that I want to first recognize it as an important holiday and second have the opportunity to attend some of the events planned to honor the day that evening in the community.

I am fine with it being on the November 19th agenda or the first week in December. If the Council approves it, then Greg said we would then update the City Council Meeting schedule to reflect the change starting next year.

Thanks!

Amber