

COUNCIL PROCEEDINGS

July 20, 2015

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 Sexton, Nielsen, Nowak, and Johnson.

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The minutes of the regular session of July 6, 2015, and closed session of July 6, 2015, were approved as printed.

MODIFICATION TO AGENDA

Moved by Councilmember Sexton, seconded by Councilmember Nowak, to add Theodore Johnson's resignation as Assistant City Attorney to Item 11, Report of Officers; and Appointment of Cindy Johnson to the Northeast Michigan Recycling Authority to Item 14, New Business.

Carried by unanimous vote.

CONSENT AGENDA

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

1. Bills Allowed – in the amount of \$292,052.93 be allowed and the Mayor and City Clerk authorized to sign warrants in payment of same.

Carried by unanimous vote.

REDEVELOPMENT OF THE FORMER ALPENA POWER COMPANY (APC)

BUILDING SITE

Moved by Councilmember Sexton, seconded by Councilmember Sexton that Council waive the normal request for bids on the sale of property; approve the transfer of approximately 4,166 square feet of land to Target Alpena, acquire 60-80 square feet of vacant land for the City's Bi-Path, and direct the City Attorney to draft the necessary documents for execution of the transactions.

Carried by unanimous vote.

TREASURER'S QUARTERLY FINANCIAL REPORT

Moved by Councilmember Nielsen, seconded by Councilmember Sexton, to receive and file the Treasurer's Financial Report of April 1, 2015 through June 30, 2015.

Carried by unanimous vote.

**CINDY JOHNSON ABSTAINING FROM DISCUSSION AND VOTING OF
ACCEPTANCE OF THEODORE JOHNSON'S
RESIGNATION AS CITY ATTORNEY**

Moved by Councilmember Nielsen, seconded by Councilmember Sexton, that due to a conflict of interest, Cindy Johnson be allowed to abstain from discussion and voting on the acceptance of Theodore Johnson's resignation as Assistant City Attorney.

Carried by vote as follows:

Ayes: Nielsen, Nowak, Sexton, and Waligora.

Nays: None.

Abstain: Johnson.

**ACCEPTANCE OF THEODORE JOHNSON'S
RESIGNATION AS CITY ATTORNEY**

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, to accept the resignation of Theodore Johnson from the position of Assistant City Attorney.

Carried by vote as follows:

Ayes: Nielsen, Nowak, Sexton, and Waligora.

Nays: None.

Abstain: Johnson.

OPTIONS PREGNANCY CENTER

LIFE RIDE 2015

Moved by Councilmember Nowak, seconded by Councilmember Johnson, to table the request from the Options Pregnancy Center until the August 3, 2015 Council meeting so that details of their fundraiser can be finalized.

Carried by unanimous vote.

ORDINANCE NO. 15-431

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, that Ordinance No. 15-431, being an Ordinance Amending Chapter 10 – Animals, Article I – In General, Section 12 – Abandoned Animals, and Section 13 – Dangerous or Vicious

Animals, be adopted.

Carried by unanimous vote.

ORDINANCE NO. 15-432

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, that Ordinance No. 15-432, being an Ordinance Amending Chapter 10 – Animals, Article II – Dogs, Section 32, Not to Run at Large, be adopted.

Carried by unanimous vote.

ORDINANCE NO. 15-433

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that Ordinance No. 15-433, being an Ordinance Amending Chapter 58 – Parks, Recreation and City Property, Article III – Use of Parks, Recreational Facilities and City Property, Section 58-62, Prohibited Acts, Subsection (10), be adopted.

Carried by vote as follows:

Ayes: Johnson, Nielsen, Nowak, and Waligora.

Nays: Sexton.

LICENSE FEES AND SIGNS FOR VICIOUS DOGS

Moved by Councilmember Sexton, seconded by Councilmember Johnson, that the Fee Schedule Amendment for the Vicious Animal Permit Fee Application, and replacement of “Vicious Animal Kept Here” signs, be approved.

Carried by unanimous vote.

DESIGN SERVICES

SECOND AVENUE BRIDGE RECONSTRUCTION

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, to authorize the contract with Tetra Tech for design services on the Second Avenue bridge, to include the detailed inspection portion of the design services, in the amount of \$79,047.

Carried by unanimous vote.

**APPOINTMENT OF CINDY JOHNSON TO THE
NORTHEAST MICHIGAN RECYCLING AUTHORITY**

Moved by Councilmember Sexton, seconded by Councilmember Nowak, to appoint Cindy Johnson to the Northeast Michigan Recycling Authority, as a replacement

for Councilmember Sexton.

Carried by unanimous vote.

CLOSED SESSION

Moved by Councilmember Sexton, seconded by Councilmember Johnson, that the Municipal Council adjourn to a closed session at 8:35 p.m., to discuss litigation.

Carried by unanimous vote.

RECESS

The Municipal Council recessed at 8:35 p.m.

RECONVENE – CLOSED SESSION

The Municipal Council reconvened in closed session at 8:43 p.m.

RECONVENE – OPEN SESSION

On motion of Councilmember Sexton, seconded by Councilmember Johnson, the Municipal Council reconvened in open session at 9:40 p.m.

Carried by unanimous vote.

On motion of Councilmember Sexton, seconded by Councilmember Nowak, the Municipal Council adjourned at 9:40 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Karen Hebert
City Clerk