

COUNCIL PROCEEDINGS

October 1, 2012

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 Karschnick, Eiler, Nunneley and Sexton.

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The minutes of the regular session of September 17, 2012, and closed session of September 17, 2012, were approved as printed.

MODIFICATION TO THE AGENDA

Moved by Councilman Karschnick, seconded by Councilman Sexton, that the following modification to the agenda be approved:

1. Add item 7 (b), Breast Cancer Awareness Proclamation.

Carried by unanimous vote.

CONSENT AGENDA

Moved by Councilman Karschnick, seconded by Councilman Eiler, that the following Consent Agenda items be approved:

1. Bills Allowed – in the amount of \$327,609.24 be allowed and the Mayor and City Clerk authorized to sign warrants in payment of same.
2. Approve Noise Ordinance Variance from 10 p.m. to 12 a.m. on October 6, 2012, for the annual Oktoberfest block party in the alley beside the Black Sheep.
3. One Mayoral reappointment to the Economic Development Corporation for a six-year term expiring 10/2/2018 (Karen Hebert).

4. Two reappointments to the Zoning Board of Appeals for a three-year term expiring 10/3/2015 (Elwood Anderson and Mike Lamble).

Carried by unanimous vote.

INTERIM CITY MANAGER AGREEMENT EXTENSION

Moved by Councilman Nunneley, seconded by Councilman Eiler, to extend the duration of Greg Sundin's term as Interim City Manager until such time as a permanent City Manager is selected; and commencing October 16, 2012 the weekly stipend will increase from \$300 to \$400 per week; and unused vacation as of June 30, 2013 shall be carried over, be paid in lieu of any carry over, or a combination of the two, not to exceed the actual hours accrued.

Carried by unanimous vote.

ABSTAIN FROM DISCUSSION AND VOTE

SHAWN SEXTON

Moved by Councilman Nunneley, seconded by Councilman Eiler, to allow Shawn Sexton to abstain from discussion and vote on Todd and Melissa Timmreck's NEZ application due to his friendship with the Timmrecks.

Carried by vote as follows:

Ayes: Waligora, Eiler, Karschnick, and Nunneley.

Abstain: Sexton.

RESOLUTION NO. 2012-08

Moved by Councilman Nunneley, seconded by Councilman Karschnick, that Resolution No. 2012-08, a resolution granting approval of an application for a Neighborhood Enterprise Zone certificate for Todd and Melissa Timmreck, be adopted.

Carried by vote as follows:

Ayes: Eiler, Karschnick, Nunneley, and Waligora.

Abstain: Sexton.

ABSTAIN FROM DISCUSSION AND VOTE

SHAWN SEXTON

Moved by Councilman Nunneley, seconded by Councilman Eiler, to allow Shawn Sexton to abstain from voting on Councilman Sexton's conduct charges.

Carried by vote as follows:

Ayes: Karschnick, Nunneley, Waligora, and Eiler.

Abstain: Sexton.

COUNCILMAN SEXTON'S CONDUCT AT THE

APRIL 16, 2012 AND SEPTEMBER 4, 2012 COUNCIL MEETINGS

Moved by Councilman Karschnick, seconded by Councilman Nunneley, that Councilman Sexton be found in violation of Chapter 4, Section 4.12 of the Alpena City Charter, where on April 16 he left a closed session shouting obscenities at the Mayor, Councilman Nunneley, and Councilman Karschnick and did not return to the open meeting to vote; and on September 4 he shouted obscenities at Councilman Nunneley, not acting in an orderly manner.

Failed by vote as follows:

Ayes: Karschnick.

Nays: Nunneley, Waligora, and Eiler.

Abstain: Sexton.

WATER PRODUCTION PLANT

CLEAR WELL PROJECT

Moved by Councilman Karschnick, seconded by Councilman Nunneley, to approve a contract modification to the Water Production Plant Clear Well Project, in the

amount of \$42,000 to replace the existing concrete access hatches and vents; and a budget amendment be approved to allow \$50,000 to be transferred from the distribution fund to the treatment fund to cover the cost of additional work.

Carried by unanimous vote.

NORTHEAST MICHIGAN FIBER CONSORTIUM

Moved by Councilman Nunneley, seconded by Councilman Sexton, that the City execute their portion of the Articles of Association for the Northeast Michigan Fiber Consortium pending review and approval by the City Attorney; and rescind the letter of withdrawal and remain a member.

Carried by unanimous vote.

AIRPORT FIBER PROJECT

Moved by Councilman Nunneley, seconded by Councilman Karschnick, to direct City staff to continue to work with the County to install the fiber from the airport to the county building and make the necessary connections to City-owned facilities and work toward an agreement with the State of Michigan to lease fiber to them.

Carried by vote as follows:

Ayes: Eiler, Karschnick, Nunneley, and Waligora.

Nays: Sexton.

FIBER SERVICE LEG AT CITY CEMETERY

Moved by Councilman Nunneley, seconded by Councilman Sexton, to award a bid to Thunder Bay Electric, in the amount of \$5,570, to install a fiber service leg from the pole on Washington Avenue right of way to the Evergreen Cemetery Chapel building which will eventually connect to the main fiber leg along M-32.

Carried by unanimous vote.

CLOSED SESSION

Moved by Councilman Karschnick, seconded by Councilman Nunneley, that the Municipal Council adjourn to a closed session at 8:28 p.m., to discuss attorney client privilege opinion and pending litigation.

RECESS

The Municipal Council recessed at 8:28 p.m.

RECONVENE – CLOSED SESSION

The Municipal Council reconvened in closed session at 8:37 p.m.

RECONVENE – OPEN SESSION

The Municipal Council reconvened in open session at 8:54 p.m.

SAM EILER'S ABSENCE FROM CLOSED SESSION

Moved by Councilman Karschnick, seconded by Councilman Nunneley, to approve Sam Eiler's absence from closed session due to illness.

Carried by vote as follows:

Ayes: Sexton, Waligora, Karschnick, and Nunneley.

Absent: Eiler.

On motion of Councilman Karschnick, seconded by Councilman Nunneley, the Council adjourned at 8:55 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Karen Hebert
City Clerk