

COUNCIL PROCEEDINGS

September 6, 2016

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 Nielsen, Nowak, Sexton, and Johnson.

Absent: None.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MODIFICATION TO THE AGENDA

Moved by Councilmember Nowak, seconded by Councilmember Sexton, that the following modification to the agenda be approved.

1. Add as Item 16, Adjourn to Open Session to consider action on Union Negotiations.

Carried by unanimous vote.

MINUTES

The minutes of the regular session of August 15, 2016, and the closed session of August 15, 2016, and the special session of August 22, 2016, and the closed session of August 22, 2016, were approved as printed.

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 \$540,238.30 be allowed and the Mayor and City Clerk authorized to sign warrants in payment of same.
2. Budget Amendment to Recognize Revenue and Expenditures for Alpena Power Company Building Demolition.
3. Budget Amendment to Purchase Awning for Downtown Development Authority Building.
4. Budget Amendment to Pay Property Taxes on the New Downtown Development Authority Building.
5. One Mayoral Appointment to the Downtown Development Authority for an Unexpired Four-Year Term Expiring April 21, 2018, (Aaron Buza).

RENEWAL OF PROPERTY AND LIABILITY INSURANCE

Moved by Councilmember Sexton, seconded by Councilmember Johnson, to

approve a one-year renewal for Property and Liability Insurance with Alpena Agency, Inc.

Carried by unanimous vote.

STANDARD OPERATING POLICY STATEMENT NO. 44

PAYMENT FOR RETIREMENT SERVICES

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, that Standard Operating Policy Statement No. 44, A Policy for Payment of Retirement Studies, be adopted.

Carried by unanimous vote.

LABOR ATTORNEY SERVICES

The following sealed bids were received August 15, 2016, for the Labor Attorney Services.

Giarmarco, Mullins, and Horton, P.C.	\$135.00/hour for 3 years
Dinon Law, PLLC	\$200.00/hour for 3 years
Clark Hill	\$235.00/hour for year 1 and 2; \$240/hour for year 3
Bodman Law	\$295.00/hour for 3 years

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that the bid by Giarmarco, Mullins, and Horton, P.C., for the bid amount of \$135.00 per hour, for Labor Law Services for a three-year term, be accepted, and authorize the Mayor and Clerk to sign the agreement on behalf of the City pending review of the agreement by the City Attorney.

Carried by unanimous vote.

CAPITAL IMPROVEMENTS

The following sealed bids were received on August 30, 2016, for Capital Improvements.

MacArthur Construction Company	\$647,972
Elmer's Crane & Dozer, Inc.	\$781,837

Moved by Councilmember Johnson, seconded by Councilmember Sexton, that the bid by MacArthur Construction Company for water, sewer, and street reconstruction on Second Avenue, between Hitchcock Street and Washington Avenue, and Third Avenue between Lewis Street and Washington Avenue, as well as reconstruction of the

City Hall visitor's parking lot, for the bid unit price totaling \$651,592, be accepted.

Carried by unanimous vote.

WATER PRODUCTION PLANT HVAC UPGRADES

The following sealed bids were received August 30, 2016, for the Water Production Plant HVAC Upgrades.

Lakeshore Plumbing & Heating \$95,256.00 (includes Alternates 1 through 6)

Weinkauf Plumbing & Heating \$108,401.00 (includes Alternates 1 through 6)

G & K Plumbing & Heating \$119,629.00 (includes Alternates 1 through 6)

Wise Heating & Cooling \$163,515.70 (includes Alternates 1 through 6)

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, that the bid by Lakeshore Plumbing & Heating for the HVAC Upgrades at the Water Production Plant in the amount of \$95,256, be accepted.

Carried by unanimous vote.

TWO-WAY STREET CONVERSION OF MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) CONTROLLED ROADWAY

Moved by Councilmember Sexton, seconded by Councilmember Johnson, to table the two-way street within the Downtown Development District until the City commissions an engineering evaluation, utilizing an MDOT pre-qualified consultant to determine:

- The ability to make the conversion while meeting the minimum guidelines MDOT must adhere to
- The work necessary to undertake the changes
- The impact anticipated to the motoring public
- Impact at intersections with regards to turning movements
- Design of the modifications

Carried by votes as follows:

Ayes: Sexton, Johnson.

Nays: Waligora, Nielsen, and Nowak.

Failed Due to Lack of Support

TWO-WAY STREETS WITHIN THE DOWNTOWN DEVELOPMENT DISTRICT

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, that the two-way street conversion plan in the Downtown Development District proceed forward

as originally presented on the City controlled streets.

Carried by votes as follows:

Ayes: Waligora, Nielsen, and Nowak.

Nays: Johnson, Sexton.

MICHIGAN DEPARTMENT OF TRANSPORTATION

TWO-WAY STREET CONVERSION CRITERIA

Moved by Councilmember Sexton, seconded by Councilmember Nowak, to authorize City Staff to meet with the Downtown Development Authority to discuss the analysis of converting the MDOT portions of Second and Third Avenue to Two-Way streets as defined by MDOT's criteria.

Carried by unanimous vote.

MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT

SECOND AVENUE BRIDGE REHABILITATION

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, that the Michigan Department of Transportation, Contract No. 16-5412, be approved, and Mayor Waligora, and City Clerk Hebert be authorized to sign the contract of behalf of the City.

Carried by unanimous vote.

CONSTRUCTION INSPECTION SERVICES FOR SECOND AVENUE BRIDGE

Moved by Councilmember Nowak, seconded by Councilmember Nielsen, that the agreement with Tetra Tech for a cost not to exceed \$323,855 for inspection services on the Second Avenue Bridge, be approved.

Carried by unanimous vote.

WINE MANUFACTURING FACILITY AT 215 WATER STREET

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, that the City recommends Thunder Bay Winery's application for a small winemaker's license be approved by the Michigan Liquor Control Commission.

Carried by unanimous vote.

CLOSED SESSION

Moved by Councilmember Nowak, seconded by Councilmember Johnson, that the Municipal Council adjourn to a closed session at 9:33 p.m. to discuss pending litigation and current fire union labor negotiation.

Carried by unanimous vote.

RECESS

The Municipal Council recessed at 9:33 p.m.

RECONVENE – CLOSED SESSION

The Municipal Council reconvened in closed session at 9:41 p.m.

RECONVENE – OPEN SESSION

On motion of Councilmember Nowak, seconded by Councilmember Sexton, the Municipal Council reconvened in open session at 10:29 p.m.

Carried by unanimous vote.

RATIFICATION OF FIREFIGHTER UNION CONTRACT

Moved by Councilmember Sexton, seconded by Councilmember Nielsen, that the contract with the Local No. 623 of the International Association of Firefighters, covering July 1, 2016, through June 30, 2019, be ratified.

Carried by unanimous vote.

On motion of Councilmember Nowak, seconded by Councilmember Sexton, the Municipal Council adjourned at 10:30 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Karen Hebert
City Clerk