

ALPENA CITY COUNCIL MEETING
April 16, 2012 - 7:00 p.m.
AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Minutes –Regular Session of April 2, 2012, and Closed Session of April 2, 2012.
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.
 - B. Approval of Resolution for Charitable Gaming License – Friends of Thunderbay National Marine Sanctuary.
 - C. Request for Noise Variance for the Blues Festival on June 22 and 23rd from 10:00 p.m. to 12 a.m.
8. Mayoral Proclamation.
 - A. Arbor Day.
9. Report of Officers.
 - A. First Reading – Ordinance 12-420 – An Ordinance Amending Chapter 62-Personnel, Section 62- 93 Disability Incurred.
 - B. Bids.
 1. Weed Spraying.
 2. Lawn Cutting.
 3. Water Production Plant Clear Well Excavation.
10. New Business.
 - A. United Water Contract Amendment.

11. Adjourn to Closed Session to Discuss City Manager Contract.

Thad Taylor
City Manager

COUNCIL PROCEEDINGS

April 2, 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 Eiler, Karschnick, and Sexton.

Absent: Councilmember Nunneley.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

MINUTES

The minutes of the regular session of March 19, 2012, and closed session of March 19, 2012, were approved as printed.

CONSENT AGENDA

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

1. Bills Allowed – in the amount of \$71,367.36 be allowed and the Mayor and City Clerk authorized to sign warrants in payment of same.
2. City Charter reappointment of City Assessor (Jeff Shea), City Clerk/Treasurer/Finance Director (Karen Hebert), and City Attorney (Bill Pfeifer) for two-year terms.
3. City Council reappointment of Assistant City Attorney (Nancy Ward) for a two-year term.
4. One Mayoral reappointment to the Historic District Commission for a three-year term expiring 4/2/2015 (Darlene Wilmot).
5. Renewal of auditing services – Straley, Ilsley & Lamp, PC – July 1, 2012, to June 30, 2013.

Carried by unanimous vote.

AIR SERVICE UPDATE

Moved by Councilman Sexton, seconded by Councilman Karschnick, to approve

up to \$5,000 for Sixel Consulting to continue work on bringing air service to the Alpena County Airport.

Carried by unanimous vote.

TAX ABATED PROPERTIES

Moved by Councilman Karschnick, seconded by Councilman Eiler, that the annual monitoring reports for tax abated properties for calendar year 2011, be received and filed.

Carried by unanimous vote.

PRIMARY EFFLUENT TROUGH REPLACEMENT

WATER RECYCLING PLANT

The following sealed bids were received on March 13, 2012, for rehabilitation or replacement of the skimmer troughs in the primary effluent tanks at the Water Recycling Plant:

S&A Company	Trough Coating	\$ 98,927.19
	Aluminum Trough	\$104,351.06
	Stainless Steel Trough	\$116,260.08
Meridian Industrial	Fiberglass Trough	\$129,900.00
	Aluminum Trough	\$121,900.00
	Stainless Steel Trough	\$125,900.00

Moved by Councilman Karschnick, seconded by Councilman Sexton, that the bid by S&A Company, for a stainless steel trough for \$116,260.08, per the City Engineer's memo dated March 22, 2012, be accepted.

Carried by unanimous vote.

BUDGET REQUEST – HURON UNDERCOVER NARCOTICS TEAM (HUNT)

Moved by Councilman Eiler, seconded by Councilman Karschnick, to receive and file the Huron Undercover Narcotics Team (HUNT) annual report and budget request for

fiscal year 2012-2013.

Carried by unanimous vote.

BUDGET REQUEST – TARGET ALPENA

Moved by Councilman Karschnick, seconded by Councilman Eiler, to receive and file the Target Alpena's annual report and budget request for fiscal year 2012-2013.

Carried by unanimous vote.

FIREWORKS CONTRACT

Moved by Councilman Karschnick, seconded by Councilman Sexton, to approve a three-year contract extension with Wolverine Fireworks Display, Inc., per the Fire Chief's memo dated March 27, 2012.

Carried by unanimous vote.

SNOWMOBILE ROUTE

Moved by Councilman Karschnick, seconded by Councilman Sexton, to approve the continued use of snowmobiles within the City along the designated routes, including the ability of property owners living within 500 feet to have direct access; and expansion of the route to include Johnson Street from Woodward Avenue to Chisholm if approved by Alpena Community College, and the proposed route to the fairgrounds for special events only, per the City Engineer's memo dated March 27, 2012.

Carried by vote as follows:

Ayes: Karschnick, Sexton, and Waligora.

Nays: Eiler.

CLOSED SESSION

Moved by Councilman Karschnick, seconded by Councilman Sexton, that the Municipal Council adjourn to a closed session at 8:48 p.m., to discuss pending litigation.

Carried by unanimous vote.

RECESS

The Municipal Council recessed at 8:48 p.m.

RECONVENE – CLOSED SESSION

The Municipal Council reconvened in closed session at 9:02 p.m.

RECONVENE – OPEN SESSION

The Municipal Council reconvened in open session at 9:25 p.m.

On motion of Councilman Karschnick, seconded by Councilman Eiler, the Council adjourned at 9:25 p.m.

MATTHEW J. WALIGORA
MAYOR

ATTEST:

Karen Hebert
City Clerk

INVOICE REGISTER FOR CITY OF ALPENA

7.A.

POST DATES 04/17/2012 - 04/17/2012
 BOTH JOURNALIZED AND UNJOURNALIZED
 OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
ABC/ACE HARDWARE & HOME CENTER	304817	MAINT - LOC ST	8.98
ABC/ACE HARDWARE & HOME CENTER	304987	MAINT - LOC ST	5.99
ABC/ACE HARDWARE & HOME CENTER	305045	SUPPLIES - BOAT HARBOR	2.70
ABC/ACE HARDWARE & HOME CENTER	305107	SUPPLIES - POLICE	184.99
ABC/ACE HARDWARE & HOME CENTER	305459	MAINT - MAJ/LOC ST	347.70
ABC/ACE HARDWARE & HOME CENTER	305094	SUPPLIES - CEMETERY	11.96
AIRGAS GREAT LAKES	9004801774	SUPPLIES - AMB DISP	63.89
AIRGAS GREAT LAKES	9004677628	SUPPLIES - AMB DISP	46.26
AIRGAS GREAT LAKES	9004928178	SUPPLIES - AMB DISP	46.26
ALPENA PAPER & SUPPLY CO	440722	SUPPLIES - AMB DISP	11.76
ALPENA PAPER & SUPPLY CO	440721	SUPPLIES - AMB DISP	176.40
ALPENA SUPPLY CO	1952429	SUPPLIES - EQUIP	40.22
AMERICAN MESSAGING	Z2535843MD	PAGER FEES	20.38
BALL TIRE & GAS INC	60472	VEH MAINT - POLICE	45.00
BALL TIRE & GAS INC	60773	VEH MAINT #94	40.00
BALL TIRE & GAS INC	61116	VEH MAINT #94	324.91
BALL TIRE & GAS INC	61198	VEH MAINT #86/#702	112.82
BOUND TREE MEDICAL LLC	80735016	SUPPLIES - AMB DISP	431.97
BOUND TREE MEDICAL LLC	80735017	SUPPLIES - AMB DISP	74.01
CHARTER COMMUNICATIONS	86390 04/12	CABLE SVC - PUBLIC WORKS	6.00
CITY OF ALPENA	4211-002 0312	SEW/WATER - CITY HALL	25.46
CITY OF ALPENA	4211-001 0312	SEW/WATER - CITY HALL	239.74
CITY OF ALPENA	1018-001 0312	SEW/WATER - BOAT HARBOR	50.24
CITY OF ALPENA	4212-001 0312	SEW/WATER - SEWAGE	1,803.54
EAGLE ENGINEERING CO	45329	MAINT - LIGHTS	147.00
EAGLE SUPPLY CO	94126	SUPPLIES - PUBLIC WORKS	45.56
EAGLE SUPPLY CO	94129	SUPPLIES - CITY HALL	33.48
ETNA SUPPLY CO	S100344515.001	STORES - CLAMPS	350.00
ETNA SUPPLY CO	s100312146.001	MAINT - WATER	362.81
FASTENAL COMPANY	MIALP100634	VEH MAINT - DPW	157.79
FRANCIS ROSINSKI	033012	ELECTRICAL INSP SVCS 03/12	1,244.00
FRANCIS SERVICE	19365	VEH MAINT - AMB	198.20
FRONTIER	9535 03/12	TELEPHONE - SEWER	513.00
GBS GOVT BUSINESS SYSTEMS	12-12093	SUPPLIES - POLICE	744.03
HANSEN SALES & SERVICE	7695	VEH MAINT - DPW	26.40
HANSEN SALES & SERVICE	7304	VEH MAINT #39	151.33
LYLE SIGNS INC	876631	SUPPLIES - PARKS	51.75
MARK TOUTANT	745.35	BLDG MAINT - FIRE/AMB	745.35
MCDONALD AUTO SUPPLY INC	648300	VEH MAINT - RESCUE 1	11.68
MICHAEL SANDERS	032112	TRAVEL EXPENSE - AMB	1,010.11
MICHIGAN POLICE EQUIP CO	154845	UNIFORMS - POLICE	219.00
MILLER CANFIELD PADDOCK	1155201	ATTY FEES - TAX EX APPL	5,555.00
NYE UNIFORM COMPANY	361806	UNIFORMS - FIRE/AMB	253.35
NYE UNIFORM COMPANY	361810	UNIFORMS - FIRE/AMB	327.60
NYE UNIFORM COMPANY	359899	UNIFORMS - FIRE/AMB	19.50
NYE UNIFORM COMPANY	361310	UNIFORMS - FIRE/AMB	272.20
OCCUPATIONAL HEALTH DYNAMICS	28162	MAINT - FIRE	660.00
P & S DISTRIBUTORS INC	86670	SUPPLIES - BOAT HARBOR	63.80
SCIENTIFIC BRAKE & EQUIPMENT	3220890003	VEH MAINT - DPW	460.00
STATE ELECTRONICS CO INC	DZUKO 1661	SUPPLIES - FIRE/AMB	9.80
SUPERIOR IMAGE CLEANING LLC	033112	CLEANING-CH/PSF/PW/PKS/BH	2,031.25
SUPERIOR MEDICAL EDUCATION INC	2075	SUPPLIES - AMB	15.00
TRI COUNTY INTL TRUCKS	NTCJ121179	2012 INTL DUMP TRK - PW	171,806.00
USALCO	1086507	ALUM SULFATE - WATER	5,892.21
UTILITY SERVICE CO INC	288259	MAINT - WATER TANKS	52,896.16
ABC/ACE HARDWARE & HOME CENTER	304887	HDWE	3.20
ADMIRAL PETROLEUM COMPANY	774327	GAS/FUEL - DPW	4,895.63
AERKO INTERNATIONAL	039-12	SUPPLIES - POLICE	232.00
ALPENA AREA CHAMBER OF COMM	6903	MONTHLY EXPENSES - DDA	452.80
ALPENA AREA CONVENTION	2157	TRAIL/BI-PATH BROCHURE	400.00
ALPENA COUNTY TREASURER	041012	IT CONTRACTED SVCS 04/12	7,000.00
ALPENA DRY CLEANING CO	91965	UNIFORMS - FIRE/AMB	24.75
ALPENA DRY CLEANING CO	91114	UNIFORM CLEANING - F/A	9.60
ALPENA MEDICAL ARTS CLINIC PC	1537 03/12	EMPLOYEE PHYS - POLICE	182.00
ALPENA NEWS PUBLISHING CO	DC1107 03/12	PUBLISHING/ADVERTISING	1,027.93
ALPENA PAPER & SUPPLY CO	440851	SUPPLIES - CITY HALL	77.96
ALPENA POWER COMPANY	041712	ELECTRIC	32,223.39
ALPENA REGIONAL MEDICAL CENTER	VAF91688	EMPLOYEE PHYS - POLICE	317.25
ARROW UNIFORM	1230980	MAINT - CH/PSF/PW	211.08
BOUND TREE MEDICAL LLC	80740567	SUPPLIES - AMB DISP	236.70
BOUND TREE MEDICAL LLC	80687924	SUPPLIES - FIRE/AMB	33.81
BP	33864160	GAS/FUEL - FIRE/AMB/EQ/MICU	5,409.80

INVOICE REGISTER FOR CITY OF ALPENA

POST DATES 04/17/2012 - 04/17/2012

BOTH JOURNALIZED AND UNJOURNALIZED

OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
CARQUEST AUTO PARTS	193676	VEH MAINT - AMB	11.55
CARQUEST AUTO PARTS	194223	VEH MAINT - POLICE	20.51
CARQUEST AUTO PARTS	195135	VEH MAINT - POLICE	331.54
CARQUEST AUTO PARTS	195161	VEH MAINT - AMB	52.98
CARQUEST AUTO PARTS	195229	SUPPLIES - EQUIP	17.39
CARQUEST AUTO PARTS	195521	VEH MAINT - AMB	27.67
CARQUEST AUTO PARTS	195615	VEH MAINT - AMB	8.83
CARQUEST AUTO PARTS	195621	VEH MAINT - AMB	52.98
CARQUEST AUTO PARTS	195855	VEH MAINT #25.07	18.18
CARQUEST AUTO PARTS	196178	VEH MAINT - DPW	29.36
CARQUEST AUTO PARTS	196201	VEH MAINT - DPW	29.88
CARQUEST AUTO PARTS	196553	VEH MAINT - DPW	47.28
CARQUEST AUTO PARTS	196575	SUPPLIES - FIRE	114.64
CARQUEST AUTO PARTS	196865	VEH MAINT #17	263.59
CARQUEST AUTO PARTS	196908	VEH MAINT #85	2.17
CARQUEST AUTO PARTS	197054	SUPPLIES - FIRE	7.61
CARQUEST AUTO PARTS	197212	VEH MAINT #16	10.68
CARQUEST AUTO PARTS	197226	VEH MAINT #16	21.61
CARQUEST AUTO PARTS	197314	VEH MAINT #16	53.45
CARQUEST AUTO PARTS	193379	VEH MAINT - POLICE	4.18
CARQUEST AUTO PARTS	193552	MAINT - BOAT HARBOR	23.82
CARQUEST AUTO PARTS	193670	VEH MAINT - AMB	6.61
CARQUEST AUTO PARTS	197325	VEH MAINT - CAR 1	226.30
CARQUEST AUTO PARTS	197356	VEH MAINT - POLICE	9.60
CARQUEST AUTO PARTS	197394	VEH MAINT - FIRE	5.13
CARQUEST AUTO PARTS	197592	VEH MAINT #85	1.81
CARQUEST AUTO PARTS	193821	VEH MAINT - POLCE	(20.79)
CARQUEST AUTO PARTS	195693	VEH MAINT - AMB	(52.98)
CARQUEST AUTO PARTS	195870	VEH MAINT - POLICE	(134.64)
CARQUEST AUTO PARTS	197513	VEH MAINT - DPW/#17	(339.16)
CENTRAL PROF PRE-COLLECTION	3518 02/12	COLLECTIONS - AMBULANCE	197.22
CHOWEN & ASSOCIATES INC	6569	COMPUTER SUPP - IT	617.50
CITY OF ALPENA	4636-001 0312	SEW/WATER - DDA	25.46
FAMILY ENTERPRISE EMBROIDERY	18232	SUPPLIES - DDA	126.32
FASTENAL COMPANY	MIALP 101011	SUPPLIES - PARKS	18.96
FASTENAL COMPANY	MIALP100953	SUPPLIES - PARKS	9.41
FASTENAL COMPANY	MIALP100955	VEH MAINT - DPW	9.41
FIRE PAGER TXT	70	PAGER FEES - FIRE/AMB	675.00
FIRST FEDERAL SAVINGS & LOAN	040412	SNOW REMOVAL - DDA	65.00
FRONTIER	113005 04/12	TELEPHONE	979.98
HANSEN SALES & SERVICE	7717	VEH MAINT - DPW	36.72
HANSEN SALES & SERVICE	7728	VEH MAINT - DPW	35.94
HELPNET	7822	EMP ASST PROGRAM 04-06/12	591.75
HORST DISTRIBUTING INC	18385	VEH MAINT #62	48.61
INK AND TONER ALTERNATIVE	12-20997	SUPPLIES - IT	132.99
INK AND TONER ALTERNATIVE	12-20837	SUPPLIES - IT	907.90
INK AND TONER ALTERNATIVE	12-20683	SUPPLIES - IT	149.97
INTEGRITY BUSINESS SOLUTIONS	741159-0	LAT FILE - POLICE	1,360.22
KENDALL ELECTRIC INC	S100549465.001	MAINT - LIGHTS	12.57
KENDALL ELECTRIC INC	S100553105.001	MAINT - LIGHTS	77.52
KENDALL ELECTRIC INC	S100553105.002	MAINT - LIGHTS	280.27
KENDALL ELECTRIC INC	S100597033.001	MAINT - LIGHTS	23.71
KENDALL ELECTRIC INC	S100596467.001	MAINT - LIGHTS	32.37
KENDALL ELECTRIC INC	S100601733.001	MAINT - PARKS	75.99
L & N DISPOSAL INC	033112	DUMPSTER CHARGES 03/12	790.75
LARRY SANDERSON	100353	SNOW REMOVAL - DDA	375.00
LESSLEE DORT	041712	REIMB CELL PHONE EXP-DDA	50.00
MCDONALD AUTO SUPPLY INC	649953	VEH MAINT - AMB	26.77
MDA	041712	MDA CONF REG - DDA	53.00
MICHIGAN OFFICE SOLUTIONS	47Y820	COPIER MAINT - CITY HALL	765.00
MIKES HARDWARE	100984	SUPPLIES - FIRE/AMB	6.77
MHR BILLING	1578	BILLING 01/12 - AMBULANCE	8,168.17
MHR BILLING	1579	BILLING 02/12 - AMBULANCE	4,707.11
NORTHERN TOOL SALES & RENTALS	62279	SUPPLIES - FIRE	6.99
NORTHERN TOOL SALES & RENTALS	62293	SUPPLIES - FIRE	18.97
OFFICE DEPOT BUS SERV DIVISION	2515922	SUPPLIES - PUBLIC SAFETY	210.53
OFFICE DEPOT BUS SERV DIVISION	36.87	SUPPLIES - ENGINEER	36.87
PITNEY BOWES INC	346332	POSTAGE METER RENT 01-03/12	261.50
PRESQUE ISLE ELECTRIC & GAS CO	81166373 0312	ELECTRIC - AIR BASE	86.52
QUILL CORPORATION	2233997	SUPPLIES - CLERK/TREAS	107.85
QUILL CORPORATION	2289336	SUPPLIES - CLERK/TREAS	71.37
RICOH PRODUCTION PRINT	5222816	COMPUTER MAINT 04/12	151.20

INVOICE REGISTER FOR CITY OF ALPENA

POST DATES 04/17/2012 - 04/17/2012
 BOTH JOURNALIZED AND UNJOURNALIZED
 OPEN

VENDOR	INVOICE #	DESCRIPTION	AMOUNT
SEVAN K INC	313 03/12	VEH MAINT - POLICE	79.49
SPARTAN DISTRIBUTORS INC	11606670	VEH MAINT - DPW	89.28
STANDARD ELECTRIC CO	452540-00	MAINT - LIGHTS	53.56
STANDARD ELECTRIC CO	453522-00	MAINT - LIGHTS	4.84
STANDARD ELECTRIC CO	453539-00	MAINT - PARKS	77.03
STANDARD ELECTRIC CO	453553-00	MAINT - LIGHTS	9.68
STATE ELECTRONICS CO INC	14-106753	RADIO MAINT - FIRE	35.00
STATE OF MICHIGAN	AP 342836	CONSTR - FORD AVE/MISERY BAY	14,406.72
TELEPHONE SUPPORT SYSTEMS	39130	MAINT - FIRE/AMB	70.00
THE CENTER BUILDING	040112	DNTN RETAIL INCEN PROG - DDA	404.25
THE GRIND-DING SHOP	92284	VEH MAINT - DPW	3.99
THOMPSONS LINEN SERVICE	73106 03/12	LAUNDRY/UNIFORMS-FIRE/AMB	146.89
THOMPSONS LINEN SERVICE	73105 03/12	LAUNDRY/UNIFORMS-FIRE/AMB	190.33
THOMPSONS LINEN SERVICE	70484 03/12	LAUNDRY/UNIFORMS-FIRE/AMB	198.27
THOMPSONS LINEN SERVICE	70483 03/12	UNIFORMS-PW/CEM/PKS/EQ	436.45
THUNDER BAY ELECTRIC INC	220581	CONTRACTUAL SERVICES 03/12	1,123.46
THUNDER BAY ELECTRIC INC	220584	MAINT - LIGHTS	763.02
THUNDER BAY ELECTRIC INC	220617	BRIDGE MAINT - MAJ ST	105.30
THUNDER BAY ELECTRIC INC	220618	MAINT - PARKS	298.35
TRACTOR SUPPLY COMPANY	200163464	SUPP/MAINT - MICH/MAJ ST	263.93
TRACTOR SUPPLY COMPANY	200162079	SUPPLIES - K-9	71.98
TRACTOR SUPPLY COMPANY	100114397	SUPPLIES - K-9	139.98
TRAVERSE REPRODUCTION &	3816	PLOTTER RENT - ENG	375.00
TRUGREEN - CHEMLAWN	726797	MAINT - CEMETERY	35.00
ULINE	43385136	SUPPLIES - POLICE	211.28
UNITED WATER NACO LLC	20120040	CONT OPERATIONS 03/12	21,065.58
UNITED WATER NACO LLC	201214605	CONT OPERATIONS 03/12	110,394.88
VISA/ELAN FINANCIAL SERVICES	4552 04/12	SUPP/SHP FEE/MAINT-ASSR/MGR/MICH	448.85
VISA/ELAN FINANCIAL SERVICES	8703 04/12	SUPPLIES - DDA	17.99
VISA/ELAN FINANCIAL SERVICES	8489 04/12	TRAVEL EXPENSE - PLAN	8.02
VISA/ELAN FINANCIAL SERVICES	8471 04/12	WEBINAR/WATER RTS-ENG/WAT	341.00
VISA/ELAN FINANCIAL SERVICES	8497 04/12	SUPP/TR EXP/FOOD/SERV-MGR/COUNCIL	424.93
VISA/ELAN FINANCIAL SERVICES	6116 04/12	SUPP/TR EXP - MICU/AMB	5,357.06
WELLER TRUCK PARTS	400191213	VEH MAINT - DPW	105.24
WILLIAM WALTER	041212	CASH DRAWER - DPW	200.00
ZANN BROTHERS CONSTRUCTION INC	2012-01	2012 CITY CONCR PROG	7,816.33
LAKESHORE PLUMBING, HEATING &	22422	BRIDGE MAINT - MAJ ST	90.00

Total: 492,232.34



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

7.B.

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(K)(ii))

At a Regular meeting of the Municipal Council
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by Mayor Waligora on April 16, 2012
DATE

at 7 p.m. a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Friends of Thunderbay
National Marine Sanctuary of Alpena,
NAME OF ORGANIZATION CITY

county of Alpena, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for Approval.
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Alpena Municipal Council at a Regular meeting held on April 16, 2012.
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

Karen Hebert, Clerk/Treasurer/Finance Director
PRINTED NAME AND TITLE

208 N. First Avenue, Alpena, MI 49707
ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **SEP 28 2011**

FRIENDS OF THUNDERBAY NATIONAL
MARINE SANCTUARY
500 W FLETCHER ST
ALPENA, MI 49707

Employer Identification Number:
27-3494471
DLN:
17053168327041
Contact Person:
JACOB A MCDONALD ID# 31649
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
February 28
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
September 15, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

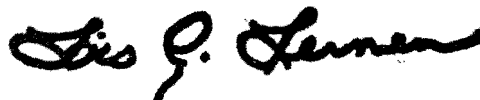
Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,



Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

Hebert, Karen

From: Randy MacAulay [randymacaulay@yahoo.com]
Sent: Wednesday, April 11, 2012 3:30 PM
To: Hebert, Karen
Subject: 2012 Alpena Blues Festival Noise Variance

Hi Karen

I am requesting a noise variance extension until 12:00am Saturday, June 23, and until 12:00am Sunday, June 24. The festival takes place June 22nd and June 23rd.

Respectfully,
Randy MacAulay
Alpena Blues Coalition


--

This message has been scanned for viruses and dangerous content by **MailScanner**, and is believed to be clean.

Memorandum



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

FROM: Rich Sullenger, City Engineer 

SUBJECT: Annual Arbor Day Proclamation

DATE: April 9, 2012

The Code of Ordinances (Section 102-41) requires Arbor Day to be annually recognized by proclamation. Arbor Day in the State of Michigan is the last Friday of April, which will be April 27, 2012.

An Arbor Day proclamation is also a requirement and will assist the City in maintaining its recertification as a Tree City USA. Therefore, it is my recommendation, as City Engineer, that the attached proclamation be issued by Mayor Waligora at the April 16, 2012 Municipal Council meeting.

ROS/vkr

Attachment

Copy: Thad Taylor, City Manager



City of Alpena

CITY HALL • 208 NORTH FIRST AVENUE • ALPENA, MICHIGAN 49707-2885
www.alpena.mi.us

PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Matthew J. Waligora, by virtue of the authority vested in me as Mayor of the City of Alpena, **DO HEREBY PROCLAIM**, April 27, 2012, as:

ARBOR DAY

in the City of Alpena and I encourage all area citizens to celebrate Arbor Day in our community and to support efforts to protect our trees.

FURTHER, I urge all citizens to plant trees to promote the well-being of this and future generations.

Signed at Alpena, Michigan this 16th day of April 2012.

Matthew J. Waligora
Mayor

ORDINANCE NO. 12-420

AN ORDINANCE OF THE CITY OF ALPENA, MICHIGAN, AMENDING CHAPTER 62 – PERSONNEL, SECTION 62 –93 DISABILITY INCURRED.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ALPENA, STATE OF MICHIGAN, AS FOLLOWS:

CHAPTER 62 – PERSONNEL

Sec. 62-93. Disability incurred.

(a) Upon the application of a member, or his/her department head, a member who:

- (1) Is in the employ of the city;
- (2) Has ten or more years of credited service; and
- (3) Has become or becomes totally and permanently, physically or mentally incapacitated for duty in the employ of the city;

may be retired by the board if, after a medical examination of the member made by or under the direction of the medical director, **or by a physician selected by the City Manager**, or, at the board's discretion, acceptance of an Independent Medical Examination that was previously performed on the member, the medical director certifies to the board:

- a. That the member is mentally or physically totally incapacitated for duty in the employ of the city;
- b. That such incapacity will probably be permanent; and
- c. That the member should be retired.

Upon his/her retirement, the member shall receive a disability retirement allowance provided for in section 62-94.

EFFECTIVE DATE

THE PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT TEN (10) DAYS AFTER BEING ADOPTED BY THE MUNICIPAL COUNCIL AND DULY PUBLISHED.

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS ADOPTED BY THE MUNICIPAL COUNCIL OF THE CITY OF ALPENA, MICHIGAN, AT A REGULAR MEETING HELD ON _____ DAY OF _____, 2012.

MATTHEW J. WALIGORA
MAYOR

KAREN HEBERT
CITY CLERK/TREASURER/FINANCE DIRECTOR

FIRST PRESENTED: April 16, 2012

ADOPTED: _____


PUBLISHED: _____

WILLIAM A. PFEIFER, CITY ATTORNEY

Memorandum



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

FROM: Richard O. Sullenger, City Engineer 

SUBJECT: Weed Spraying Bids

DATE: April 9, 2012

On March 27, 2012, the City received and opened bids for weed spraying for City owned properties. This project involves the chemical treatment and spraying of chemicals for weed control, goose control, and fertilization of City owned properties. The contract is not automatic and the services are only provided when directed to do so by Bill Walter, Public Works Division Head.

Bid announcements were sent to various companies and the bid package posted on the City of Alpena's website. Two bids were received, per the attached tabulation. As can be seen from the bid tabulation, Philips Expert Tree Service was significantly lower on every pay item than the other bid received from TruGreen.

Based on review of the bids, it is my recommendation, as City Engineer, to award the weed spraying contract to Philips Expert Tree Service for the as-bid amounts. When authorized, the costs for the work performed will be charged to the appropriate maintenance line item.

ROS/vkr

Attachments

Copy: Thad Taylor, City Manager

March 27, 2012
Time: 2:00 p.m.

BID LIST
Weed Spraying

1. TruGreen Chemlawn
10271 N. Thor Drive
Freeland, MI 48623
Ph: 989-695-2100
2. Company 1 Spray Service
10337 US 23 North
Alpena, MI 49707
Ph: 989-595-5506
3. Prattscape, LLC
804 Shelley Street
Alpena, MI 49707
Ph: 989-356-8848
4. Michigan Arbor Care
5240 US 23 N.
Alpena, MI 49707
Ph: 989-356-1688
5. Alpena Lawn Care & Maint.
1265 US 23 North
Alpena, MI 49707
Ph: 989-356-0102
6. HLI Lawn Maintenance
10871 Spruce Road
Ossineke, MI 49766
Ph: 989-471-3619

McConnell, Inc.
108 W. Clark Street
Alpena, MI 49707
Ph: 989-354-8419


CITY OF ALPENA

BID NAME: Weed Spraying BID OPENING DATE: 3/27/12 2 p.m.

<u>Bidder</u>	<u>Chemical</u>	<u>Unit</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Phillips Expert Tree & Landscape Service, Inc. Herron, MI 49744	Round-up	Hour	45.00	45.00	45.00
	Rejex-it	Hour	50.00	50.00	50.00
	Sterilization	Hour	57.00	57.00	57.00
		Acre	285.00	285.00	285.00
	Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid	Acre	52.00	52.00	52.00
	Dimethylamine Salt of Dicamba	Acre	72.00	72.00	72.00
TruGreen Freeland, MI 48623	Round-up	Hour	105.00	105.00	105.00
	Rejex-it	Hour	500.00	517.00	533.00
	Sterilization	Hour	-	-	-
		Acre	195.00	204.00	208.00
	Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid	Acre	118.00	118.00	118.00
	Dimethylamine Salt of Dicamba	Acre	118.00	118.00	118.00

Memorandum



TO: Karen Hebert, City Clerk/Treasurer/Finance Director
 FROM: Richard O. Sullenger, City Engineer 
 SUBJECT: Lawn Cutting Services
 DATE: March 29, 2012

On March 27, 2012, the City received and opened bids for lawn cutting services. Bid announcements were sent to various firms and posted on the City of Alpena's website. Five bids were received as follows:

<u>Bidder</u>	<u>Grass Height</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Alpena Maintenance & Lawn Care Alpena, MI 49707	6"	\$30.00	\$30.00	\$30.00
	6" – 9"	\$30.00	\$30.00	\$30.00
	9" – 12"	\$35.00	\$35.00	\$35.00
	12"+	\$35.00	\$35.00	\$35.00
Phillips Expert Tree & Landscape Service Herron, MI 49744	6"	\$30.00	\$33.00	\$34.00
	6" – 9"	\$32.00	\$36.00	\$37.00
	9" – 12"	\$38.00	\$40.00	\$41.00
	12"+	\$40.00	\$42.00	\$43.00
McConnell, Inc. Alpena, MI 49707	6"	\$30.00	\$30.00	\$30.00
	6" – 9"	\$35.00	\$35.00	\$35.00
	9" – 12"	\$40.00	\$40.00	\$40.00
	12"+	\$45.00	\$45.00	\$45.00
HS & M Herron, MI 49744	6"	\$30.00	\$30.00	\$30.00
	6" – 9"	\$35.00	\$35.00	\$35.00
	9" – 12"	\$40.00	\$40.00	\$40.00
	12"+	\$45.00	\$45.00	\$45.00
North Shore Construction Hubbard Lake, MI 49747	6"	\$72.00	\$72.00	\$72.00
	6" – 9"	\$108.00	\$108.00	\$108.00
	9" – 12"	\$120.00	\$120.00	\$120.00
	12"+	\$140.00	\$140.00	\$140.00

It is my recommendation, as City Engineer, to award the Lawn Cutting Services contract to Alpena Maintenance & Lawn Care for the as-bid unit prices. This contract and the prices bid are based on the contractor cutting a standard 66' x 132' lot. Larger or smaller lots are prorated based on their size in comparison to the standard city lot. This contract is utilized to provide lawn cutting services where property owners have not maintained their property. Any lawns that need to be cut are identified by the Building Department and referred to the Public Works Department. Bill Walter makes a determination, based on his availability, to perform the service on whether the lawn cutting shall be done by Public Works Department employees or referred to this contractor. Any costs for these lawn cutting services on unmaintained lots are billed to the property owner.

ROS/vkr

Attachments

Copy: Thad Taylor, City Manager

Bids Due: March 27, 2012
Time: 2:00 p.m.

BID LIST
Lawn Cutting Services

- | | | | |
|----|--|-----|--|
| 1. | A-1 Tree Service
6351 M-32 West
Alpena, MI 49707
Ph: (989) 354-5707 | 9. | Thunder Bay Tree Service
1172 Halley Road
Alpena, MI 49707
Ph: (989) 356-9468 |
| 2. | Michigan Arbor Care
5240 US 23 North
Alpena, MI 49707
Ph: (989) 356-1688 | 10. | John's Lawn Care
160 E. Woodward
Rogers City, MI 49779
Ph: (989) 734-7458 |
| 3. | Prattscape, LLC
804 Shelley Street
Alpena, MI 49707
Ph: (989) 356-8848 | 11. | HS & M, LLC
9732 M-32
Herron, MI 49744
Ph: (989) 657-2591 |
| 4. | C & S Lawn Care
23745 Co. Road 459
Hillman, MI 49746
Ph: (989) 742-3860 | 12. | McConnell, Inc.
108 W. Clark Street
Alpena, MI 49707
Ph: 989-354-8419 |
| 5. | Alpena Lawn Care & Maint.
1265 US 23 North
Alpena, MI 49707
Ph: (989) 356-0102 | | |
| 6. | HLL Lawn Maintenance
10871 Spruce Road
Ossineke, MI 49766
Ph: (989) 471-3619 | | |
| 7. | Cardell & Sons Landscaping
245 N. June Street
Alpena, MI 49707
Ph: (989) 354-3903 | | |
| 8. | Phillips Expert Tree-Landscaping
7787 Wolf Creek Road
Herron, MI 49744
Ph: (989) 916-5461 | | |

CITY OF ALPENA


BID NAME: Lawn Cutting Services BID OPENING DATE: 3/27/12 2 p.m.

<u>Bidder</u>	<u>Grass Height</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Alpena Maintenance & Lawn Care Alpena, MI 49707	6"	30.00	30.00	30.00
	6" - 9"	30.00	30.00	30.00
	9" - 12"	35.00	35.00	35.00
	12" +	35.00	35.00	35.00
Phillips Expert Tree & Landscape Service, Inc. Herron, MI 49744	6"	30.00	33.00	34.00
	6" - 9"	32.00	36.00	37.00
	9" - 12"	38.00	40.00	41.00
	12" +	40.00	42.00	43.00
McConnell, Inc. Alpena, MI 49707	6"	30.00	30.00	30.00
	6" - 9"	35.00	35.00	35.00
	9" - 12"	40.00	40.00	40.00
	12" +	45.00	45.00	45.00
HS & M Herron, MI 49744	6"	30.00	30.00	30.00
	6" - 9"	35.00	35.00	35.00
	9" - 12"	40.00	40.00	40.00
	12" +	45.00	45.00	45.00
North Shore Construction Hubbard Lake, MI 49747	6"	72.00	72.00	72.00
	6" - 9"	108.00	108.00	108.00
	9" - 12"	120.00	120.00	120.00
	12" +	140.00	140.00	140.00

Memorandum



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

FROM: Richard O. Sullenger, City Engineer 

SUBJECT: Water Production Plant Clear Well Excavation

DATE: April 11, 2012

On April 10, 2012 the City received and opened bids for the Water Production Plant Clear Well Excavation. This project involves removal of the 12"-14" of soil covering the concrete tank, depositing and shaping the soil on site, and washing the top of the tank. This project is the first step in resealing the top of the clear well. Once this work has been completed we will solicit quotes for a company to evaluate the top of the tank and develop a resealing procedure. Funding has been budgeted for next fiscal year for that portion of the project.

Bid documents were sent to various firms as well as posting it on the City of Alpena's website. Four bids were received as follows:

MacArthur Construction, Hillman	\$ 7,300
Environmental Excavating, Alpena	\$ 12,342
Bedrock Contracting, Alpena	\$ 25,500
Elmer's Crane & Dozer, Alpena	\$ 39,385

The variations in the bid costs are based on the different techniques proposed by the contractor to facilitate the soil removal.

It is my recommendation, as City Engineer, that City Council award the Water Production Plant Clear Well Excavation to MacArthur Construction in the amount of \$7,300. The work will be completed this fiscal year with funding established in the water fund, line item 591-541982-000.

ROS/vkr

Attachments

Copy: Thad Taylor, City Manager

Bids Due: April 10, 2012
Time: 2:00 p.m.

BID LIST
Water Production Plant - Clear Well Earth Excavation

1. Bedrock Excavating
2040 Hamilton Road
Alpena, MI 49707
Ph: 989-358-2400
Fax: 989-356-2011
2. Team Elmer's
704 E Progress Street
Hillman, MI 49746
Ph: 989-742-4531
Fax: 989-742-4802
3. Environmental Excavating
3555 M-32 West
Alpena, MI 49707
Ph: 989-356-1161
Fax: 989-356-1161
4. MacArthur Construction
1555 Gamage Road
Hillman, MI 49746
Ph: 989-379-4024
Fax: 989-379-4024
5. Meridian Contracting Services
304 W. Chisholm Street
Alpena, MI 49707
Ph: 989-354-4825
Fax: 989-354-4338
6. DeVere Construction
1030 DeVere Drive
Alpena, MI 49707
Ph: 989-356-4411
Fax: 989-356-1198
7. Frantz Wayne Construction
3974 El Cajon Beach Road
Alpena, MI 49707
Ph: 989-356-3304
8. Losinski Excavating
5281 US 23 North
Alpena, MI 49707
Ph: 989-356-1151
9. Kel Mills Trucking & Excavating
2607 Werth Road
Alpena, MI 49707
Ph: 989-356-4073
10. Yockey Excavating
4581 US 23 North
P.O. Box 104
Alpena, MI 49707
Ph: 989-354-6821

City of Alpena

Bid Name: WPP – Clear Well Earth Excavation

Bid Open Date: April 10, 2012


Bidder	Addendum # 1	Bid Security	Base Bid	Remarks
MacArthur Construction Hillman, MI	<input checked="" type="radio"/> Yes <input type="radio"/> No	N/A Yes No	\$ 7,300 I.L.S.	
Environmental Exc. Alpena, MI	<input checked="" type="radio"/> Yes <input type="radio"/> No	Yes No	\$ 12,342 I.L.S.	
Bedrock Alpena, MI	<input checked="" type="radio"/> Yes <input type="radio"/> No	Yes No	\$ 25,500	
Elmer's Crane ² Dozer Alpena, MI	<input checked="" type="radio"/> Yes <input type="radio"/> No	Yes No	\$ 39,385	
	<input type="radio"/> Yes <input type="radio"/> No	Yes No	\$	
	<input type="radio"/> Yes <input type="radio"/> No	Yes No	\$	

Unofficial – “As-Read” Results – Subject to Verification

Memorandum



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

FROM: Richard O. Sullenger, City Engineer 

SUBJECT: Contract Amendment United Water – Meter Change Out

DATE: April 4, 2012

Attached is the proposed Contract Amendment with United Water for the meter change out program. When approved by City Council to proceed ahead with the project, I committed to bringing the proposed Contract Amendment back to City Council for their review and approval.

The proposed Contract Amendment provides for the repayment of the \$1,500,000 investment by United Water for the meter upgrades via monthly payments of \$15,625 for 96 months, 8-years. It also identifies that once the system is fully operational, that the monthly standard service fees charged to the City will be reduced by \$2,500, the meter reading portion of that billing. All other costs and figures included in the proposed Contract Amendment are those presently charged by United Water for operation of the utility. The proposed Contract Amendment also extends the contract with United Water for the 8-year life of the meter change out payment cycle running through June 30, 2020.

The proposed Contract Amendment has been reviewed and approved by City Attorney Bill Pfeifer. It is my recommendation, as City Engineer, that City Council approve the proposed Contract Amendment with United Water. Funding for this fee change has been programmed into the budget beginning in May of 2012.

ROS/vkr

Attachment

Copy: Thad Taylor, City Manager



City of Alpena

WILLIAM A. PFEIFER • CITY ATTORNEY
NANCY A. WARD • ASST. CITY ATTORNEY

CITY ATTORNEY'S OFFICE • 208 NORTH FIRST AVENUE • ALPENA, MICHIGAN 49707-2885

MEMORANDUM

TO: Rich Sullenger, City Engineer
FROM: William A. Pfeifer, City Attorney *WAP*
CC: Thad Taylor, City Manager
DATE: April 11, 2012
SUBJECT: Amendment to Agreement – Meter Change Out Program and Billing System Upgrade

I have reviewed the Amendment to Agreement between the City of Alpena and United Water Environmental Services, Inc. as it relates to the water meter change out program and billing system upgrade. After my review, I am satisfied that the amendment conforms to the agreement of the parties and I have no objection to its execution. If you have any questions or concerns, please contact me.

laa

AMENDMENT TO AGREEMENT

This Amendment (“Amendment No.1”) of the Agreement for Operation and Maintenance for the City Utility Systems between United Water Environmental Services Inc. (“United Water”) with a principal address at 200 Old Hook Road, Harrington Park, NJ (“Operator”) and the City of Alpena, a Michigan municipal corporation, whose address is 208 N. First Avenue, Alpena, MI 49707 (“the Client”) is effective as of this ___ day of _____ 2012 (“Effective Date”).

WITNESSETH:

WHEREAS, United Water and the Client are parties to an Agreement dated July 1, 1992 under which United Water provides operation and maintenance of the Client’s water and wastewater treatment plants (the “Facilities”); and

WHEREAS, upon the City’s request United Water has agreed to replace the existing meters in the Client’s Facilities (hereinafter referred to as the “Meter Change Out Program and Billing System Upgrade”), on the terms and conditions mutually agreed upon by both parties and outlined herein;

NOW, THEREFORE, in consideration of the mutual agreements herein contained the parties agree as follows:

- 1.) All references to “WW Operation Services Inc., (WWOS) a Michigan Corporation whose address is 2851 Charlevoix Drive, Suite 117, Centennial Plaza, Grand Rapids, MI 49546 and its successors and assigns (“WWOS”)” is hereby DELETED and replaced with the following:

“United Water Environmental Services Inc., a Delaware Corporation with offices at 300 Ottawa Ave NW, Suite 240, Grand Rapids MI 49512 (“United Water”).”

- 2.) Article I is hereby MODIFIED by ADDING new Section 1.15 as follows:

“1.15 United Water shall perform the Meter Change Out Program and Billing System Upgrade as detailed in Exhibit C.

Both parties mutually agree that the services performed by United Water for the Meter Change Out Program and Billing System Upgrade are additional services not considered routine under the Agreement, however the City shall reimburse United Water for said additional services on a monthly basis over the eight (8) year Term of the Agreement, (rather than as a lump sum amount upon completion of the additional services), as outlined further in Section 3.01.

In the event that the Agreement is terminated by either party prior to the expiration of the Term, (June 30, 2020), the Client shall be responsible to reimburse United Water for the remaining balance of the unpaid additional

services at the time of termination as further outlined in Exhibit C, based on the year in which the termination occurs.

3.) Article III is hereby MODIFIED by DELETING Section 3.01 and replacing it as follows:

“As Compensation for the standard services performed by United Water as well as the Meter Change Out Program and Billing System Upgrade Services performed pursuant to this Agreement, the Client shall pay to United Water the following:

The sum of

- (a) \$110,394.88 per month for standard services performed by United Water personnel for the first twelve months of this Agreement, commencing with the Effective Date. Upon completion of the Meter Change Out, this monthly fee will be reduced by \$2,500.
- (b) An amount equal to the actual expense incurred per monthly for corrective and preventive maintenance (which consists of materials, supplies, and contracted services) up to a maximum annual aggregate budget allowance of \$290,400 for the term of this Agreement; and
- (c) \$15,625 per month for Meter Change Out Program and Billing System Upgrade Services for the Term of this Agreement.”

4.) Article IV is hereby DELETED and REPLACED with the following new ARTICLE IV as follows:

“4.01 This Agreement shall remain in full force and effect from the Effective Date (as stated herein) until June 30, 2020, unless terminated earlier as provided for herein in Article V.”

“4.02 The parties may enter into additional extensions of this Agreement on mutually acceptable terms and conditions.”

5.) The Agreement is hereby MODIFIED by ADDING new EXHIBIT C as attached hereto.

6.) Except as specifically amended herein, the Agreement shall remain in full force and effect in accordance with its terms.

7.) This Amendment shall be governed by and construed and enforced in accordance with the laws of the State of Michigan.

8.) This Amendment may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date first set forth above.

WITNESSES:

City of Alpena

By: _____

Name: _____

Title: _____

WITNESSES:

United Water Environmental Services Inc.

By: _____

Name: Nadine Leslie

Title: President

|

EXHIBIT C
Meter Change Out Program and Billing System Upgrade

The Meter Change Out Program and Billing System Upgrade shall be substantially completed within six (6) months from the Effective Date of this Amendment.

Scope:

United Water will provide all materials and labor necessary to replace all 3/4 “and 5/8” water meters currently in use within the City of Alpena up to a combined total of 4,900 meters. The materials will consist of Sensus IPERL meters, Model 510 SP Wired Smart Point transmitters, two Tower Gateway Stations and a Regional Network Interface. The end product will be a Fixed Base Advanced Meter Infrastructure (AMI) water meter reading system located at the Alpena Water/Wastewater Utility Administration Office.

United Water will be responsible for establishing contact with the customers to arrange appointments for the meter replacement. At the time of the replacement, a detailed accounting of old and new meter data will be recorded on a work order. Any discrepancy between the read on the meter and the remote will be documented and communicated to the customer. United Water intends to utilize private plumbing contractors for the majority of the meter installations, supplemented by United Water employees.

Before the installation begins the technician will take a digital photograph of the customer’s internal plumbing where the work will be performed. An assessment of the condition of the pipes will be made and it will be determined if the meter installation is possible without causing damage. Any potential plumbing problems associated with the installation will be communicated to the customer. The replacement of nonfunctioning meter isolation valves only will be conducted at no cost to the customer or the City of Alpena. Any other plumbing modifications will not be the responsibility of United Water.

Payment:

The total fee for the Meter Change Out Program and Billing System Upgrade, is \$1,500,000. Both parties mutually agree that the City shall reimburse United Water for said additional services on a monthly basis over a period of eight (8) years, (the Agreement Term) (rather than as a lump sum amount upon completion of the services), as outlined in Section 3.01. In the event of an early termination of this Agreement by either party for any reason, the Client shall pay United Water (in full) the remaining unpaid balance for the additional services at the time of termination.