

**WARREN CITY COUNCIL
REGULAR MEETING
November 24, 2015**

A Regular Meeting of the Warren City Council was called for Tuesday, November 24, 2015 at 7:00 p.m. in the Warren Community Center Auditorium, at 5460 Arden, Warren, Michigan 48092.

MEMBERS OF THE COUNCIL PRESENT:

Cecil D. St. Pierre, Jr., President
Patrick Green, Vice President
Scott C. Stevens, Council Secretary
Keith J. Sadowski, Assistant Council Secretary
Robert Boccomino, Councilman
Kelly Colegio, Councilwoman
Steven G. Warner, Councilman

ABSENT:

None

Also Present:

Mary Michaels, Acting City Attorney
Todd Schaedig, WWTP
Angela Taracenko, Community Development
Dave Monette, WWTP
James Van Havermaat, Engineering

1. CALL TO ORDER

Chairman St. Pierre called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ADOPTION OF THE CONSENT AGENDA

Motion:

Motion to approve made by Councilman Sadowski and support motion made by Councilman Boccomino.

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (7-0).

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5. ADOPTION OF AGENDA

Motion:

Motion to approve made by Councilwoman Colegio and support motion made by Councilman Boccomino. With the following amendments: Item 11a to be amended to direct Attorney as discussed in Closed Session, not approving settlement; Item 10a to be amended to be an emergency first and second reading.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-1).

Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Stevens	Yes
Councilman Green	No
Councilman Warner	Yes
Councilman Sadowski	Yes
Chairman St. Pierre	Yes

6. APPROVAL OF THE MINUTES

a) Minutes of the Regular Meeting of November 10, 2015

Motion:

Motion to approve made by Councilwoman Colegio and support motion made by Councilman Sadowski.

Have the minutes reflect the correction to the motion of item 9j which was to postpone the item to the Environmental Committee on Page 33.

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded except one "Nay" from Councilman Green. The motion carried (6-1).

7. APPROVAL OF THE BILLS

a) General Revenue Funds

Motion:

Motion to approve was made by Councilman Sadowski and support motion made by Councilman Warner.

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Roll Call:

A roll call vote was taken on the motion. The motion carried (5-2).

Councilman Sadowski	Yes
Councilman Warner	Yes
Councilman Green	No
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Stevens	No
Chairman St. Pierre	Yes

b) Water & Sewer System

Motion:

Motion to approve was made by Councilman Sadowski and support motion made by Councilwoman Colegio.

Roll Call:

A roll call vote was taken on the motion. The motion carried (5-2).

Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Green	No
Councilman Stevens	No
Councilman Warner	Yes
Councilman Boccomino	Yes
Chairman St. Pierre	Yes

c) General Fund Revenue Report

Motion:

Motion to receive and file was made by Councilman Warner and supported motion made by Councilwoman Colegio.

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (7-0).

d) Expenditure Report

Motion:

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Motion to receive and file was made by Councilman Stevens and supported motion made by Councilman Green.

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (7-0).

8. ANNOUNCEMENTS

9. PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 2128 Michael for the demolition of a house and garage, Nuisance Abatement. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to table until first meeting January was made by Councilman Green and a support motion was made by Councilman Sadowski.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-1).

Councilman Green	Yes
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Councilman Boccomino	No
Chairman St. Pierre	Yes

- b) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 4752 Stilwell for the demolition of a house and garage, Nuisance Abatement. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Boccomino and a support motion was made by Councilwoman Colegio.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Boccomino	Yes
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Councilwoman Colegio	Yes
Councilman Green	Yes
Councilman Sadowski	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

- c) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 11020 Lozier for the demolition of a house and garage, Nuisance Abatement. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Boccomino and a support motion was made by Councilman Warner.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Boccomino	Yes
Councilman Warner	Yes
Councilwoman Colegio	Yes
Councilman Green	Yes
Councilman Sadowski	Yes
Councilman Stevens	Yes
Chairman St. Pierre	Yes

- d) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 5253 Andrihs for the demolition of a garage, Nuisance Abatement, SAR No. 473. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilwoman Colegio and a support motion was made by Councilman Sadowski.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilwoman Colegio	Yes
Councilman Sadowski	Yes
Councilman Boccomino	Yes
Councilman Warner	Yes
Councilman Green	Yes

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Councilman Stevens	Yes
Chairman St. Pierre	Yes

- e) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a Special Land Use Permit for a Used Car Facility; located on the west side of Mound Road approximately 373.64 feet north of Eight Mile Road; 20787/20809 Mound Road; Section 32; Mazin Marogi (John Bingham) petitioner.

Motion:

Motion to approve was made by Councilman Stevens and a support motion was made by Councilman Boccomino.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Stevens	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Sadowski	Yes
Councilman Warner	Yes
Councilman Green	Yes
Chairman St. Pierre	Yes

- f) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a Special Land Use Permit and Site Plan Approval for Expansion of a Used Car Facility; located on the north side of Eight Mile Road between Albany and Syracuse Avenues; 5785 Eight Mile; Section 32; Majed Marogi (Kerm Billette) petitioner.

Motion:

Motion to approve was made by Councilman Boccomino and a support motion was made by Councilman Green.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Boccomino	Yes
Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Stevens	Yes
Councilman Sadowski	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

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10 CORRESPONDENCE FROM THE MAYOR:

- a) **(Postponed 11.10.15)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed ordinance amending Chapter 41, Section 41-155 regulating storm water run-off for new or redeveloped project sites. (First Reading).

Motion:

Motion to declare an emergency adoption of the ordinance was made by Councilman Green and the support motion was made by Councilwoman Colegio.

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (7-0).

Motion:

Motion to adopt the first and second reading was made by Councilman Green and a support motion was made by Councilman Boccomino.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Green	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Sadowski	Yes
Councilman Warner	Yes
Councilman Stevens	Yes
Chairman St. Pierre	Yes

- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving General Authorization to Execute Offers to Purchase Single Family Homes for NSP Rehab Resale.

Motion:

Motion to approve was made by Councilman Warner and a support motion was made by Councilman Boccomino.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-1).

Councilman Warner	Yes
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Councilman Boccomino	Yes
Councilwoman Colegio	No
Councilman Sadowski	Yes
Councilman Stevens	Yes
Councilman Green	Yes
Chairman St. Pierre	Yes

- c) Request to approve 30-day notice of intent to sell city owned property at 22001 Panama. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Warner and a support motion was made by Councilman Boccomino.

Roll Call:

A roll call vote was taken on the motion. The motion carried (5-2).

Councilman Warner	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	No
Councilman Sadowski	Yes
Councilman Stevens	Yes
Councilman Green	Yes
Chairman St. Pierre	No

- d) Proposed resolution to provide public notice of intent to sell vacant tax-reverted property at 7550 Prospect, Warren; Parcel ID No. 13-33-429-016. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Green and a support motion was made by Councilwoman Colegio.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Sadowski	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

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- e) Proposed resolution to provide public notice of intent to sell vacant tax-reverted property at 22871 Oaklane, Warren; Parcel ID No. 13-35-228-021. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Sadowski and a support motion was made by Councilman Green.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Sadowski	Yes
Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

- f) CONSIDERATION AND ADOPTION OF A RESOLUTION approving a Michigan Department of Transportation (MDOT) performance resolution for governmental agencies regarding annual application and permit for miscellaneous operations within state highway right-of-way.

Motion:

Motion to approve made by Councilman Stevens and support motion made by Councilman Boccomino.

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (7-0).

- g) Request of the Department of Public Works (DPW) to award bid ITB-W-9312 for truck tire re-treading services for a one (1) year period to the low responsible and cost-effective bidder, Dependable Wholesale, Inc., for an annual amount not to exceed \$53,576.25. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Green and a support motion was made by Councilman Sadowski.

Roll Call:

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A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Green	Yes
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

- h) Request of the Waste Water Treatment Plant (WWTP) to award the lone bid received for ITB-W-9298, Continuous Emissions Monitoring System, to Trace Environmental Systems, Inc., in the total bid amount of \$199,950.00.
CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Sadowski and a support motion was made by Councilman Boccomino.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-1).

Councilman Sadowski	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Green	Yes
Councilman Stevens	No
Councilman Warner	Yes
Chairman St. Pierre	Yes

- i) Request of the Waste Water Treatment Plant (WWTP) to award bid ITB-W-9305; to provide crane and hoist maintenance services to the sole bidder, Mt. Clemens Crane & Services, for a one (1) year period with an option to renew for three (3) additional one (1) year periods at the same terms and conditions, in an annual amount not to exceed \$10,580.00.
CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Boccomino and a support motion was made by Councilman Sadowski.

Roll Call:

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A roll call vote was taken on the motion. The motion carried (6-1).

Councilman Boccomino	Yes
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Green	Yes
Councilman Stevens	No
Councilman Warner	Yes
Chairman St. Pierre	Yes

11 MISCELLANEOUS CORRESPONDENCE:

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the settlement of the Devonte C. Campbell v Matthew Rodriquez, United States Federal District Court Case No. 2-13-CV-14953 as discussed during the Closed Session of November 23, 2015.

Motion:

Motion to deny the settlement and direct the City Attorney to proceed as directed during the closed session was made by Councilman Stevens and a support motion was made by Councilwoman Colegio.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Stevens	Yes
Councilwoman Colegio	Yes
Councilman Sadowski	Yes
Councilman Green	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the settlement of the Karen Spudich v City of Warren, Macomb County Circuit Court Case No. 14-2075-NI as discussed during Closed Session of November 23, 2015.

Motion:

Motion to approve was made by Councilman Stevens and a support motion was made by Councilwoman Colegio.

Roll Call:

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A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Stevens	Yes
Councilwoman Colegio	Yes
Councilman Sadowski	Yes
Councilman Green	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

12 Audience – an opportunity for citizen participation

Members of the audience who would like to address the City Council this evening may do so under the Audience portion by filling out the designated form. You will have three minutes to speak.

No one appeared.

13 Council – Calendar of Pending Matters

Councilman Stevens request an update from WWTP for requested expense report.

14 COUNCIL BUSINESS:

- a) Council President Cecil D. St. Pierre, Jr., **Reconsideration** (Item 10a from 11/10/15): CONSIDERATION AND ADOPTION OF A RESOLUTION approving contract modification No. 1 to City Contract P-14-590, Chicago Road Resurfacing (Cadillac Asphalt, LLC.) increasing the original contract amount by \$58,604.97 and extending contract completion time through December 31, 2015.

Motion:

Motion to allow reconsideration was made by Councilman Boccomino and a support motion was made by Councilwoman Colegio.

Roll Call:

A roll call vote was taken on the motion. The motion carried (5-2).

Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Sadowski	No
Councilman Green	No
Councilman Stevens	Yes

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Councilman Warner	Yes
Chairman St. Pierre	Yes

Motion:

Motion to approve was made by Councilman Boccomino and a support motion was made by Councilman Stevens.

Roll Call:

A roll call vote was taken on the motion. The motion carried (7-0).

Councilman Boccomino	Yes
Councilman Stevens	Yes
Councilman Sadowski	Yes
Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

15 ADJOURNMENT

Motion:

A motion to adjourn was made by Councilman Boccomino and support motion made by Councilman Green.

Voice Vote:

A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (7-0). The meeting adjourned at 8:07 p.m.

**Kelly Colegio
Secretary of the Council
Mayor Pro Tem**