

**WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014**

A Regular Meeting of the Warren City Council was called for Tuesday, December 16, 2014, at 7:00 p.m. in the Warren Community Center Auditorium, 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:

David Griem, City Attorney
Rob Maleszyk, Controller
Tom Pawelkowski, Water Department
James Van Haavermat, Engineering
Lark Samouelian, DDA Director
Gina Ludwig, Economic Development
Dave Monette, WWTP
Jere Green, Police Commissioner
Tom Agrusa, Assessing Department
Phil Easter, Human Resource Director
Carolyn Mocerri, Treasurer
Renee Rezak, Budget Director

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

All members present.

4. ADOPTION OF THE CONSENT AGENDA

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 2

No Items appeared on the consent agenda

5. ADOPTION OF AGENDA

Motion:

Motion to approve made by Councilman Stevens and support motion 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 Boccomino	Yes
Councilman Warner	Yes
Councilman Green	Yes
Councilman St. Pierre	Yes

6. APPROVAL OF THE MINUTES

a) **Minutes of the Regular Meeting of December 9, 2014**

Motion:

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

Voice Vote:

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

7. APPROVAL OF THE BILLS

a) **General Fund Bills**

Motion:

Motion to approve was made by Councilman Sadowski and supported by Councilman Green.

Roll Call:

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

Councilman Sadowski	Yes
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WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 3

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

b) **Water & Sewer System Bills**

Motion:

Motion to approve was made by Councilman Sadowski and supported 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
Councilman Stevens	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

c) **General Fund Revenue Report**

Motion:

Motion to receive and file made by Councilman Stevens and support 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) **General Fund Expenditure Report**

Motion:

Motion to receive and file made by Councilman Stevens and support motion made by Councilwoman Colegio.

Voice Vote:

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

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 4

8 ANNOUNCEMENTS

- a) Presentation from Plante Moran-Comprehensive Annual Financial Report Presentation submitted by Bill Brickley and Rumzei Abdallah

9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) Request to schedule a Public Hearing Pursuant to Act No. 255 of the public Acts of 1978, for the Consideration of a Commercial Facilities Exemption Certificate to Jackson Land Holding Company, LLC, Warren, Michigan, Section 26. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Karen Spranger appeared before the Council

Motion:

Motion to approve was made by Councilman Sadowski and supported by Councilman Green.

Roll Call:

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

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

10 CORRESPONDENCE FROM THE MAYOR:

- a. **(Postponed 12/9/14)** Request of the Engineering Division for Contract Modification No. 1 and final for City Contract W-12-542, 2012 with Zuniga Cement Construction, Inc. in the increased amount of \$15,274.58 for Concrete, Manhole and Sod Repairs. Request that payment No. 10 and final be issued three (3) days after approval. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Green and supported by Councilman Boccomino.

Roll Call:

A roll call vote was taken on the motion. The motion carried (4-3).

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 5

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

- b. Proposed Ordinance Amending Chapter 41, Article IV, Section 41-182 Relating to Water and Sewer Rates and Charges; Late Payment; and Proposed Resolution Adopting New Service Charges for Dishonored or Returned Water and Sewer Service Payments. **CONSIDERATION AND ADOPTION OF A RESOLUTION.** (Second Reading).

Motion:

Motion to approve was made by Councilman Sadowski and supported by Councilman Warner.

Roll Call:

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

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

- c. **CONSIDERATION AND ADOPTION OF A RESOLUTION** Amending Chapter 41 of the Code of Ordinances of the City of Warren relating to Water and Sewers Rates and Charges. (Second Reading).

Motion:

Motion to approve was made by Councilman Green and supported by Councilman Sadowski.

Roll Call:

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

Councilman Green	Yes
Councilman Sadowski	Yes
Councilman Stevens	Yes

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 6

Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

- d. Request of the Human Resources/Risk Manager for an additional appropriation of funds in the amount of \$88,816.00 to fund affordable health care coverage for current full-time temporary employees in various departments throughout the City. The additional funds will provide the minimum level of health coverage for the period January 1, 2015 through June 30, 2015 and will meet the requirements of the Affordable Care Act.
CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Sadowski and supported 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
Councilman Stevens	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

- e. Request of the Human Resources/Risk Manager for approval of payment in the amount of \$235,683.00 for the Affordable Care Act Transitional Reinsurance Program Annual Enrollment Fee by ACH on January 15, 2015.
CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Sadowski and supported by Councilman Green.

Roll Call:

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

Councilman Sadowski	Yes
Councilman Boccomino	Yes

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 7

Councilman Stevens	No
Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

- f. Request of the Human Resources/Risk Manager to provide healthcare coverage beginning January 1, 2015 to approximately 40 people working full-time schedules, performing regular city functions on what has become long term temporary basis. Approval of this request will ensure compliance with the Affordable Care Act. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Green and supported 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
Councilman Stevens	Yes
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

- g. Request of the WWTP to award bid ITB-W-9102 for furnishing Two (2) variable frequency drives to the sole bidder, McNaughton McKay Electric Company in the amount of \$51,900.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Stevens and supported by Councilman Warner.

Roll Call:

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

Councilman Stevens	Yes
Councilman Warner	Yes
Councilman Sadowski	Yes

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 8

Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman St. Pierre	Yes

- h. Request of the WWTP to award bid ITB-W-9095 to furnish and install an EPDM Roof System on the WWTP Dryer Building (V) to the low responsible and cost effective bidder, JD Candler Roofing, Inc., in the amount of \$96,600.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Stevens and supported 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 Boccomino	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

- i. Request of the WWTP to award bid ITB-W-9094 for furnishing two (2) Electric Motors to the sole bidder, Spina Electric Company in the amount of \$35,434.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

Motion to approve was made by Councilman Stevens and supported by Councilman Green.

Roll Call:

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

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

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 9

- j. CONSIDERATION AND ADOPTION OF A RESOLUTION continuing that moratorium prohibiting the issuance of a Building Permit or Certificate of Occupancy for any Medical Marihuana Facility.

Item 10j was removed from the agenda at the request of the administration at the adoption of the agenda.

- k. CONSIDERATION AND ADOPTION OF A RESOLUTION amending Chapter 22, Section 22-138 of the Code of Ordinances relating to Gambling. (First Reading).

Motion:

Motion to approve was made by Councilman Green and supported by Councilman Stevens.

Roll Call:

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

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

- l. CONSIDERATION AND ADOPTION OF A RESOLUTION approving Animal Control Service Agreements with the Macomb County Animal Control (working with All About Animals in Warren) and the Animal Care Clinic of Sterling Heights, Inc. with preferential pricing for members of Macomb Animal Control Coalition. Request to authorize payment up to \$25,000.00 for outstanding amounts between the Police Department and County of Macomb.

Motion:

Motion to separate the items was made by Councilwoman Colegio and supported by Councilman Stevens.

Roll Call:

A roll call vote was taken on the motion. The motion carried (4-3).

Councilwoman Colegio	Yes
Councilman Stevens	Yes

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 10

Councilman Boccomino	No
Councilman Green	No
Councilman Sadowski	No
Councilman Warner	Yes
Councilman St. Pierre	Yes

Motion:

Motion to approve contract with Macomb County Animal Shelter was made by Councilman Stevens and supported 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 Boccomino	Yes
Councilman Green	Yes
Councilman Sadowski	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

Motion:

Motion to approve contract with Animal Care Hospital of Sterling Heights was made by Councilman Sadowski and supported by Councilman Green.

Roll Call:

A roll call vote was taken on the motion. The motion failed (4-3).

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

Motion:

Motion to approve agreement with All About Animals was made by Councilman Stevens and supported 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

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 11

Councilman Boccomino	Yes
Councilman Green	Yes
Councilman Sadowski	Yes
Councilman Warner	Yes
Councilman St. Pierre	Yes

Motion:

Motion to pay outstanding invoices to Macomb County Animal Shelter, not to exceed \$25,000.00 was made by Councilwoman Colegio and supported by Councilman Stevens.

Roll Call:

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

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

11 MISCELLANEOUS CORRESPONDENCE:

- a. Request of Universal-Macomb Ambulance for approval of license to operate an Ambulance Service in the City of Warren. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Voice Vote:

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

- b. Request of the Human Resources/Risk Manager to settle lawsuit Sean Shepard v City of Warren, United States Federal District Court Caen O. 13-CV-12898, as discussed in Closed Session.

Motion:

Motion to approve was made by Councilman Stevens and supported by Councilman Warner.

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 12

Roll Call:

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

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

- c. Request of All About Animals, an animal rescue clinic and shelter located in the City of Warren to be recognized and authorized to operate as a non-profit, 501c3 organization.

Motion:

Motion to receive and file made by Councilman Boccomino and support 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. Request of WC Lax, Inc., a board that operates the Varsity Lacrosse Program for Cousino, Warren Mott and Sterling Heights High Schools, to be recognized and authorized to operate as a non-profit, 501c3 organization.

Motion:

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

Voice Vote:

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

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.

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 13

Jeremy Wallace appeared before Council regarding clean up at Halmich Park and thanked the Council and Parks and Recreation Department. He hopes there will be new equipment placed there next spring.

Carolyn Mocerj, City Treasurer appeared before Council to explain that even if the Mayor requests she is not able to waive individual late fees on taxes.

Karen Spranger appeared before Council and spoke of her disappointment with the Council for having ignored her earlier request for information on the agreement with the Cadillac Dealership. She stated she would pursue the matter further.

Matthew Bruzick appeared before Council and thanked the Council for adopting the contract with Macomb County Animal Shelter. He thinks this will best serve the residents in only having to look one place for their animals rather than several places with the other company.

13 COUNCIL-CALENDAR OF PENDING MATTERS

14 COUNCIL BUSINESS:

- a) (Reconsideration 14a 12/9/14) Council President Cecil D. St. Pierre Jr., in re: Scott C. Stevens, Council Secretary, Mayor Pro Tem in re: Hiring of a Planning Professional/Consultant to work at the direction of the Master Plan committee to organize and arrange all things necessary for receiving Request for Qualifications (RFQ) for the update of the following: Master Plan, Zoning Ordinances and Planning/Building Ordinances. Funds to come from the Council Offices, Contractual Services and shall not exceed \$10,000.00.

Motion:

Motion to allow the reconsideration was made by Councilwoman Colegio and supported by Councilman Boccomino. Seven votes needed.

Roll Call:

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

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

WARREN CITY COUNCIL
REGULAR MEETING
December 16, 2014
Page 14

15 ADJOURNMENT

Motion:

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

Voice Vote

A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (7-0). The meeting adjourned at 8:49 p.m.

**Scott C. Stevens
Secretary of the Council
Mayor Pro Tem**

APPROVED