

**WARREN CITY COUNCIL  
REGULAR MEETING  
March 22, 2016**

A Regular Meeting of the Warren City Council was called for Tuesday, March 22, 2016 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  
Kelly Colegio, Council Secretary  
Keith J. Sadowski, Assistant Council Secretary  
Robert Boccomino, Councilman  
Scott C. Stevens, Councilman  
Steven G. Warner, Councilman

**ABSENT:**

None

**Also Present:**

Mary Michaels, Acting City Attorney  
Jere Green, Police Commissioner  
Lori Barnwell, Treasurer  
Donna Dordeski, Engineering  
Tom Bommorito, Building  
Officer Northrup, Liquor Licensing

**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**

**Motion:**

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

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**Voice Vote:**

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

**5. ADOPTION OF AGENDA**

**Motion:**

Motion to approve made by Councilwoman Colegio and support motion made by Councilman Green with the removal of item 14a (Council Secretary Colegio's item). Addition of item 14b re: Construction of the Dorothy Busch Library (Councilman Green's item) and item 11a(7) Body By Bruce to be added to the towing list (Councilman Boccomino's item).

**Roll Call:**

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

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

**6. APPROVAL OF THE MINUTES**

**a) Regular Meeting of March 8, 2016**

**Motion:**

Motion to approve made by Councilwoman Colegio 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).

**b) Special Meeting of March 1, 2016**

**Motion:**

Motion to approve made by Councilman Green and support motion made by Councilman Warner.

**Voice Vote:**

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A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (5-0).

**7. APPROVAL OF THE BILLS**

**a) General Revenue Funds**

**Motion:**

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

**Roll Call:**

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

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

**b) Water & Sewer System**

**Motion:**

Motion to approve was 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 Warner	Yes
Councilman Green	Yes
Councilman Boccomino	Yes
Councilman Sadowski	Yes
Chairman St. Pierre	Yes

**8 ANNOUNCEMENTS**

**a) SEMCOG Presentation**

**b) Macomb County Treasurer, Derek Miller**

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**9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:**

- a) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving SAR NO. 477 relating to 23051 Bolam, removal of a house, garage and shed. Nuisance Abatement.

**Motion:**

Motion to approve was made by Councilman Stevens and support motion made 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
Councilwoman Colegio	Yes
Councilman Green	Yes
Councilman Boccomino	Yes
Councilman Sadowski	Yes
Chairman St. Pierre	Yes

- b) **PUBLIC HEARING:** Request to rezone property located on the northeast corner of Van Dyke and Vermont Avenue; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; from R-1-P, One Family Residential and P-Parking District to C-1, Local Business District; VD Warren Investors, LLC. Kevin Baker petitioner.

**Motion:**

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

**Roll Call:**

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

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

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- c) **ADMINISTRATIVE HEARING:** Request to transfer Class C & SDM license with Sunday Sales for Three Brothers Holding, Inc., business located at 4300 14 Mile, Warren, MI 48092. CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

Motion to approve was made by Councilman Green and support motion made 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
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman Boccomino	Yes
Councilman Sadowski	Yes
Chairman St. Pierre	Yes

- d) **ADMINISTRATIVE HEARING:** Request to transfer Class C & SDM license with Sunday Sales for Haytham Jarbou, business located at 13330 10 Mile, Warren, MI 48089. CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

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

**Roll Call:**

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

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

**10 CORRESPONDENCE FROM THE MAYOR:**

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve an Amendment to Zoning Ordinance No. 30; Appendix A, Article IV General

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Provisions, A new section; Article IV-e, Section 4E.01 to 4E.05 entitled Electric Vehicle Infrastructure. Second Reading.

**Motion:**

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

**Roll Call:**

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

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

- b) **1. (Tabled to a COW 11/10/15)** Proposed ordinance adding Article VI and VII to Chapter 21 to establish local requirements relating to medical marihuana and to prohibit odors causing a nuisance; and a proposed ordinance amending chapter 22, Section 191 relating to marihuana possession, use and transport. (First Reading).

**Motion:**

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

**Roll Call:**

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

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

- 2.** Proposed ordinance to amend Appendix A, Article II by adding definitions, amending sections 4.01, 4a.14, 5.01, and 17.02 relating to compliance with laws, signs and uses permitted in R-!-A zones, and Industrial Standards. (First Reading).

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**Motion:**

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

**Roll Call:**

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

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

- c) Proposed resolution to provide Public Notice of intent to sell vacant tax-reverted property at 11044 Packard, Warren; Parcel ID No. 13-34-252-006. CONSIDERTION AND ADOPTION OF A RESOLUTION.

**Motion:**

Motion to approve was made by Councilman Boccomino and support motion 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
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman Sadowski	Yes
Councilman Green	Yes
Chairman St. Pierre	Yes

- d) Proposed resolution authorizing conveyance of tax-reverted property at 13445 Zagaiski, Warren; Parcel ID No. 13-23-430-015. CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

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

**Roll Call:**

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

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

- e) Request for additional appropriation in the amount of \$5,587.95 for payment to BASIC for preparation and filing of 1773 health coverage information 1094-c and 1095-c returns required by federal healthcare reform.  
CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

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

- f) Request of the WWTP to waive the bidding procedure and authorize one year of Rockwell Automation Hardware and Software Support Services to the sole source provider McNaughton-McKay Electric Company in the amount of \$23,356.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

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

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

- g) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and approve contract for City Project P-16-611, Regal Drive Pavement Rehabilitation, ITB-W-9240, to the low bidder, Fiore Enterprises, LLC in the total bid amount not to exceed \$431,138.95.

**Motion:**

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

**Roll Call:**

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

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

- h) Request of the Engineering Division to award bid and approve contract for City Project JS-16-609, 2016 Joint and Crack Sealing Program, ITB-W-9238 with Scodeller Construction, Inc. in an amount not to exceed \$355,500.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

Motion to approve was made by Councilman Stevens and support motion made 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
Councilwoman Colegio	Yes
Councilman Warner	Yes
Councilman Sadowski	Yes

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Councilman Boccomino            Yes  
Chairman St. Pierre                Yes

- i) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 1 and final to city contract WP-15-597 with Angelo lafrate Construction Co., increasing the original contract amount by \$222,940.64, resulting in a final contract amount of \$1,637,131.99 and to approve and issue payment No. 5 and final in the amount of \$344,405.02.

**Motion:**

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

**Roll Call:**

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

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

- j) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 1 to the City Contract PM-15-601, 2015 pavement marking program, R.S. Contracting, Inc. for extension of contract time from August 3, 2015 to June 30, 2016.

**Motion:**

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

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- k) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 2 and final for City Contract S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement, decreasing the contract amount by \$699,280.77, resulting in a final contract amount of \$9,999,056.00 and to approve payment No. 16 and final in the amount of \$51,392.91 to Ric-Man Construction, Inc.

**Motion:**

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

**Roll Call:**

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

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

- l) Request of the Public Works Department to award bid ITB-W-9363 to Driveline Performance for automobile and light truck transmission repair for a two (2) year period with the option to extend for one (1) additional year at the same terms and conditions in annual estimated amount of \$37,160.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

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

**Roll Call:**

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

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

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- m) Request of the Water Division to award bid ITB-W-9369 for furnishing water and sewer supply parts for a one (1) year period be awarded to HD Supply Waterworks in the annual amount not to exceed \$58,310.90.  
CONSIDERATION AND ADOPTION OF A RESOLUTION.

**Motion:**

Motion to approve was made by Councilman Stevens and support motion made 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
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Sadowski	Yes
Councilman Green	Yes
Chairman St. Pierre	Yes

**11 MISCELLANEOUS CORRESPONDENCE:**

- a) Tow Company License Renewals

1. Able Towing, LLC
2. Bill's Towing
3. Ellis
4. M & D Towing
5. Official Towing, Inc.
6. Service Towing, Inc.

Council divided the question and voted on items 1-6 together and made item 7 a separate item.

**Motion:**

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

**Roll Call:**

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

Councilman Warner	Yes
Councilman Boccomino	Yes

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

7. BBB Towing

Councilman Green was excused from voting on this item.

**Motion:**

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

**Roll Call:**

A roll call vote was taken on the motion. The motion carried (5-1).

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

b) Johnson Controls, Inc (JCI), Year One Cost Avoidance Report

**Motion:**

Motion to receive and file 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).

c) Proposed resolution to approve settlement of in re: 28805 Walker, Parcel No. 13-17-101-021; MCCC Case No. 15-1646-CZ. Hon. Kathryn A. Viviano.

**Motion:**

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

**Roll Call:**

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

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

Phillip Burnam appeared regarding concerns over rental property.  
Steven Payok appeared regarding concerns over the open to the public auctions being stopped.  
Jeremy Wallace appeared to express disappointment with the IONA settlement.  
Alex Andrian appeared to express disappointment with the IONA settlement.  
June Kreiger appeared to express disappointment with the IONA settlement.

**13 Council – Calendar of Pending Matters**

None discussed

**14 COUNCIL BUSINESS:**

- a) **REMOVED AT COUNCIL TABLE** Council Secretary/Mayor Pro Tem Kelly Colegio, discussion in re: Council Rules of Procedure Rule 23.1; Charter Section 5.2 and Section 5.3 (g).
- b) Councilman Patrick Green discussion in re: Dorothy Busch Library Construction.

Councilman Green asked that Council support a motion to direct the City Attorney to draft a resolution affirming the general contractor for the Dorothy Busch Library Construction was utilizing and following the union labor ordinance.

**Motion:**

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

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**Roll Call:**

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

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

**15 ADJOURNMENT**

**Motion:**

A motion to adjourn was made by Councilwoman Colegio and support motion made by Councilman Sadowski.

**Voice Vote:**

A voice vote was taken on the motion and six (6) "Ayes" were recorded, one (1) "Nay". The motion carried (6-1). The meeting adjourned at 9:37 p.m.

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