

**WARREN CITY COUNCIL
REGULAR MEETING
March 11, 2014**

A Regular Meeting of the Warren City Council was called for Tuesday, March 11, 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
Jere Green, Police Commissioner
Wilburt (Skip) McAdams, Fire Commissioner
David Anderer, Building Maintenance
Dave Monette, WWTP
Tom Pawelkowski, Water Department
Gina Hensley, Community Development
Rob Maleszyk, Controller
Phil Easter, Human Resources

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

Not applicable

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5. ADOPTION OF AGENDA

Motion:

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

Roll Call:

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

Councilman Stevens	Yes
Councilman Sadowski	Yes
Councilwoman Colegio	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 February 25, 2014

Motion:

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

Roll Call:

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

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

7. APPROVAL OF THE BILLS

a) General Fund Bills

Motion:

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

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Roll Call:

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

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

b) Water & Sewer System Bills

Motion:

A 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 unanimously (7-0).

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

8 ANNOUNCEMENTS

9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

Not Applicable

10 CORRESPONDENCE FROM THE MAYOR:

- a) (Tabled 2/11/14 & 2/25/14) CONSIDERATION AND ADOPTION OF A RESOLUTION approving agreement with Animal Care Hospital of Sterling Heights, Inc. for Animal Control Veterinary Services.

Motion:

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A motion to remove from the table was made by Councilman Sadowski and supported by Councilman Green.

Voice Vote:

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

Motion:

Councilman Green made the motion to approve and was supported by Councilman Sadowski.

Roll Call:

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

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

Motion:

Councilman Stevens made the motion to amend the agenda to add item 10a-1, to continue contract with Macomb County Animal Shelter and was supported by Councilwoman Colegio.

Roll Call:

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

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

- A-1)** Continue Contract with Macomb county Animal Shelter for remainder of contract. Prior to contract expiring request Police Department return to Council with proposals from both Macomb County Animal Shelter and Sterling Heights Animal Hospital.

Motion:

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Councilwoman Colegio made the motion to approve completion of the Macomb County Animal Shelter contract and was supported by Councilman Stevens.

Roll Call:

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

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

- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving contract modification No 1 and final which decreases City Contract P-12-546 with DiLiso Contracting by \$13,414.75 for the Stephens Road Pavement Rehabilitation in the amount of \$56,686.75.

Motion:

A motion to approve was made by Councilman Warner and supported by Councilman Stevens.

Roll Call:

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

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

- c) Request of the Controller to approve an additional appropriation of funds in the amount of \$13, 338.00 for the City Clerk to allow for the funding of the Election Assistant Technician Position for the remainder of the fiscal year. An additional appropriation of funds is not necessary due to surplus in various expense accounts. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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A motion to approve was made by Councilman Green and supported by Councilwoman Colegio.

Roll Call:

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

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

- d) Request of the Fire Department for an increase in budgeted revenues and appropriations in the amount of \$2,158.00 to account for the payment of custom fitted personal protective equipment from a fire fighter who recently resigned from the city of Warren and is now employed by Clinton Township. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A 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 unanimously (7-0).

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

- e) Request of the Fire Department for an increase in budgeted revenues and appropriations in the amount of \$77,500.00 to account for the receipt of a 2012 Urban Area Security Initiatives (UASI) Metropolitan Medical Response Systems (MMRS) grant. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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A motion to approve was made by Councilman Sadowski and supported by Councilwoman Colegio.

Roll Call:

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

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

- f) Request of the Police Department to award maintenance of the Police departments 911 emergency phone system (SOL-W-8931) to sole source provider AT&T Global Services for a one year period in the amount of \$16,610.00 and authorization to issue a check for immediate payment upon City council approval for this year's services. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A motion to approve was made by Councilwoman Colegio and supported by Councilman Green.

Roll Call:

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

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

- g) Request of the Police Department to award contract ITB-W-8944 to Johnson Controls, Inc. to furnish and install air conditioning unit in the computer data room of the Police Headquarters in the amount of \$18,884.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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A 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 unanimously (7-0).

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

- h) CONSIDERATION AND ADOPTION OF A RESOLUTION ratifying an agreement between the City of Warren and the United Auto Workers Local 412, Unit 35 to expire June 30, 2016.

Motion:

A 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 (5-2).

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

- i) CONSIDERATION AND ADOPTION OF A RESOLUTION ratifying an agreement between the City of Warren and the United Auto Workers Local 412, Unit 59 to expire June 30, 2016.

Motion:

A 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 (5-2).

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

- j) CONSIDERATION AND ADOPTION OF A RESOLUTION authorizing the execution of the SMART Specialized Services Operating Assistance Program Contract FY2013-2014.

Motion:

A motion to approve was made by Councilman Sadowski and supported by Councilwoman Colegio.

Roll Call:

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

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

- k) Request to provide public notice of the intent to sell property at 22865 Cyman that will remain on file with the City Clerk for 30 days. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A 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 Boccomino	Yes
Councilman Warner	Yes

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Councilwoman Colegio	No
Councilman Stevens	Yes
Councilman St. Pierre	Yes

- l) CONSIERATION AND ADOPTION OF A RESOLUTION approving the sale of City owned property at 22437 Cunningham to Tananarive Greene for \$79,000.00 or the amount of the appraisal by her mortgage company but no lower than the minimum price of \$74,000.00.

Motion:

A motion to approve was made by Councilman Warner and supported by Councilman Green.

Roll Call:

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

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

- m) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the sale of City owned property at 24900 Curie to Aseel Shafou in the amount of \$85,000.00.

Motion:

A 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 (6-1).

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

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- n) Request of the Property Maintenance Division to award bid ITB-W-8864 for lawn maintenance and weed mowing services for a two year period with the option to renew for three additional one year periods at the same terms and conditions, to the overall lowest bidder JR Service Group, LLC in an annual amount not to exceed \$237,432.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A 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 (5-2).

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

- o) Request of the Waste Water Treatment Plant to waive the bidding process 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 \$22,710.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A 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 unanimously (7-0).

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

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- p) Request of the Waste Water Treatment Division to award bid ITB-W- 8904 for replacement of the WWTP East Ash Lagoon to the lowest responsible and cost-effective bidder, Hartwell Cement Company for an amount of \$528,985.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A motion to approve and that contract had to be accepted by Council before any payments could be made was made by Councilman Stevens and supported 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
Councilman Boccomino	No
Councilman Green	Yes
Councilwoman Colegio	Yes
Councilman Sadowski	Yes
Councilman St. Pierre	Yes

- q) Request of the Water Division to waive the bidding procedure and authorize one year of software maintenance service to the sole source provider BS&A Software in the annual amount of \$28,991.00. CONSIDERATION AND ADOPTION OF RESOLUTION.

Motion:

A 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 (5-2).

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

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- r) Request of the Water Division to award ITB-W-8908 for removal and disposal of Water Division Spoils (Clay, Concrete, Asphalt, Re-Rod and Debris) be awarded to Bedrock Express, LTD for a one year period with the option to renew for an additional one year period at the same terms and conditions at the per cubic yard price of \$5.74 for an annual amount not to exceed \$143,500.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A motion to approve was made by Councilman Stevens and supported by Councilman Sadowski.

Roll Call:

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

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

11 MISCELLANEOUS CORRESPONDENCE:

- a) Request of the Police Department for a six month extension of supplemental pay benefit for Police Officer Matthew Woods, per Article 16 of the WPOA Collective Bargaining Agreement.

Motion:

A 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 unanimously (7-0).

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

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Councilman 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.

Matthew Bruzick appeared before Council to discuss the Animal Control Issue.

Courtney Cox-Sanders appeared before Council to discuss the Animal Control Issue.

Marna Florka appeared before Council to discuss the Animal Control Issue.

13 Council – Calendar of Pending Matters

14 COUNCIL BUSINESS:

- a) (tabled 2/25/14) Council Secretary/Mayor Pro Tem, Scott C. Stevens, In re: Amendments to the Civil Service Ordinance.

Motion:

A motion to remove from the table was made by Councilman Stevens and supported by Councilman Sadowski.

Roll Call:

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

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

- b) Request of Council Secretary/Mayor Pro Tem Scott C. Stevens in re: To refer to the city Attorney for an opinion; (1) Under what authority can the Mayor make an emergency appropriations, what constitutes an emergency, what limits and conditions apply, should an emergency meeting of City Council be requested first, would an appropriation from a

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voter approved special millage be within this purview? (2) To which fund would reimbursed funds for which the appropriation of funds were made, be returned to: the department's fund from which they were taken, the general fund, stabilization fund or the special millage account from which they were taken? (3) Does City council possess' the authority to make appropriations from the general fund, the stabilization fund or a special millage? Who else, if anyone can make an appropriation from a special millage fund? To be submitted to Council for review no later than March 24, 2014.

Motion:

A motion to approve was made by Councilman Stevens and supported by Councilwoman Colegio.

Voice Vote:

A voice vote was taken on the motion and the motion carried (7-0).

15 ADJOURNMENT

Councilman Warner made the motion to adjourn and Councilman Green supported the motion.

A voice vote was taken on the motion and the motion carried (7-0).

The meeting adjourned at 8:54 p.m.

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