

**WARREN CITY COUNCIL
REGULAR MEETING
July 26, 2016**

A Regular Meeting of the Warren City Council was called for Tuesday, July 26, 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
Robert Boccomino, Council Secretary
Keith J. Sadowski, Assistant Council Secretary
Kelly Colegio, Mayor Pro Tem
Scott C. Stevens, Councilman
Steven G. Warner, Councilman

ABSENT:

None

Also Present:

Mary Michaels, Acting City Attorney
James Van Havermaat, Engineering
Tom Bommorito, Building
Tracey Perry, Communications Director
Sean Clark, Citistat Coordinator
Henry Bowman, Parks and Recreation
Rob Maleszyk, Controller

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 were present.

4. ADOPTION OF THE CONSENT AGENDA

Motion:

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

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Secretary Boccomino requested item 4e be corrected to state Sidewalk and Tree Review Board. Also by request of the administration that item 4k be added to the consent agenda: Proposed ordinance to amend Appendix A, Article XVII, Section 17.02 (aa) relating to Industrial Standards for Medical Marihuana Facilities (First Reading).

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 Councilman Stevens and support motion made by Councilwoman Colegio with an amendment to remove 14a from the agenda, add item 14b- Councilman Green. Discussion in re: 29415 Cunningham. Add item 10-Resident request for discussion in re: Flooding on Lira Lane.

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 Warner	Yes
Councilman Boccomino	Yes
Chairman St. Pierre	Yes

6. APPROVAL OF THE MINUTES

a) Regular Meeting of July 12, 2016

Motion:

Motion to approve made by Councilman Green 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

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a) General Revenue Funds

Motion:

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

Roll Call:

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

Councilman Warner	Yes
Councilman Stevens	Yes
Councilman Sadowski	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Green	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 (6-0).

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

c) General Fund Revenue Report

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 (6-0).

Councilman Stevens	Yes
Councilwoman Colegio	Yes

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

d) General Fund Expenditure Report

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 (6-0).

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

8 ANNOUNCEMENTS

9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) **ADMINISTRATIVE HEARING:** Request for Easement Vacation located 337.70 ft. south of Rinke Avenue approximately 885 ft. east of Mound Road; 6176 & 6260 Rinke Avenue; Section 28; Super Steel Treating (John Bartley).

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 (6-0).

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

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10 CORRESPONDENCE FROM THE MAYOR:

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION approving amendment to bond resolution dated August 31, 2013 authorizing City of Warren Capital Improvement Bonds, Series 2013.

Motion:

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

Roll Call:

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

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

- b) Request of DPW to award bid ITB-W-9412 for the furnishing of vehicle batteries on consignment to Wiegand Mack Sales for one (1) year with an option to renew for one (1) year, in an annual amount not to exceed \$13,009.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

- c) Request of Planning Department to authorize the purchase of Document Scanning Services to Graphic Sciences, Inc. through the State of Michigan (MiDeal) contract 071B3200035 in an amount not to exceed \$61,640.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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Motion:

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

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

- d) CONSIDERATION AND ADOPTION OF A RESOLUTION approving proposed contract modification No. 1 and final for city contract ITB-W-9298, furnishing and installing a continuous emissions monitoring system with Data Acquisition System. Total increase amount is \$6,226.89.

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 (6-0).

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

- e) Request of the Engineering Division to award bid and approve contract for City Project JS-16-621, 2016 Joint and Crack Sealing Program No. 2 (ITB-W-9349) with Michigan Joint Sealing, Inc., in an amount not to exceed \$329,405.00 and authorizing the Mayor and Clerk to execute the contract.
CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

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Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

- f) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and contract for City Project P-16-614, Sherwood Avenue Pavement Reconstruction (South of 11 Mile Road), in the amount of \$300,888.40.

Motion:

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

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

- g) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and approve contract for City Project P-16-617, Marcy Street pavement reconstruction (ITB-W-9346) to the low bidder, Zuniga Cement Construction, Inc., in the total bid amount not to exceed \$316,405.75 and authorizing the Mayor and the Clerk to execute the contract.

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 (4-2).

Councilman Green	Yes
Councilman Boccomino	Yes
Councilman Stevens	No

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Councilwoman Colegio	No
Councilman Warner	Yes
Chairman St. Pierre	Yes

- h) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and contract for City Project W-16-610, 11 Mile Road at Dequindre Road Pressure Reducing Valve Station (AEW Project No. 0140-0085) with Pamar Enterprises, Inc., in a total bid amount of \$594,440.60.

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 (6-0).

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

- i) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and approve contract for City Project TV-16-623, 2016-2017 annual sewer cleaning and televising (ITB-W-9426) with United Resource, LLC, in an amount not to exceed \$57,410.00 and to authorize the Mayor and Clerk to execute the contract.

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 (6-0).

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

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- j) Request of the Fire Department for City Council to appoint a representative to sit on the Fire Truck RFP Committee.

Motion:

Motion to nominate Councilman Stevens and approve the RFP was made by Councilman Warner and support motion made by Councilman Green.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

11 MISCELLANEOUS CORRESPONDENCE:

- a) City Attorney follow-up on Councilwoman Colegio's June 14, 2016 request directing the city attorney to investigate commercial property located at 28934 Ryan and begin nuisance abatement.

Motion:

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

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded. The motion carried (6-0).

- b) Appointment of 37th District Court Magistrate Roger Trim to the position of Administrative Hearings Officer.

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 (6-0).

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

- c) Request of Human Resources/Risk Management for direction relating to the case of Ramone Thompson v City of Warren, Macomb County Circuit Court case No. 2:14-CV-14701.

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 (5-1).

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

- d) Ratify Union Contract of the General Employees Labor Council, Local 227 for the period of July 1, 2016 through June 30, 2019.

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 (6-0).

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

- e) Ratify Union Contract of the General Employees Labor Council/Supervisory for the period of July 1, 2016 through June 30, 2019.

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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 (6-0).

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

- f) Ratify Union Contract of UAW 412, Unit 59 for the period of July 1, 2016 through June 30, 2019.

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 (6-0).

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

- g) Ratify Union Contract of UAW 412, Unit 35 for the period of July 1, 2016 through June 30, 2019.

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 (6-0).

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

Councilwoman Colegio discussed the concerns with the Great Lakes Water Authority and made the motions that were requested in the committee of the whole session held on July 11, 2016 as listed below:

Councilwoman Colegio in re: Make a motion to: 1) Direct City Attorney to draft letter to the Great Lakes Water Authority notifying them of the Cities intent of pursuit of legal remedy. 2) Have City Attorney investigate that the charges being assessed to the City of Warren to insure it includes water charges only and not sewer. 3) Direct City Attorney to send a letter to all municipalities contracted with the Great Lakes Water Authority regarding interest and feasibility of the pursuit of legal action against GLWA for payment of water and sewer charges pertaining to Highland Park debt. 4) Create an RFP for hiring an outside legal counsel firm for the City Council and to handle the GLWA suit.

Motion:

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

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

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Chairman St. Pierre Yes

14 COUNCIL BUSINESS:

- a) Council President Cecil St. Pierre in re: Enforcement of 4th of July fireworks restrictions.

Councilman St. Pierre said no action was needed on this item he placed it on the agenda for discussion only.

- b) Council President Cecil St. Pierre in re: Revise/clarify Medical Marijuana ordinance, Section 17.02.

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 (5-1).

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

- c) Councilman Scott C. Stevens in re: Amendment to Warren code of ordinances, Section 24-149. This amendment would allow trained safety personnel to conduct fundraising such as "Fill the Boot".

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 (6-0).

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

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- d) Councilwoman Colegio in re: Vacant home at 25734 Curie Street.

Motion:

Motion to direct the Building Department to conduct an administrative search warrant on the property as well as invite the Health Department to assist in this search and to report any findings was made by Councilwoman Colegio and support motion made by Councilman Green. Additional request to have copies of all records on this property sent over to Council Secretary's Office.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

- e) Councilwoman Colegio in re: Hiring outside Engineering Firm to investigate reasons for flooding in the City and report possible solutions.

Motion:

Motion to approve an RFP to seek and Engineering Firm that can address why different areas of the city flood and offer viable solution sin correct this ongoing problem was made by Councilwoman Colegio and support motion made by Councilman Stevens.

Roll Call:

A roll call vote was taken on the motion. The motion carried (6-0).

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

- f) Councilman Stevens in re: Request to amend the adopted 2016/2017 budget to add funding for CERT and address positions in the Communications Department.

Motion:

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Motion to send a letter to the administration requesting funding for the CERT Program and to look at adding the Broadcast Engineer or Personal Communications Specialist I position 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 (6-0).

Councilman Stevens	Yes
Councilman Warner	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	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 Boccomino.

Voice Vote:

A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (6-0). The meeting adjourned at 8:42p.m.

Robert Boccomino
Secretary of the Council