

**WARREN CITY COUNCIL
REGULAR MEETING
July 8, 2014**

A Regular Meeting of the Warren City Council was called for Tuesday, July 8, 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
Gina Hensley, Community Development
Officer Braunschneider, Liquor Licensing
James Van Havermaat, City Engineer
Carolyn Kurkowski Mocer, Treasurer
Gus Ghanam, Deputy Public service Director
Tom Pawelkowski, Water Department

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 was made by Councilman Green and supported by Councilman Stevens.

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

5. ADOPTION OF AGENDA

Motion:

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

Add item 9b, public hearing for 22708 MacArthur, Special Assessment District and item 14c, Council Secretary Stevens in re: To amend ordinance Chapter 25, Personnel, Article II.

Voice Vote:

A voice vote was taken on the motion. The motion carried (6-1), Councilman Green voting no.

6. APPROVAL OF THE MINUTES

a) Minutes of the Regular Meeting of June 24, 2014

Motion:

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

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:

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Motion to approve was made by Councilman Sadowski and supported 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
Councilman Warner	Yes
Councilman Green	Yes
Councilman Colegio	No
Councilman Stevens	Yes
Councilman St. Pierre	Yes

b) Water & Sewer System Bills

Motion:

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

8 ANNOUNCEMENTS

Moment of silence for Father Mileski.
American Polish Festival on July 11, 12 and 13th.
Request to review Personal Property Tax Proposal 14-1.

9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) **ADMINISTRATIVE HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION to approve Class C Liquor License Transfer of Gail Street Concessions at 28202 Dequindre (Plush Pockets).

Motion:

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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 (7-0).

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

- b) PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving Special Assessment District (SAD) No. 439 relating to 22708 MacArthur (Garage Only) for Nuisance Abatement.

Karen Spranger appeared before the Council and stated she had asked in the past that the information should be brought to City Council at least that she could look at the documents because she does not have the internet to look at them on. She has a question on the initials SAD to explain exactly what that means. Does it mean the special assessment district or does the district mean special funds that are going to pay for this or does the expense go to the actually property owner? What is the actually cost?

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 (7-0).

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

10 CORRESPONDENCE FROM THE MAYOR:

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- a) CONSIDERATION AND ADOPTION OF A RESOLUTION accepting Sidewalk Easement Agreement for 29797 Gilbert, Parcel ID. No. 13-10-401-003 Warren Consolidated Public Schools in the amount of \$1.00.

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 (7-0).

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

- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the award of bid and contract recommendation to DiPonio Contracting, Inc. in the total bid amount of \$1,515,505.75 for the Warner Avenue Pavement and Water Main replacement Project WP-13-559.

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 (7-0).

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

- c) Request of the Engineering Department to approve the Contract Modification No. 1 and final to the City Contract SWK-13-565, 2013 sidewalk and A.D.A. Ramp repairs (various locations) resulting in a decrease to the total contract amount of \$100,979.34. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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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 (7-0).

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

- d) Request to waive the bidding procedure and authorize one year of service beginning August 1, 2014 with BS&A Software in the annual amount of \$29,870.00 to be used by various departments. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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 (7-0).

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

- e) Request of the Public Service Department and the Fire Department to rescind a portion of award for bid ITB-W-8880 from JR Services Group, LLC and award this portion to Frank's Landscaping for Median Mowing and Maintenance Service in the annual amount not to exceed \$19,878.00 annually or \$39,756.00 for a two year period. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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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 (5-2).

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

- f) Request of City Treasurer Carolyn Kurkowski-Moceri to waive the bid process and authorize a three year agreement with option to renew for three additional two year periods, followed by an option to renew for an additional one year period, to the sole source provider, Point & Pay, LLC. To provide E-Payment Services. There are no charges to the City for this service. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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 (7-0).

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

- g) Request of the Department of Public Works to authorize the purchase of passenger and light truck tires from Trade Ray Tire Center through the State of Michigan Cooperative Purchasing Program (contract #071B8200076) for a period commencing upon City Council approval through January 15, 2015 in the amount not to exceed \$40,000.00 CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- h) Request of the Deputy Public Service Director to award purchase of six (6) 2015 Chevrolet Silverado 3500's Regular Cab 4WD, equipped with complete snow plow packages and Henderson Mack III Dump Bodies to Berger Chevrolet at a unit price of \$59,297.00 and a grand total of \$355,782.00. Payment to be made within 10 days of delivery.
CONSIDERATION AND ADOPTION OF A RESOLUTION.

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 (7-0).

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

- i) Request of Public Works to award bid ITB-W-8983 for furnishing Slag, Sand & Aggregates for a one (1) year period to the low responsible bidder Edward C. Levy in an annual amount not to exceed \$42,219.00
CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

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Roll Call:

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

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

- j) Request of the Water Division to award bid ITB-W-8984 for Repair Clamps and Sleeves for a one (1) year period to the low responsible and cost effective bidder Etna Supply Company in an annual amount not to exceed \$34,734.69. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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 (6-1).

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

- k) Request of the Police Department to award bid ITB-W-9000 to furnish an Animal Shelter for the Police Department to the low responsible and cost effective bidder, Meridian Contracting Group, LLC in the amount of \$24,826.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

A motion to postpone 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).

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

- l) Request for approval of RFP Committee relating to Government Performance Management Software Contract and the appointment of one (1) Council Representative.

Motion:

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

Voice Vote:

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

- m) Request for approval of the appointment of Gina Ludwig to the Planning Commission to replace Sherry Brasza with a term to expire June 30, 2017.

Motion:

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

Voice Vote:

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

- n) Request of the Assessing Department to approve License Agreement with Costar Realty Information Inc., sole source provider in the amount not to exceed \$7,197.96.

Motion:

A motion to postpone was made by Councilman Stevens and supported by Councilman Green.

Voice Vote:

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

- o) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell City Owned Property at 3307 Jarvis, Warren; Parcel

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ID No. 13-31-252-028, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

Motion:

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

Roll Call:

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

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

- p) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 7583 Lozier, Warren; Parcel ID No. 13-28-481-024, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

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 (7-0).

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

- q) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 2060 Emmons, Warren; Parcel ID No. 13-31-353-017, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

Motion:

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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 (7-0).

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

- r) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 7212 Maxwell, Warren; Parcel ID No. 13-33-207-011, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

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 (7-0).

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

- s) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 7559 Hudson, Warren; Parcel ID No. 13-33-277-018, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

Motion:

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

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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

- t) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 8031 Orchard, Warren; Parcel ID No. 13-34-301-034, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

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 (7-0).

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

- u) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 8248 Jackson, Warren; Parcel ID No. 13-34-357-007, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

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 (7-0).

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

- v) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property at 11283 Lozier Ave., Warren; Parcel ID No. 13-27-456-024, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

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 (7-0).

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

- w) CONSIDERATION AND ADOPTION OF A RESOLUTION to Provide Public Notice of Intent to Sell Vacant Property on Mary Ann Drive, Warren; Parcel ID No. 13-05-406-001, and placing on file with the City Clerk's Office a Notice of Intent for a 30-day period.

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

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

11 MISCELLANEOUS CORRESPONDENCE:

- a) Request of the Warren Police Officers Association for a six (6) month extension of the supplemental pay benefit for Police Officer Kimberly Teolis. Officer Teolis was injured in an auto accident while on duty on January 12, 2014.

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 (7-0).

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

Karen Spranger appeared before the Council and stated that Robert's Rules of Order needed to be reviewed.

13 COUNCIL-CALENDAR OF PENDING MATTERS

14 COUNCIL BUSINESS:

- a) **(tabled 6/24/14)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the adoption of a Smoking Ordinance. (Second Reading)

Motion:

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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 (7-0).

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

b) Council Secretary/Mayor Pro Tem Scott C. Stevens Discussion in re:

(1) Appointment of Mary M. Kamp to Deputy Council Secretary

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 (7-0).

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

(2) Request opinion from City Attorney as to the hiring/filling of Council office positions. Being one of the three branches of government is the Legislative body required to seek approval from the Mayor prior to filling vacant, funded and approved positions in the Council Office. Or rather, is this a tripartite government with separation of powers and shouldn't the Legislative branch (Council) be treated the same as the City's Judicial (37th District Court) branch of government.

Motion:

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

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Roll Call:

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

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

- c) Council Secretary Stevens request to amend ordinance Chapter 25 Personnel Article II. Civil Service Division 1. Generally section 25-23 positions exempt from article. Secretary of the Council, Deputy Council Secretary, Senior Administrative Secretary-Council and Administrative Technical-Council.

Motion:

A motion to approve the exemption of Deputy Council Secretary only was made by Councilman Stevens and supported 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
Councilman Green	Yes
Councilman Warner	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman St. Pierre	Yes

15 ADJOURNMENT

Motion:

A motion to adjourn was made by Councilman Sadowski and supported by Councilman Warner.

Voice Vote

A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (7-0). The meeting adjourned at 8:57 p.m.

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Scott C. Stevens
Secretary of the Council
Mayor Pro Tem

APPROVED