

**WARREN CITY COUNCIL
REGULAR MEETING
January 12, 2016**

A Regular Meeting of the Warren City Council was called for Tuesday, January 12, 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
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:

Mary Michaels, Acting City Attorney
James VanHavermaat, City Engineer
Tom Bommartio, CitiStat Analyst
Gina Hensley, Community Development

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ADOPTION OF THE CONSENT AGENDA

Motion:

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

Voice Vote:

A voice vote was taken on the motion. All "Ayes" were recorded, except Councilman Stevens that voted "Nay". The motion carried (6-1).

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5. ADOPTION OF AGENDA

Motion:

Motion to approve made by Councilwoman Colegio and support motion made by Councilman Stevens. With the following amendments: Add item 11c Verizon Wireless v City of Warren, 11d Omar Coney v City of Warren, 11e Knitter v City of Warren, item 14b Councilman Stevens concerns over handicap parking violations and parking in fire lanes. Item 14c Council President St. Pierre to add discussion in re: pawn shops.

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 Warner	Yes
Councilman Sadowski	Yes
Chairman St. Pierre	Yes

6. APPROVAL OF THE MINUTES

a) Minutes of the Regular Meeting of December 15, 2015

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 Revenue Funds

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).

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

b) Water & Sewer System

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

8 ANNOUNCEMENTS

9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) PUBLIC HEARING:** Receive comments on the 2016-2020 Housing and Community Development Consolidated Plan Priority Needs.

No one appeared

Motion:

Motion to receive and file was made by Councilman Warner 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).

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- b) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 2128 Michael for the demolition of a house and garage, Nuisance Abatement.

Motion:

Motion to approve was made by Councilman Stevens and support motion made 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 Warner	Yes
Councilwoman Colegio	No
Councilman Boccomino	No
Councilman Green	No
Chairman St. Pierre	No

Motion:

Motion to postpone to March 2016 to allow owner to work with the Building Department was made by Councilman Green and support motion made by Councilwoman Colegio.

Roll Call:

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

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

- c) **PUBLIC HEARING:** Request to approve an easement vacation; located on the north side of Ten Mile approximately 180 feet east of Ryan Road; 4175 Ten Mile; Section 20; Michael J. Healy Jr. (Robert Tobin) petitioner.

Motion:

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

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Roll Call:

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

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

10 CORRESPONDENCE FROM THE MAYOR:

- a) **(Postponed 12/15/15) CONSIDERATION AND ADOPTION OF A RESOLUTION** to approve an increase to the current cost sharing agreement for State Contract 14-5415, Non-motorized pathway work along Outer Drive from Conner Street to Van Dyke Avenue (Highway M-53) and along Van Dyke Avenue (Highway M-53) from Outer Drive to Stephens Road for the Conner Creek Greenway.

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 (4-3).

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

- b) Request of the Police Department to award the purchase of two (2) 2016 Dodge Charger Police Vehicles from Lafontaine Chrysler Dodge Jeep, in a total amount not to exceed \$52,878.00, utilizing the Oakland County Cooperative Vehicle Contract #003341. **CONSIDERATION AND ADOPTION OF A RESOLUTION.**

Motion:

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

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Roll Call:

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

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

- c) CONSIDERATION AND ADOPTION OF A RESOLUTION authorizing Solid Waste Disposal Renewal of Agreement with Detroit Renewable Power d/b/a Michigan Energy, Inc., for a three year term at a rate of \$15.00 per ton.

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

- d) Request of the Department of Public Works to award a cooperative bid for gasoline and diesel fuel purchase, with delivery, on a split bid basis for two (2) years with the option to extend the terms and conditions for an additional two (2) years, to RKA Petroleum Companies, Inc., Ports Petroleum Co., Inc., and Atlas Oil Company. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- e) CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed resolution authorizing the conveyance of Tax-Reverted Property at 11395 Cadillac, Warren, Parcel ID No. 13-34-228-032 to the adjacent property owner at 11389 Cadillac.

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).

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

- f) CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed resolution authorizing the conveyance of Tax-Reverted Property at 13445 Zagaiski, Warren, Parcel ID No. 13-23-430-015 to the adjacent property owner at 13437 Zagaiski.

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

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

- g) CONSIDERATION AND ADOPTION OF A RESOLUTION** approving a proposed resolution authorizing the conveyance of Tax-Reverted Property at 25218 Rosenbusch, Warren, Parcel ID No. 13-24-479-009 to the adjacent property owner at 25226 Rosenbusch.

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

- h) CONSIDERATION AND ADOPTION OF A RESOLUTION** to approve contract modification no.1 and final to City Contract S-15-600, 21750 Hoover Road Sanitary Sewer Repair, increasing the original contract amount by \$5,913.00 and to approve and issue payment no. 1 and final in the amount of \$81,997.00 to V.I.L. Contracting, Inc.

Motion:

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

Roll Call:

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

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

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Councilman Green	Yes
Chairman St. Pierre	Yes

- i) Request of the City Clerk to award scanning of City Records to Graphic Sciences, Inc., via the State of Michigan MiDeal Contract #071B3200035, STA-W-9325, in an amount not to exceed \$40,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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

- j) Request of the Communications Department to waive the bid process and authorize an award to CineSys-Oceana for Asset Management Software System in an amount not to exceed \$54,409.30. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

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- k) Request of the Communications Department to award the purchase of one (1) 2016 Dodge Promaster 1500 Cargo Van from Jim Riehls Friendly Automotive Group, Inc., in the total amount of \$28,001.00, utilizing the Oakland County Cooperative Vehicle Contract, OAK#004229. 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).

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

- l) Request of the Building Maintenance Division to award bid ITB-W-9318 for pest control services to the low responsible and cost effective bidder, Elite Pest Management, for a one (1) year period with the option to renew for one (1) additional year, in an amount of \$6,664.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Item died due to lack of motion and support.

- m) Request of the Building Maintenance Division and the Parks & Recreation Department to extend bid ITB-W-8113 for HVAC services to Johnson Controls (JCI), at the monthly rate of \$10,465.00 for maintenance services and \$20,000.00 for services outside of the turnkey maintenance coverage, for a total amount not to exceed \$61,860.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- n) Request to appoint one member of Council to the RFP for Security Surveillance System.

Motion:

Motion to nominate Councilman Sadowski made by Councilman Warner 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).

- o) Request of the Community Development and Public Service Departments to award bid ITB-W-9307 for residential asbestos surveys to the low responsible and cost effective bidder, DMD Environmental, Inc., for a one (1) year period with the option to renew for one additional year, at the same terms and conditions in an annual amount not to exceed \$13,100.00.
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
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Green	Yes
Chairman St. Pierre	Yes

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- p) Request of Community Development to approve change order no.1 and final with Brenca Contractors, Inc. for improvements to comfort stations, decreasing the contract amount by \$1,246.29 and authorizing final payment in the amount of \$107,353.71. 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
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Boccomino	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

- q) Request of the Public Service Division to award bid ITB-W-9322 to Rizzo Environmental Services, Inc. for Single Stream Processing of Recyclables for a one year period in the amount of \$35.00 per ton. 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
Councilman Sadowski	Yes
Councilwoman Colegio	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Chairman St. Pierre	Yes

This item was reconsidered by Councilwoman Colegio 1.15.16 and will return to the next agenda.

11 MISCELLANEOUS CORRESPONDENCE:

- a) Application of Ambulance License Renewal for Universal-Macomb Ambulance Service.

Motion:

Motion to approve made by Councilman Warner 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).

- b) Application of Ambulance License Renewal for Superior Air Ground Ambulance Service.

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).

- c) CONSIDERATION AND ADOPTION OF A RESOLUTION Approving Settlement Agreement with New Par d/b/a Verizon Wireless v City of Warren, United States District Court Eastern Division Case No. 2:15-cv-12934.

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 (5-2).

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

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- d) CONSIDERATION AND ADOPTION OF A RESOLUTION Approving lawsuit settlement in the matter of Omar Coney v City of Warren, United States Federal District Court Case No. 2:14 cv 10842.

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

- e) CONSIDERATION AND ADOPTION OF A RESOLUTION Approving lawsuit settlement in the matter of Edward Knitter v City of Warren, United States Federal District Court Case No. 15-11858.

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
Councilwoman Colegio	Yes
Councilman Boccomino	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.

13 Council – Calendar of Pending Matters

14 COUNCIL BUSINESS:

- a) **(Reconsideration)** Council President Cecil D. St. Pierre Jr. filed a reconsideration of item 10m from December 15, 2015. (failed vote of 4-3). CONSIDERATION AND ADOPTION OF A RESOLUTION approving Amendment No. 1 to the development agreement with Macomb County Habitat for Humanity for the construction of two (2) new single-family homes.

Motion:

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

Roll Call:

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

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

Motion:

Motion to reconsider 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 (7-0).

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

- b) Councilman Stevens request to direct the City Attorney to investigate the requirements needed for instituting a voluntary parking enforcement program, focused on handicap parking and fire lane violations.

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Motion:

Motion to send to the City Attorney for review 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).

- c) Council President St. Pierre request to direct the city attorney to review the pawn shop ordinance.

Motion:

Motion to send to the City Attorney for review 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).

15 ADJOURNMENT

Motion:

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

Voice Vote:

A voice vote was taken on the motion and all "Ayes" recorded. The motion carried (7-0). The meeting adjourned at 8:24 p.m.

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