



Cecil D. St. Pierre, Jr., President  
Patrick Green, Vice President  
Scott C. Stevens, Secretary

Keith J. Sadowski, Asst. Sec'y  
Robert Boccomino

Kelly Colegio (Mayor Pro Tem)  
Steven G. Warner

**A Regular Meeting of the City Council – Tuesday, November 10, 2015, at 7:00 p.m.**

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.

**AGENDA**

- 1 CALL TO ORDER**
- 2 PLEDGE OF ALLEGIANCE**
- 3 ROLL CALL**
- 4 ADOPTION OF THE CONSENT AGENDA**
- 5 ADOPTION OF THE AGENDA**
- 6 APPROVAL OF THE MINUTES:**
  - a) **Regular Meeting of October 27, 2015**
- 7 APPROVAL OF THE BILLS**
  - a) **General Revenue Funds**
  - b) **Water & Sewer System**
- 8 ANNOUNCEMENTS - Elected Officials Swearing In Ceremony**
- 9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:**
  - a) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 6898 Lozier for the demolition of a house and garage, Nuisance Abatement SAR No. 470. CONSIDERATION AND ADOPTION OF A RESOLUTION.
  - b) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 8451 Jewett for the demolition of a house, Nuisance Abatement SAR No. 471. CONSIDERATION AND ADOPTION OF A RESOLUTION.
  - c) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 3725 Alvina for the demolition of a house and garage, Nuisance Abatement SAR No. 472. CONSIDERATION AND ADOPTION OF A RESOLUTION.

- d) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a request to rezone property located on the southeast corner of Twelve Mile Road and Grobbel Avenue; 5454 Twelve Mile; from the present zoning "O", Office District, to C-2, General Business District; Section 17; Brushwood Corp. (Peter Dow).
- e) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a request to rezone property located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; from R-2 two family residential district, to C-2, General Business District.
- f) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving Subdivision Property Split and Combination Request. Property is located on the west side of Winchester Avenue, approximately 325 ft. north of Beebe Ave; split the westerly 23.5 ft. of 31710 Winchester Avenue (Parcel No. 13-05-429-005) and combine said 23.5 ft. with 31719 Winchester (Parcel No. 13-05-428-017); Section 5; Christine Kowalczyk.
- g) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed ordinance adding Articles VI and VII to Chapter 21 creating local requirements relating to Medical Marihuana, and prohibiting odors causing a nuisance; and a proposed ordinance amending Chapter 22, Section 191 relating to marihuana possession, use and transport. (First Reading)
- h) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed ordinance amending Chapter 18 of the Code of Ordinances Entitled Licensing, relating to restaurant license expiration. (First Reading)
- i) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed ordinance amending Chapter 2, Article V, Division 10 of the Code of Ordinances, relating to the Senior Health Care Services Commission. (First Reading)
- j) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving a proposed ordinance amending Chapter 41, Section 41-155 regulating storm water run-off for new or redeveloped project sites. (First Reading)

**10 CORRESPONDENCE FROM THE MAYOR:**

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION approving contract modification No. 1 to City Contract P-14-590, Chicago Road Resurfacing (Cadillac Asphalt, LLC.) increasing the original contract amount by \$58,604.97 and extending contract completion time through December 31, 2015.
- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving amendment to the Contract No. 2014-0963 with the Michigan Department of Transportation (MDOT) for extension of Contract term through December 31, 2015 for completion of Chicago Road Improvements (Dequindre to Mound).
- c) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Police Department to participate in the Midwestern Higher Education Commission (MHEC) Contract with Dell Marketing, L.P. for Dell Computer Equipment and Supplies; TRI-W-9271.
- d) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Water Division to award the purchase of a 2015 John Deere 544K Highlift Wheel Loader through the State of Michigan Contract #071B1300116; STA-W-9317; in the total amount of \$168,109.00.
- e) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the ACH payment of Affordable Care Act Transitional Reinsurance Program, Annual Enrollment Fees in the total amount of \$178,596.00.

**11 MISCELLANEOUS CORRESPONDENCE:**

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Human Resources/Risk Management Division for adoption of Medicare Advantage Addendum to Group Enrollment and Prescription Coverage for Post -65, Medicare eligible enrollees.
- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the settlement of the Adrian Felton v City of Warren, Macomb County Circuit Court Case No. 14-2309-NI, as discussed during the Closed Session of November 9, 2015.
- c) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the Macomb County Mowing Agreement for 2015-2016.
- d) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the Macomb County Winter Maintenance Agreement for 2015-2016.

**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:**

**15 ADJOURNMENT**

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

**Any person with a disability who needs accommodation for participation in this meeting should contact the Warren City Council Office at (586) 258-2060 – 48 hours in advance of the meeting to request assistance.**

**CONSENT AGENDA**

**The following routine items are presented for City Council approval without discussion, as a single agenda item, in order to expedite the meeting. Should any Council Member wish to discuss or disapprove any item it must be dropped from the blanket motion of approval and considered as a separate item.**

**Item 4:**

- a) Request to confirm the appointment of Karen Ann Oakes to the Senior Health Care Commission to replace Charlie Pryor; term expiration date is July 1, 2016.
- b) Request to schedule a public hearing to rezone property located on the south side of Maxwell Avenue approximately 146 ft. east of Sherwood Avenue; 6732 Maxwell Avenue; from the present zoning classification of C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to M-1, Light Industrial District; Section 33; R.S.G. Industrial Repair (Robert Tobin). SET PUBLIC HEARING DATE-December 8, 2015.

**WARREN CITY COUNCIL  
REGULAR MEETING  
October 27, 2015**

A Regular Meeting of the Warren City Council was called for Tuesday, October 27, 2015 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  
Dean James, Chief Building Inspector  
Tom Bommarito, CitiStat Analyst  
David Monette, Water Waste Treatment Admin.  
Lark Samouelian, Community Development  
Officer Northrup, Police  
Sean Clark, Assistant Public Service  
Oksana Urban, Library Director

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 Warner and Support motion made by Councilwoman Colegio.

WARREN CITY COUNCIL  
REGULAR MEETING  
October 27, 2015  
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**Voice Vote:**

A voice vote was taken on the motion. 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 the following amendments: Add 14b—animal ordinance, Remove item 11b-medicare.

**Roll Call:**

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

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

6. **APPROVAL OF THE MINUTES**

a) **Minutes of the Regular Meeting of October 13, 2015**

**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**

a) **General Revenue Funds**

**Motion:**

Motion to approve was made by Councilman Sadowski 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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REGULAR MEETING  
October 27, 2015  
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Councilman Sadowski	Yes
Councilman Boccomino	Yes
Councilwoman Colegio	Yes
Councilman Stevens	Yes
Councilman Warner	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 (7-0).

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

8. **ANNOUNCEMENTS**

9. **PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:**

- a) **PUBLIC HEARING:** Request to approve the establishment of an Industrial Development District for Dart Machinery, LTD., located at 2097 Bart Avenue, Warren, Michigan, in Section 30. 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

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

- b) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 8742 Chalmers for the demolition of a house and garage, Nuisance Abatement.

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

- c) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 7511 Studebaker for the demolition of a house and garage, Nuisance Abatement.

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

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REGULAR MEETING  
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- d) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 11235 Paige for the demolition of a house and garage, Nuisance Abatement.

**Motion:**

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

**Roll Call:**

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

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

- e) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 14515 Myrand for the demolition of a house, Nuisance Abatement.

**Motion:**

Motion to approve 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 (7-0).

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

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- f) **PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 4536 Ten Mile for the demolition of a house and shed, Nuisance Abatement.

**Motion:**

Motion to postpone to January 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 (4-3).

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

- g) **ADMINISTRATIVE HEARING:** Request to transfer Class C Liquor with SDM License from New Romansa, LLC to Mr. Mikes 2, LLC, located at 26837 Ryan Road, Warren, 48091. Applicant: Steven Savich

**Motion:**

Motion to approve was 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).

10. **CORRESPONDENCE FROM THE MAYOR:**

- a) **CONSIDERATION AND ADOPTION OF A RESOLUTION** approving the request of the Planning Commission to waive the bidding procedure and authorize a one (1) year membership to the sole source provider, Southeast Michigan Council of Governments (SEMCOG), in the annual amount of \$15,374.00.

**Motion:**

Motion to approve was made by Councilman Stevens and Support motion made by Councilman Green.

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**Voice Vote:**

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

- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Library Commission to award bid ITB-W-9290 for the 2016 calendar year magazine subscriptions to 1<sup>st</sup> Choice Procurement Solutions, LLC, in the amount of \$13,409.73.

**Motion:**

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

**Roll Call:**

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

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

- c) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Public Service Department to award bid ITB-W-9294 for the demolition of a house located at 11204 Cadillac to SJ Design & Construction, LLC., in the total amount of \$10,850.00.

**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

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REGULAR MEETING  
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- d) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Sanitation Division to award bid ITB-W-9171 for furnishing one (1) 2016 Mack GU813 Cab/Chassis to Weigand Mack in the total amount of \$128,200.00.

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

- e) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the City Attorney's Office to amend the agreement and grant of easement between Macomb Community College and the City of Warren.

**Motion:**

Motion to approve was made by Councilman Warner and Support motion made by Councilwoman Colegio.

**Roll Call:**

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

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

- f) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Waste Water Treatment Plant (WWTP) for contract modification No. 1 to City Contract WWTP-14-002, ITB-W-9028, WWTP-Final Clarifier No.'s 1-4 rehabilitation. Approval will increase the contract

WARREN CITY COUNCIL  
REGULAR MEETING  
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with Spence Brothers by \$25,637.75, modifying the original contract from \$4,948,000.00 to a current project total of \$4,973,637.75.

**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 Warner	Yes
Councilman Stevens	Yes
Councilman Green	Yes
Chairman St. Pierre	Yes

- g) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Waste Water Treatment Plant (WWTP) to award bid ITB-W-9291 to furnish and install a rolling steel service door to Overhead Door West Commercial, Inc., in the amount of \$10,440.00.

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

- h) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Waste Water Treatment Plant (WWTP) to award bid ITB-W-9287 for Ferric Chloride to PVS Technologies, Inc., in an amount not to exceed \$25,600.00.

**Motion:**

WARREN CITY COUNCIL  
REGULAR MEETING  
October 27, 2015  
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Motion to approve 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 (7-0).

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

**11. MISCELLANEOUS CORRESPONDENCE:**

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of Ace Pyro for a Fireworks Display Permit, for the Art Van Furniture Million Lights Event on November 5, 2015. Applicant: Andrew Espenshade.

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

- b) **This item was REMOVED from the agenda.** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of the Human Resources/Risk Management Division for adoption of Medicare Advantage Addendum to Group Enrollment and Prescription Coverage for Post -65, Medicare eligible enrollees.

**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.

Carolyn Mocerri spoke of the Treasurer's race.  
Laurie Barnwell spoke of the Treasurer's race.  
Mason (Fitzgerald student)

**13 Council – Calendar of Pending Matters**

**14 COUNCIL BUSINESS:**

**a) Quarterly Water 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 and all "Ayes" were recorded. The motion carried (7-0).

**b) Direct the City Attorney to draft an ordinance regarding Humane Animal Acquisitions in accordance with the recommendations of the Animal Welfare Commission.**

**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 and all "Ayes" were recorded. The motion carried (7-0).

**15 ADJOURNMENT**

**Motion:**

Motion to adjourn was made by Councilwoman Colegio and Support motion made by Councilman Stevens.

**Voice Vote**

A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (7-0). The meeting adjourned at 8:08 p.m.

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

DRAFT

CITY OF WARREN  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015

FUND	FUND NAME	TOTAL DISBURSEMENTS
101	GENERAL FUND	\$ 1,176,943.17
202	MTF ACT 51 MAJOR OPERATNG	146,201.13
203	MTF ACT 51 LOCAL OPERATNG	22,132.95
204	2011 LOCAL STREET R&M	278,850.66
208	RECREATION SPEC REVENUE	70,748.33
226	SANITATION SPECIAL REV	286,840.58
230	RENTAL ORDINANCE REVENUE	119.98
250	COMMUNICATIONS	14,106.64
261	DRUG FORFEITURE FUND	51,920.00
262	POLICE TRAINING FUND	865.00
271	LIBRARY SPECIAL REVENUE	29,895.50
273	CDBG ENTITLEMENT FUND	173,041.88
277	H.O.M.E.	11,077.04
278	HOUSING OPPORTUNITIES	6,618.65
279	NSP - 1	7,211.40
280	NSP - 3	6,799.74
410	37TH D.C. BLDG RENOVATION	900.00
494	DDA ADMINISTRATION FUND	31.37
536	SENIOR HOUSING - STILWELL	3,268.92
537	SENIOR HOUSING-JOS. COACH	12,239.09
701	UNALLOCATED TAX FUND	1,623.12
704	FIRE INSURANCE WITHHOLDNG	31,674.00
750	PAYROLL REVOLVING FUND	111,182.18
801	S/A REVOLVING FUND	<u>9,975.00</u>
	TOTAL CITY DISBURSEMENTS	<u>\$ 2,454,266.33</u>

CITY OF WARREN  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	731	AT&T	4482354	175.00
		FIRE DEPARTMENT MONTHLY PHONE SERVICE		
101	11369	AT&T MOBILITY	4482355	451.97
		VARIOUS CELLULAR SERVICE		
101	80206	BLUE CARE NETWORK	4482359	239,783.83
		VARIOUS HEALTH INSURANCE PREMIUM		
101	12310	COMCAST COMMERCIAL ONLINE	4482362	340.62
		INFORMATION SYSTEMS INTERNET SERVICE		
101	323	DTE ENERGY	4482378	1,331.75
		VARIOUS ELECTRIC SERVICE		
101	324	DTE ENERGY	4482379	231,566.57
		HIGHWAY STREET LIGHTING ELECTRIC SERVICE		
101	14433	PAETEC TELEPHONE	4482381	6,811.53
		VARIOUS TELEPHONE SERVICE		
101	12239	VERIZON WIRELESS	4482380	21.41
		VARIOUS CELLULAR SERVICE		
101	18	ABSOPURE WATER COMPANY	559706	420.00
		FIRE DEPARTMENT WATER DELIVERY		
101	12250	ACE-TEX ENTERPRISES INC	559844	917.50
		D P W GARAGE MAINTENANCE SUPPLY		
101	9421	AIS CONSTRUCTION EQUIPMNT	559812	529.84
		D P W GARAGE EQUIPMENT SUPPLY		
101	43	ALLIE BROTHERS INC	559707	665.95
		FIRE DEPARTMENT UNIFORMS		
101	16066	ALON INDUSTRIES INC	559951	1,290.00
		D P W GARAGE OPERATING SUPPLY		
101	16201	ALTA EQUIPMENT	559961	939.04
		D P W GARAGE EQUIPMENT MAINTENANCE		
101	53	AM-DYN-IC FLUID POWER INC	559708	598.00
		D P W GARAGE EQUIPMENT SUPPLY		
101	13532	ANDREA C IRONS	559863	350.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14966	ANN PAUTA	559910	100.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	99998	ANN ROBERTSON	559999	33.50
		37TH DISTRICT COURT JURY DUTY		
101	14927	ANTONIO P VIVIANO	559905	487.50
		37TH DISTRICT COURT VISITING JUDGE		
101	7481	APOLLO FIRE APPARATUS	559793	510.78
		VARIOUS VEHICLE MAINTENANCE		
101	77	APOLLO FIRE EQUIPMENT CO	559709	15.72
		D P W GARAGE VEHICLE MAINT/OPERATING		
101	15558	APPLIED IMAGING	559936	1,094.85
		VARIOUS COPY CHARGES		
101	16195	ARROW INTERNATIONAL	559960	2,399.31
		FIRE DEPARTMENT OPERATING SUPPLY		
101	2434	ASSOCIATED SALES & BAG CO	559759	896.25
		POLICE DEPARTMENT EQUIPMENT SUPPLY		

CITY OF WARREN  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	16149	ASTRO WOOD STAKE INC	559956	684.00
		ENGINEERING & INSPECTIONS OPERATING SUPPLY		
101	13199	AVIS CHOULAGH LAW PLLC	559853	225.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	2559	BANDIT INDUSTRIES INC	559761	144.50
		D P W GARAGE EQUIPMENT SUPPLY		
101	8534	BEARING SERVICE INC	559804	41.30
		D P W GARAGE VEHICLE MAINTENANCE		
101	126	BELL EQUIPMENT CO	559710	750.14
		D P W GARAGE EQUIPMENT SUPPLY		
101	136	BINSON'S HOME HEALTH	559711	51.00
		FIRE DEPARTMENT MEDICAL SUPPLY		
101	15419	BIOCARE INC	559928	5,544.00
		HUMAN RESOURCES FLU VACCINATION CLINIC		
101	99998	BLADE ACTION INC	560000	1,126.50
		ESCROW REFUND 13-4308		
101	10776	BOUND TREE MEDICAL	559827	3,184.65
		FIRE DEPARTMENT MEDICAL SUPPLY		
101	99998	BRETT MERRIFIELD	560001	33.70
		37TH DISTRICT COURT JURY DUTY		
101	70314	BRIAN BRAUNSCHNEIDER	559993	537.95
		POLICE DEPARTMENT PLAINCLOTHES		
101	99998	BRYAN BARR	560002	34.50
		37TH DISTRICT COURT JURY DUTY		
101	13897	BURKES SPORTS HAVEN	559875	290.00
		POLICE DEPARTMENT PAINT SPRAYER/SUPPLY		
101	16342	BUSINESS 21 PUBLISHING	559965	219.00
		HUMAN RESOURCES COURSE FEE		
101	184	C & G PUBLISHING INC	559712	739.50
		VARIOUS PUBLIC NOTICE		
101	4116	CARES WORKLIFE SOLUTIONS	559773	5,500.00
		HUMAN RESOURCES EMPLOYEE ASSISTANCE PROGRAM		
101	11646	CARL HAUSWIRTH	559839	25.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	16129	CARTER'S CEMETERY	559954	980.00
		VILLAGE HISTORICAL COMM CEMETARY MAINTENANCE		
101	215	CENTRAL OIL CO	559713	2,511.39
		D P W GARAGE OIL PRODUCTS		
101	16618	CHARLES ANGLIN	559990	100.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	16021	CHARLES J PRYOR	559950	50.00
		PLANNING PLANNING COMMISSION		
101	15424	CHASE EQUIPMENT FINANCE	559929	280,886.46
		FIRE DEPARTMENT EQUIPMENT LEASE PAYMENT		
101	99998	CHERIE EDWARDS	560003	34.10
		37TH DISTRICT COURT JURY DUTY		
101	222	CHESTER BOOT SHOP	559714	150.00
		FIRE DEPARTMENT SHOES/BOOTS		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	14902	CHRIS METRY	559904	400.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14483	CHRISTOPHER ALAYAN	559894	300.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	1195	CITY OF WARREN	559742	101.50
		37TH DISTRICT COURT PETTY CASH		
101	1204	CITY OF WARREN	559743	7,500.00
		FIRE DEPARTMENT FIRE PROT/HYDRANT REPAIRS		
101	1206	CITY OF WARREN	559744	59.51
		BEAUTIFICATION PETTY CASH		
101	8233	CITY OF WARREN	559800	16.94
		HISTORICAL COMMISSION PETTY CASH		
101	14530	CLAUDETTE ROBINSON	559895	50.00
		PLANNING PLANNING COMMISSION		
101	9144	COLONIAL TITLE	559809	445.00
		BUILDING INSPECTIONS TITLE SEARCH		
101	16401	COMMPAR LLC	559970	420.64
		D P W GARAGE OPERATING SUPPLY		
101	14635	COMPONE ADMINISTRATORS	559900	63,323.79
		WORKERS COMPENSATION		
101	10188	COUNTY OF OAKLAND BLDG12E	559822	36,372.75
		POLICE DEPARTMENT CLEMIS USAGE FEE		
101	14756	CREST FORD, INC	559902	255.24
		D P W GARAGE VEHICLE MAINTENANCE		
101	99998	CTI AND ASSOCIATES INC	560005	1,022.50
		ESCROW REFUND 14-4568		
101	14938	CUMMINS BRIDGEWAY LLC	559907	622.66
		D P W GARAGE EQUIPMENT MAINTENANCE		
101	16069	DAVID BEAN	559952	25.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	99998	DAVID BOCHENEK	560006	32.70
		37TH DISTRICT COURT JURY DUTY		
101	13595	DAVID J LUSN	559866	20.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	8396	DAVID PUTRYCUS	559801	250.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	4490	DAVID R HAUGAN	559775	450.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	DECARLO WALLACE	560007	32.90
		37TH DISTRICT COURT JURY DUTY		
101	11163	DELL MARKETING L P	559834	766.61
		POLICE DEPARTMENT COMPUTER SUPPLY		
101	16607	DENNIS N POWERS	559987	350.00
		37TH DISTRICT COURT VISITING JUDGE		
101	8133	DEPENDABLE WHOLESALE INC	559799	5,113.42
		D P W GARAGE HEAVY DUTY TIRE REPAIR		
101	14987	DIVERSIFIED PRODUCTS USA	559913	344.00
		ENGINEERING & INSPECTIONS OPERATING SUPPLY		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	7365	DSS CORPORATION	559792	600.00
		37TH DISTRICT COURT MAINTENANCE AGREEMENT		
101	15335	DXE MEDICAL, INC	559924	11,321.75
		FIRE DEPARTMENT MAINTENANCE AGREEMENT		
101	944	ED RINKE CHEVROLET	559734	523.08
		D P W GARAGE VEHICLE MAINTENANCE		
101	16286	EDNA M KARPINSKI	559963	50.00
		PLANNING PLANNING COMMISSION		
101	14092	ELITE IMAGING SYSTEMS	559882	156.61
		37TH DISTRICT COURT COPIER USAGE		
101	13813	ELITE PEST MANAGEMENT	559872	276.00
		VARIOUS PEST CONTROL		
101	16561	ELYSE CARNAGIE	559977	175.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	16597	FARO TECHNOLOGIES	559982	7,500.00
		POLICE DEPARTMENT TRAINING		
101	400	FEDERAL EXPRESS CORP	559719	25.65
		ENGINEERING & INSPECTIONS EXPRESS MAIL		
101	7359	FEDERAL PIPE & SUPPLY	559791	605.53
		D P W GARAGE MAINTENANCE SUPPLY		
101	6495	FERGANS AUTO PARTS	559787	276.98
		D P W GARAGE VEHICLE MAINTENANCE		
101	13442	FIRESERVICE MANAGEMENT	559860	672.10
		FIRE DEPARTMENT UNIFORM CLEANING/REPAIR		
101	99998	FLAME FURNACE	560010	64.00
		REVENUES ELEC PERMIT REFUND		
101	14607	FLEET PRIDE HEAVY DUTY	559898	3,382.25
		D P W GARAGE AUTO PARTS		
101	1164	GALEANA VAN DYKE DODGE	559740	98.00
		D P W GARAGE VEHICLE MAINTENANCE		
101	13932	GARRETT DOOR CO	559877	1,274.03
		VARIOUS OVERHEAD DOOR SERVICE		
101	4492	GAZEBO BANQUET CENTER	559776	1,534.24
		CRIME COMMISSION COMMISSION DINNER		
101	10996	GEMINI FORMS & SYSTEMS	559831	804.43
		HUMAN RESOURCES PRINTING		
101	14308	GENEVIEVE LYNN TAYLOR	559886	125.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13943	GENUINE PARTS COMPANY	559878	127.46
		D P W GARAGE VEHICLE PARTS		
101	15475	GENUINE PARTS COMPANY	559934	2,390.23
		D P W GARAGE VEHICLE PARTS		
101	4750	GEORGE LASKA	559777	300.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	15273	GOLD COIN LAUNDRIES LLC	559923	420.42
		FIRE DEPARTMENT LAUNDRY SERVICE		
101	9029	GORDON FOOD SERVICE INC	559808	42.93
		ADMIN UNALLOCATED EXPENSE OPERATING SUPPLY		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	10875	GOV CONNECTION INC	559830	132.00
		37TH DISTRICT COURT	COMPUTER EQUIPMENT	
101	11175	GRAYBAR ELECTRIC COMPANY	559835	78.75
		POLICE DEPARTMENT	BATTERIES	
101	10874	HALT FIRE INC	559829	4,546.75
		D P W GARAGE	VEHICLE MAINTENANCE	
101	10709	HAROLD D JAMES	559826	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	9874	HD EDWARDS & CO	559820	436.65
		D P W GARAGE	EQUIPMENT SUPPLY	
101	14558	HENRY BRASZA	559896	100.00
		ZONING BOARD OF APPEALS	BOARD OF APPEALS	
101	12572	HERMAN MCMILLEN	559847	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	6187	HOME DEPOT CREDIT SERVICE	559785	1,131.20
		VARIOUS	MAINTENANCE SUPPLY	
101	13758	HOUSE ARREST SERVICES	559871	215.00
		37TH DISTRICT COURT	COURT SERVICES	
101	7814	HOWARD L SHIFMAN PC	559796	7,958.00
		HUMAN RESOURCES	PROFESSIONAL SERVICES	
101	16595	IMPARTURE INC	559980	680.00
		HUMAN RESOURCES	COURSE FEE	
101	672	INDEPENDENT NEWSPAPERS	559726	234.00
		37TH DISTRICT COURT	ADVERTISEMENT	
101	537	INDUSTRIAL BROOM SERVICE	559721	325.00
		D P W GARAGE	EQUIPMENT SUPPLY	
101	14247	INSTITUTE OF CONTINUING ED	559883	103.50
		LEGAL	ICLE BOOKS	
101	12274	INTL CODE COUNCIL	559845	240.00
		BUILDING INSPECTIONS	MEMBERSHIP	
101	13601	J & B MEDICAL SUPPLY	559868	5,699.37
		FIRE DEPARTMENT	EMS SUPPLY	
101	9807	J & P AUTO ELECTRIC	559819	431.00
		D P W GARAGE	VEHICLE MAINTENANCE	
101	8889	J ERICH GOETZ	559807	710.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	348	JACK DOHENY SUPPLIES INC	559718	1,420.84
		D P W GARAGE	EQUIPMENT SUPPLY	
101	7034	JACOB M FEMMININEO JR	559788	200.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	16393	JAMES HOLZ	559969	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	13911	JAMES P CONRAD ATTORNEY	559876	275.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	99998	JAMES R MATHEWS	560012	250.00
		REVENUES	DEMOLITION PERMIT REFUND	
101	15671	JENNA BOMMARITO	559939	125.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	

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101	9298	JENNIFER CHUPA	559811	350.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	16620	JEREMY FISHER	559992	100.00
		ZONING BOARD OF APPEALS	BOARD OF APPEALS	
101	11162	JESSICA BROWN	559833	194.10
		LEGAL	COURT REPORTING SERVICE	
101	14378	JOCELYN HOWARD	559890	50.00
		PLANNING	PLANNING COMMISSION	
101	70358	JODI WALNY	559994	148.38
		POLICE DEPARTMENT	PLAINCLOTHES	
101	2231	JOHN R SPRING & TIRE CTR	559755	1,001.60
		D P W GARAGE	VEHICLE MAINTENANCE	
101	13598	JOHN S KUPIEC	559867	50.00
		PLANNING	PLANNING COMMISSION	
101	12966	JONATHAN BIERNAT	559851	500.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	13402	JOSEPH ARNONE	559859	75.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	99998	JOSHUA STERNALL	560013	34.50
		37TH DISTRICT COURT	JURY DUTY	
101	14088	JR SERVICES GROUP LLC	559881	6,708.30
		PROPERTY MAINTENANCE	WEED MOWING SERVICES	
101	4330	JUDY FURGAL	559774	100.00
		ZONING BOARD OF APPEALS	BOARD OF APPEALS	
101	99998	KATHERINE PROSZKOW	560014	13.50
		37TH DISTRICT COURT	JURY DUTY	
101	3860	KENNETH J WROBEL	559771	100.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	14466	KIRK REHN	559893	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	601	KIRKS AUTOMOTIVE INC	559722	985.00
		D P W GARAGE	VEHICLE MAINTENANCE	
101	2386	KURT DAVIS	559756	75.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	10615	KYMBERLY SHINNEMAN	559825	350.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	13336	LANDSCAPE SERVICE INC	559856	16,200.00
		PROPERTY MAINTENANCE	RODENT INSPECTION PROGRAM	
101	16527	LAURA POLIZZI	559975	250.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	15337	LAW OFFICE JUSTIN POLLARD	559925	400.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	10224	LEE OBERLE	559823	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	4849	LESLIE D JOHNSON	559779	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	7803	LPS PLUMBING INC	559795	445.00
		FIRE DEPARTMENT	PLUMBING SERVICE	

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101	3173	MACOMB ASSESSORS ORG	559767	90.00
		ASSESSING DUES		
101	99998	MACOMB COUNTY	560016	14.00
		CLERK RECORDING FEES		
101	99998	MACOMB COUNTY	560017	14.00
		CLERK RECORDING FEES		
101	99998	MACOMB COUNTY HABITAT	560018	90.00
		ESCROW REFUND 13-4326		
101	666	MACOMB COUNTY TREASURER	559725	452.50
		TRAILER PARK RENTALS		
101	9794	MACOMB LIBERTY ELECTRIC	559818	1,032.00
		FIRE DEPARTMENT ELECTRICAL SERVICE		
101	99998	MATTHEW HOLOWINSKI	560019	240.00
		REVENUES SPECIAL PERMIT REFUND		
101	1702	MATTHEW RUMORA	559754	1,150.00
		37TH DISTRICT COURT VISITING JUDGE		
101	16346	MICHAEL F MACHERZAK	559966	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	2835	MICHIGAN ASSC OF PLANNING	559763	75.00
		PLANNING DUES		
101	8591	MICHIGAN CATHOLIC	559806	100.00
		COMM-SR HEALTH CARE SVCS SR HEALTH CARE COMM INS		
101	15189	MICHIGAN DEPT LICENSING	559919	400.00
		POLICE DEPARTMENT ANNUAL INSPECTION		
101	15267	MICROSOFT CORPORATION	559922	975.00
		VARIOUS ONLINE KIOSK		
101	10013	MIDWEST FENCE COMPANY	559821	105.00
		D P W GARAGE EQUIPMENT SUPPLY		
101	16307	MJ CREATIVE PRINTING LLC	559964	20.00
		FIRE DEPARTMENT UNIFORMS		
101	13499	MJ PRINT & IMAGING	559861	2,632.50
		VARIOUS PRINTING SERVICES		
101	99998	MJC STONERIDGE LLC	560020	649.00
		ESCROW REFUND 14-4705		
101	794	MOTOR CITY FASTENER	559729	78.38
		D P W GARAGE VEHICLE MAINTENANCE		
101	13296	MOTOWN AUTOMOTIVE	559854	2,115.18
		D P W GARAGE VEHICLE SUPPLY		
101	16500	MSC INDUSTRIAL SUPPLY	559972	1,090.00
		D P W GARAGE OPERATING SUPPLY		
101	15474	MUNICIPAL ADVISORY	559933	100.00
		CONTROLLER ADVISORY COUNCIL SERVICES		
101	14965	NATHAN VINSON	559909	50.00
		PLANNING PLANNING COMMISSION		
101	805	NBC TRUCK EQUIPMENT INC	559730	863.01
		D P W GARAGE VEHICLE MAINTENANCE		
101	14977	NYE UNIFORM	559912	5,316.45
		VARIOUS UNIFORMS		

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101	15905	OAKLAND MACOMB FIRE	559944	450.00
		FIRE DEPARTMENT ONLINE SUBSCRIPTION		
101	15869	OAKLAND PLUMBING CO	559943	566.50
		POLICE DEPARTMENT PLUMBING SERVICES		
101	16072	OCAA	559953	80.00
		ASSESSING REGISTRATION FEE		
101	329	OCCUPATIONAL HEALTH CENTER	559717	182.00
		D P W GARAGE MEDICAL SERVICES		
101	1017	OFFICE DEPOT	559736	5,710.21
		VARIOUS OFFICE SUPPLY		
101	3987	OFFICIAL TOWING	559772	375.00
		D P W GARAGE TOWING		
101	16375	ON DUTY GEAR LLC	559968	119.99
		POLICE DEPARTMENT UNIFORMS		
101	16513	PAMELA M KROLL	559973	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	1390	PATRICIA COOPER	559752	200.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	1470	PAUL E GLENDON	559753	540.00
		HUMAN RESOURCES PROFESSIONAL SERVICES		
101	15755	PAUL LIZE	559940	20.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	99998	PETER FORBES	560021	33.90
		37TH DISTRICT COURT JURY DUTY		
101	12656	PETER TORRICE	559848	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	15086	PETROLEUM TRADERS	559918	19,852.13
		GASOLINE		
101	2870	PLANTE & MORAN PLLC	559764	31,675.00
		ADMIN UNALLOCATED EXPENSE PROFESSIONAL SERVICES		
101	13371	PRAXAIR DISTRIBUTION INC	559857	644.08
		D P W GARAGE OPERATING SUPPLY		
101	14255	PREFERRED TONER SOLUTIONS	559884	429.70
		37TH DISTRICT COURT OFFICE SUPPLY		
101	8492	PRESSURE VESSEL TESTING	559803	85.00
		FIRE DEPARTMENT OPERATING SUPPLY		
101	5880	PSP STORES LLC	559784	13.98
		ANIMAL CONTROL CANINE UNIT SUPPLY		
101	16137	PSYBUS PC	559955	585.00
		HUMAN RESOURCES MEDICAL SERVICES		
101	4875	QUAD-TRAN OF MICHIGAN INC	559780	18,187.59
		37TH DISTRICT COURT DATA PROCESSING SERVICES		
101	925	RED WING SHOES	559732	797.06
		FIRE DEPARTMENT SHOES		
101	928	REGAL TIRE CO	559733	50.00
		D P W GARAGE VEHICLE MAINTENANCE		
101	14365	RENIS NUSHAJ	559889	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		

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101	16619	RICK TABBI III	559991	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	13577	RKA PETROLEUM COMPANIES	559865	332.70
		FIRE DEPARTMENT GASOLINE/DIESEL		
101	16585	ROBERT CARR	559978	14.95
		LEGAL MILEAGE		
101	4836	ROBERT SHAYA	559778	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13624	ROGERS AUTO GLASS	559869	325.00
		D P W GARAGE AUTO REPAIR/EQUIPMENT		
101	14625	ROMAN T NESTOROWICZ	559899	100.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	15239	RONALD J PAPANDREA	559921	475.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	10327	ROWERDINK INC	559824	370.50
		D P W GARAGE VEHICLE MAINTENANCE		
101	14937	ROY M GRUENBURG	559906	1,575.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	3120	S & J CATERING INC	559766	678.90
		POLICE DEPARTMENT PRISONER FOOD		
101	9516	SANDRA A HARRISON	559813	300.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	15487	SCOTT C STEVENS	559935	627.24
		ADMIN UNALLOCATED EXPENSE TRAVEL EXPENSE		
101	99998	SCOTT MONTGOMERY	560024	32.90
		37TH DISTRICT COURT JURY DUTY		
101	14990	SELECT MEDICAL	559914	1,575.00
		FIRE DEPARTMENT COURSE FEES		
101	14417	SEQRIS GROUP	559892	7,200.00
		POLICE DEPARTMENT SOFTWARE SUBSCRIPTION		
101	99998	SHELLEY SHIVELY	560026	33.70
		37TH DISTRICT COURT JURY DUTY		
101	99998	SHENITA LLOYD	560027	33.50
		37TH DISTRICT COURT JURY DUTY		
101	8065	SHERMAN P FAUNCE	559798	1,050.00
		37TH DISTRICT COURT VISITING JUDGE		
101	12081	SHERRY BRASZA	559843	100.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	15446	SHRADER TIRE & OIL	559931	350.00
		D P W GARAGE VEHICLE MAINTENANCE		
101	16596	SHRED-IT USA	559981	8,000.00
		ADMIN UNALLOCATED EXPENSE SHREDDING		
101	3635	SIRCHIE FINGER PRINT	559770	328.99
		POLICE DEPARTMENT FINGERPRINT/DRUG TEST SUPPLY		
101	2400	SOUTHEASTERN MI FIRE CHFS	559757	80.00
		FIRE DEPARTMENT DUES		
101	15776	ST FAUSTINA CHURCH	559941	350.00
		COMM-SR HEALTH CARE SVCS HALL RENTAL		

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101	3193	STATE OF MICHIGAN	559768	30,306.98
		NATURAL GAS-SEPTEMBER2015		
101	13016	STATE OF MICHIGAN - MSPLA	559852	44.75
		POLICE DEPARTMENT FINGERPRINTS		
101	99998	STEPHANIE TUCKER	560028	12.70
		37TH DISTRICT COURT JURY DUTY		
101	13518	STEVEN M WATRIPONT	559862	100.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	1066	SUBURBAN BOLT & SUPPLY CO	559738	57.99
		D P W GARAGE MAINTENANCE SUPPLY		
101	11946	SUSAN DUNN	559841	325.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	SUSAN MAROWSKA	560029	32.70
		37TH DISTRICT COURT JURY DUTY		
101	14899	SYED ROB	559903	50.00
		PLANNING PLANNING COMMISSION		
101	15079	TANYA A. GRILLO	559917	200.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	7271	TARGET INFORMATION	559790	159.78
		37TH DISTRICT COURT LEGAL FORMS		
101	1086	TERMINAL SUPPLY CO	559739	1,474.89
		D P W GARAGE VEHICLE MAINTENANCE		
101	99998	TODD BROD	560031	34.10
		37TH DISTRICT COURT JURY DUTY		
101	16183	TOTAL ARMORED CAR SERVICE	559958	155.88
		37TH DISTRICT COURT ARMORED CAR SERVICE		
101	9254	TRADER RAY TIRE CENTER	559810	3,425.72
		D P W GARAGE VEHICLE MAINTENANCE		
101	14297	TRI COUNTY INTERNATIONAL	559885	84.09
		D P W GARAGE VEHICLE MAINTENANCE		
101	12712	TRUCK AND TRAILER	559849	209.72
		D P W GARAGE VEHICLE MAINTENANCE		
101	5477	UNITED PARCEL SERVICE	559782	32.39
		VARIOUS DELIVERY SERVICE		
101	9637	UNITED STATES POSTMASTER	559815	10,000.00
		TREASURER POSTAGE		
101	12561	UTICA SHOE INC	559846	139.00
		POLICE DEPARTMENT SHOES		
101	13556	WALTER CURTIS CO LLC	559864	42.00
		CRIME COMMISSION POCKET BADGE		
101	15453	WARREN G SMITH JR	559932	50.00
		PLANNING PLANNING COMMISSION		
101	1241	WARREN PIPE & SUPPLY CO	559748	8.89
		D P W GARAGE MAINTENANCE SUPPLY		
101	1258	WEST GROUP	559749	1,608.50
		VARIOUS LAW/REFERENCE BOOKS		
101	1265	WHOLESALE TOOL CO	559750	109.80
		D P W GARAGE OPERATING SUPPLY		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	1267	WIEGAND MACK SALES & SERV	559751	99.90
		D P W GARAGE		
		VEHICLE MAINTENANCE		
101	11091	WOLVERINE FREIGHTLINER	559832	1,853.62
		D P W GARAGE		
		VEHICLE MAINTENANCE		
101	15583	WOLVERINE POWER SYSTEMS	559937	12.50
		POLICE DEPARTMENT		
		GENERATOR MAINTENANCE		
101	4900	WORK N GEAR	559781	340.19
		ENGINEERING & INSPECTIONS		
		UNIFORMS		
101	15937	WORLDWIDE INTERPRETERS	559947	2,213.33
		37TH DISTRICT COURT		
		INTERPRETING SERVICES		
101	15829	WOW! BUSINESS	559942	50.00
		37TH DISTRICT COURT		
		MONTHLY SERVICE		
101	466	WW GRAINGER INC	559720	589.31
		VARIOUS		
		MAINTENANCE SUPPLY		
202	324	DTE ENERGY	4482379	2,622.80
		TRAFFIC SERVICES		
		ELECTRIC SERVICE		
202	2409	ANGELO IAFRATE CONST CO	559758	3,063.90
		VARIOUS		
		PAVEMENT REPLACEMENT		
202	13332	DIGIGRAPHX	559855	11.00
		ROUTINE MAINTENANCE		
		UNIFORM		
202	16440	FRANKS LANDSCAPING	559971	7,012.00
		ROUTINE MAINTENANCE		
		LANDSCAPING MAINTENANCE		
202	9737	HUBBELL ROTH & CLARK INC	559817	24,522.93
		CONSTRUCTION		
		ENGINEERING SERVICES		
202	665	MACOMB COUNTY DEPT	559724	16,762.10
		TRAFFIC SERVICES		
		TRAFFIC SIGNAL MAINTENANCE		
202	8580	RS CONTRACTING INC	559805	54,487.65
		VARIOUS		
		PAVEMENT MARKING		
202	9563	US BANK	559814	37,718.75
		TRANSFERS TO		
		INTEREST DUE		
203	324	DTE ENERGY	4482379	537.20
		TRAFFIC SERVICES		
		ELECTRIC SERVICE		
203	665	MACOMB COUNTY DEPT	559724	3,433.20
		TRAFFIC SERVICES		
		TRAFFIC SIGNAL MAINTENANCE		
203	8580	RS CONTRACTING INC	559805	18,162.55
		VARIOUS		
		PAVEMENT MARKING		
204	9698	ANDERSON ECKSTEIN	559816	1,796.38
		2011 LOCAL ST REPAIR EXP		
		ENGINEERING SERVICES		
204	2409	ANGELO IAFRATE CONST CO	559758	272,469.74
		VARIOUS		
		PAVEMENT REPLACEMENT		
204	16598	WARREN CONTRACTORS	559983	4,584.54
		VARIOUS		
		PAVEMENT REPLACEMENT		
208	15798	BRAVE DAVES INC	4482388	15.00
		FARMERS MARKET		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
208	15694	DON GINN	4482382	354.00
		FARMERS MARKET		
208	16533	DONNA DANHAUSEN	4482392	9.00
		FARMERS MARKET		
208	323	DTE ENERGY	4482378	766.29
		RECREATION EXPENDITURES	ELECTRIC SERVICE	
208	15690	GERALD GARRETT	4482384	419.00
		FARMERS MARKET		
208	16252	GLENN BRITTINGHAM	4482385	12.00
		FARMERS MARKET		
208	16158	JESSICA CARTER	4482390	49.00
		FARMERS MARKET		
208	16616	KAREN WRIGHT	4482393	9.00
		FARMERS MARKET		
208	16550	KARLA ROBERTSON	4482389	10.00
		FARMERS MARKET		
208	15693	LUTICIA BRANHAM	4482391	134.00
		FARMERS MARKET		
208	16267	MANDY BARNETT	4482394	10.00
		FARMERS MARKET		
208	14433	PAETEC TELEPHONE	4482381	1,140.84
		VARIOUS	TELEPHONE SERVICE	
208	15689	SEAN MONTGOMERY	4482386	187.00
		FARMERS MARKET		
208	15692	SHARON OSTROWSKI	4482383	224.00
		FARMERS MARKET		
208	12239	VERIZON WIRELESS	4482380	30.52
		RECREATION EXPENDITURES	CELLULAR SERVICE	
208	15797	VICTOR VENTIMIGLIA	4482387	126.00
		FARMERS MARKET		
208	7543	ALLIED EAGLE SUPPLY CO	559794	455.72
		RECREATION EXPENDITURES	MAINTENANCE SUPPLY	
208	11560	AMERICAN RED CROSS	559837	1,290.00
		RECREATION EXPENDITURES	COURSE FEES	
208	16178	AQUATIC SOURCE	559957	222.75
		RECREATION EXPENDITURES	EQUIPMENT MAINTENANCE	
208	15927	AUDIO VISUAL EQUIPMENT	559946	20.00
		RECREATION EXPENDITURES	OPERATING SUPPLY	
208	7905	BODY IMAGES INC	559797	2,800.00
		RECREATION EXPENDITURES	AEROBICS INSTRUCTOR	
208	3090	BRANCH TREE SERVICE INC	559765	22,050.00
		RECREATION EXPENDITURES	TREE TRIMMING/REMOVAL	
208	184	C & G PUBLISHING INC	559712	1,376.25
		RECREATION EXPENDITURES	PUBLIC NOTICE	
208	14993	CITY ELECTRIC SUPPLY	559915	610.56
		RECREATION EXPENDITURES	ELECTRICAL SUPPLY	
208	16194	DEDICATED FLOOR COVERING	559959	2,463.26
		RECREATION EXPENDITURES	CARPET REPLACEMENT	

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
208	13813	ELITE PEST MANAGEMENT	559872	140.00
		RECREATION EXPENDITURES PEST CONTROL		
208	16617	ENDRINA HALILI	559989	756.00
		RECREATION EXPENDITURES BOOT CAMP INSTRUCTOR		
208	99998	FARIS ALMANSURY	560008	65.00
		REVENUES ACTIVITY REFUND		
208	16440	FRANKS LANDSCAPING	559971	17,349.00
		RECREATION EXPENDITURES LANDSCAPING MAINTENANCE		
208	9029	GORDON FOOD SERVICE INC	559808	235.57
		RECREATION EXPENDITURES PARTY ROOM/BANQUET SUPPLY		
208	6187	HOME DEPOT CREDIT SERVICE	559785	134.59
		RECREATION EXPENDITURES MAINTENANCE SUPPLY		
208	13833	ISAK DISTRIBUTION INC	559873	99.00
		RECREATION EXPENDITURES OPERATING SUPPLY		
208	13385	JAMES MCKENNEY	559858	1,200.00
		RECREATION EXPENDITURES HORSE TROLLEY SERVICE		
208	10781	JAYS SEPTIC TANK SERVICE	559828	60.00
		RECREATION EXPENDITURES UNIT RENTAL		
208	16553	JEAN W BRANCH	559976	853.00
		RECREATION EXPENDITURES YOGA/PERSONAL TRAINING		
208	16603	KUTCHEY FARMS	559986	1,532.00
		RECREATION EXPENDITURES PUMPKINS		
208	14408	LITHO PRINTING SERVICE	559891	265.00
		RECREATION EXPENDITURES BROCHURES		
208	15362	MICRO WISE INC	559926	199.00
		RECREATION EXPENDITURES WALL MOUNT		
208	13499	MJ PRINT & IMAGING	559861	75.00
		RECREATION EXPENDITURES PRINTING SERVICES		
208	329	OCCUPATIONAL HEALTH CENTER	559717	67.00
		RECREATION EXPENDITURES MEDICAL SERVICES		
208	13664	OP AQUATICS	559870	349.14
		RECREATION EXPENDITURES POOL SUPPLY		
208	14942	PHILLIPS HEALTHCARE	559908	156.67
		RECREATION EXPENDITURES AED SUPPLIES		
208	16525	PLUG & PAY TECHNOLOGIES	559974	74.15
		RECREATION EXPENDITURES TRANSACTION FEES		
208	13371	PRAXAIR DISTRIBUTION INC	559857	222.66
		RECREATION EXPENDITURES OPERATING SUPPLY		
208	891	PRECISION ENVIRONMENTAL	559731	694.93
		RECREATION EXPENDITURES HVAC SERVICE		
208	3228	RICHARD PAUL & ASSOCIATES	559769	600.00
		RECREATION EXPENDITURES ENTERTAINMENT		
208	13577	RKA PETROLEUM COMPANIES	559865	3,149.13
		GASOLINE/DIESEL		
208	7121	SHERWIN WILLIAMS PAINT CO	559789	708.00
		RECREATION EXPENDITURES PAINT SUPPLY		
208	11882	SMART	559840	985.88
		TRANSPORT EXPENDITURES VEHICLE MAINTENANCE		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
208	3193	STATE OF MICHIGAN	559768	3,162.38
	VARIOUS	NATURAL GAS-SEPTEMBER2015		
208	14563	SUN VALLEY FOODS	559897	416.25
	RECREATION EXPENDITURES	PAPER PRODUCTS		
208	14361	TECH SEVEN COMPANY	559888	990.00
	RECREATION EXPENDITURES	SPRINKLER MAINTENANCE		
208	16258	V SYSTEMS	559962	714.80
	RECREATION EXPENDITURES	EQUIPMENT MAINTENANCE		
208	13981	VIDCOM SOLUTIONS	559880	220.00
	RECREATION EXPENDITURES	SERVICE CALL		
208	99998	WARREN CONCERT BAND	560032	120.00
	REVENUES	FACILITY REFUND		
208	1241	WARREN PIPE & SUPPLY CO	559748	327.50
	RECREATION EXPENDITURES	MAINTENANCE SUPPLY		
208	466	WW GRAINGER INC	559720	42.49
	RECREATION EXPENDITURES	MAINTENANCE SUPPLY		
226	14433	PAETEC TELEPHONE	4482381	24.03
	SANITATION EXPENDITURES	TELEPHONE SERVICE		
226	13846	ACTIVE IRRIGATION	559874	100.00
	SANITATION EXPENDITURES	WINTERIZE SPRINKLER SYS		
226	15438	ADVANCED DISPOSAL	559930	251.98
	SANITATION EXPENDITURES	SOLID WASTE		
226	215	CENTRAL OIL CO	559713	2,103.18
	SANITATION EXPENDITURES	OIL PRODUCTS		
226	14709	DETROIT RENEWABLE POWER	559901	36,129.37
	SANITATION EXPENDITURES	SOLID WASTE DISPOSAL		
226	13813	ELITE PEST MANAGEMENT	559872	27.00
	SANITATION EXPENDITURES	PEST CONTROL		
226	6187	HOME DEPOT CREDIT SERVICE	559785	40.64
	SANITATION EXPENDITURES	MAINTENANCE SUPPLY		
226	329	OCCUPATIONAL HEALTH CENTER	559717	144.50
	SANITATION EXPENDITURES	MEDICAL SERVICES		
226	13577	RKA PETROLEUM COMPANIES	559865	22,702.84
	SANITATION EXPENDITURES	GASOLINE/DIESEL		
226	3193	STATE OF MICHIGAN	559768	25.67
	SANITATION EXPENDITURES	NATURAL GAS-SEPTEMBER2015		
226	16594	STATE SUPPLY	559979	168.41
	SANITATION EXPENDITURES	OPERATING SUPPLY		
226	965	SUPPLYDEN INC	559735	322.96
	SANITATION EXPENDITURES	MAINTENANCE SUPPLY		
226	1267	WIEGAND MACK SALES & SERV	559751	224,800.00
	SANITATION EXPENDITURES	REFUSE TRUCK		
226	466	WW GRAINGER INC	559720	0.00
	SANITATION EXPENDITURES	MAINTENANCE SUPPLY		
230	1017	OFFICE DEPOT	559736	119.98
	RENTAL ORDIN EXPENDITURES	OFFICE SUPPLY		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
250	14433	PAETEC TELEPHONE	4482381	186.40
		COMMUNICATION EXPENDITURE TELEPHONE SERVICE		
250	8398	B & H PHOTO - VIDEO INC	559802	84.15
		COMMUNICATION EXPENDITURE ELECTRONIC SUPPLIES		
250	11219	CINTAS FIRST AID & SAFETY	559836	123.23
		COMMUNICATION EXPENDITURE FIRST AID SUPPLY		
250	1207	CITY OF WARREN	559745	167.64
		COMMUNICATION EXPENDITURE PETTY CASH		
250	15203	DIVDAT	559920	1,428.00
		COMMUNICATION EXPENDITURE MONTHLY FLYER		
250	13499	MJ PRINT & IMAGING	559861	220.00
		COMMUNICATION EXPENDITURE PRINTING SERVICES		
250	3193	STATE OF MICHIGAN	559768	1,068.10
		COMMUNICATION EXPENDITURE NATURAL GAS-SEPTEMBER2015		
250	11612	UPS STORE	559838	129.12
		COMMUNICATION EXPENDITURE DELIVERY SERVICE		
250	2747	US POSTMASTER	559762	10,700.00
		COMMUNICATION EXPENDITURE POSTAGE-NEWBEAT		
261	2557	RED HOLMAN BUICK GMC	4482360	51,920.00
		DRUG FORFEIT EXPENDITURES VEHICLES		
262	745	MICHIGAN POLICE EQUIPMENT	559728	370.00
		POLICE TRAINING EXPEND AMMUNITION		
262	16611	NASRO	559988	495.00
		POLICE TRAINING EXPEND COURSE FEE		
271	323	DTE ENERGY	4482378	738.39
		LIBRARY EXPENDITURES ELECTRIC SERVICE		
271	14433	PAETEC TELEPHONE	4482381	309.00
		LIBRARY EXPENDITURES TELEPHONE SERVICE		
271	16602	GREY HOUSE PUBLISHING	559985	188.00
		LIBRARY EXPENDITURES LIBRARY MATERIALS		
271	14973	JOHN ROBERTSON	559911	30.00
		LIBRARY EXPENDITURES REIMBURSEMENT		
271	15267	MICROSOFT CORPORATION	559922	140.50
		LIBRARY EXPENDITURES ONLINE KIOSK		
271	6293	MIDWEST COLLABORATIVE FOR	559786	11,685.50
		LIBRARY EXPENDITURES MCLS DIGITAL LIBRARIES		
271	1017	OFFICE DEPOT	559736	45.28
		LIBRARY EXPENDITURES OFFICE SUPPLY		
271	16601	ROYAL OAK RECYCLING	559984	50.00
		LIBRARY EXPENDITURES PICK UP FEE		
271	3193	STATE OF MICHIGAN	559768	1,761.31
		LIBRARY EXPENDITURES NATURAL GAS-SEPTEMBER2015		
271	15917	STUART JOHNSON	559945	150.00
		LIBRARY EXPENDITURES LIBRARY PROGRAM		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
271	634	SUBURBAN LIBRARY	559723	12,596.50
		LIBRARY EXPENDITURES	BOOKS/CIRCULATING MATERIALS	
271	16351	SYNCB/AMAZON	559967	1,268.72
		LIBRARY EXPENDITURES	LIGHTING SUPPLY	
271	13978	TOSHIBA BUSINESS	559879	17.18
		LIBRARY EXPENDITURES	COPIER CHARGES	
271	5477	UNITED PARCEL SERVICE	559782	15.53
		LIBRARY EXPENDITURES	DELIVERY SERVICE	
271	466	WW GRAINGER INC	559720	899.59
		LIBRARY EXPENDITURES	MAINTENANCE SUPPLY	
273	9144	COLONIAL TITLE	559809	267.00
		RESID REHAB DELIVERY	TITLE SEARCH	
273	11978	D & T HOME IMPROVEMENT	559842	27,870.00
		RESID REHAB PROJECTS	REHAB PROJECT COSTS	
273	16393	JAMES HOLZ	559969	60.00
		RESID REHAB DELIVERY	REIMB MEMBERSHIP	
273	2546	MACOMB COUNTY REGISTER	559760	110.00
		RESID REHAB DELIVERY	RECORDING FEES	
273	2870	PLANTE & MORAN PLLC	559764	11,000.00
		ADMINISTRATIVE COSTS	PROFESSIONAL SERVICES	
273	15621	ROBERT WEIDNER	559938	20.00
		RESID REHAB DELIVERY	REIMBURSEMENT	
273	1213	TREASURER, CITY OF WARREN	559747	85,314.53
		VARIOUS	CODE ENFORCEMENT	
273	16598	WARREN CONTRACTORS	559983	48,400.35
		PUBLIC IMPROVEMENTS	STREET IMPROVEMENTS	
277	2870	PLANTE & MORAN PLLC	559764	3,200.00
		PROGRAM ADMINISTRATION	PROFESSIONAL SERVICES	
277	1212	TREASURER CITY OF WARREN	559746	6,904.78
			REIMB CDBG FROM HOME	
277	1213	TREASURER, CITY OF WARREN	559747	972.26
			CED REIMBURSEMENT	
278	2870	PLANTE & MORAN PLLC	559764	3,200.00
		HOUSING OPPORTUNITIES EXP	PROFESSIONAL SERVICES	
278	1212	TREASURER CITY OF WARREN	559746	1,582.40
			REIMB CDBG FROM HOPWA	
278	1213	TREASURER, CITY OF WARREN	559747	1,836.25
			CED REIMBURSEMENT	
279	265	CONSUMERS ENERGY	559715	11.50
		ACQUISITION REHAB OTHER	UTILITY SERVICE	
279	323	DTE ENERGY	559716	49.79
		ACQUISITION REHAB OTHER	ELECTRIC SERVICE	
279	2870	PLANTE & MORAN PLLC	559764	1,600.00
		ADMINISTRATIVE COSTS	PROFESSIONAL SERVICES	

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279	1212	TREASURER CITY OF WARREN	559746	5,280.06
		REIMB CDBG FROM NSP1		
279	1213	TREASURER, CITY OF WARREN	559747	270.05
		CED REIMBURSEMENT		
280	1212	TREASURER CITY OF WARREN	559746	5,773.62
		REIMB CDBG FROM NSP3		
280	1213	TREASURER, CITY OF WARREN	559747	1,026.12
		CED REIMBURSEMENT		
357 VARIOUS	9563	US BANK	559814	0.00
		INTEREST DUE		
360 VARIOUS	9563	US BANK	559814	0.00
		INTEREST DUE		
410	7365	DSS CORPORATION	559792	900.00
		COURT BLDG RENOVATION EXP COURT SUPPLIES		
494	14433	PAETEC TELEPHONE	4482381	31.37
		DDA ADMIN EXPENDITURES TELEPHONE SERVICE		
536	731	AT&T	4482354	107.94
		STILWELL MANOR EXPENSES MONTHLY PHONE SERVICE		
536	14433	PAETEC TELEPHONE	4482381	230.27
		STILWELL MANOR EXPENSES TELEPHONE SERVICE		
536	12239	VERIZON WIRELESS	4482380	16.06
		STILWELL MANOR EXPENSES CELLULAR SERVICE		
536	16012	AEGIS CONCEPTS INC	559949	165.00
		STILWELL MANOR EXPENSES SERVICE CALL		
536	14359	APCO SUPPLY	559887	1,728.00
		STILWELL MANOR EXPENSES APPLIANCES		
536	15055	ERADICO SERVICES INC	559916	75.00
		STILWELL MANOR EXPENSES PEST CONTROL		
536	6187	HOME DEPOT CREDIT SERVICE	559785	84.86
		STILWELL MANOR EXPENSES MAINTENANCE SUPPLY		
536	5757	LOWER HURON SUPPLY CO	559783	142.05
		STILWELL MANOR EXPENSES MAINTENANCE SUPPLY		
536	1017	OFFICE DEPOT	559736	47.96
		STILWELL MANOR EXPENSES OFFICE SUPPLY		
536	7121	SHERWIN WILLIAMS PAINT CO	559789	75.16
		STILWELL MANOR EXPENSES PAINT SUPPLY		
536	3193	STATE OF MICHIGAN	559768	521.62
		STILWELL MANOR EXPENSES NATURAL GAS-SEPTEMBER2015		
536	1179	VILLA CARPETS INC	559741	75.00
		STILWELL MANOR EXPENSES FLOORING INSTALLATION		
537 JOS COACH MANOR	265	CONSUMERS ENERGY	4482356	10.74
		EXPENSES UTILITY SERVICE		

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537	14433	PAETEC TELEPHONE	4482381	216.27
JOS	COACH MANOR	EXPENSES TELEPHONE SERVICE		
537	13846	ACTIVE IRRIGATION	559874	175.00
JOS	COACH MANOR	EXPENSES WINTERIZE SPRINKLER SYS		
537	99998	FREDERICK & CAROLYN VAN HORN	560011	607.50
		SECURITY DEPOSIT REFUND		
537	5757	LOWER HURON SUPPLY CO	559783	186.12
JOS	COACH MANOR	EXPENSES MAINTENANCE SUPPLY		
537	16010	MERIDIAN CONTRACTING GRP	559948	9,966.00
JOS	COACH MANOR	EXPENSES BUILDING MAINTENANCE		
537	7121	SHERWIN WILLIAMS PAINT CO	559789	37.19
JOS	COACH MANOR	EXPENSES PAINT SUPPLY		
537	3193	STATE OF MICHIGAN	559768	75.91
JOS	COACH MANOR	EXPENSES NATURAL GAS-SEPTEMBER2015		
537	1179	VILLA CARPETS INC	559741	884.00
JOS	COACH MANOR	EXPENSES FLOORING INSTALLATION		
537	686	WILMAR INDUSTRIES INC	559727	80.36
JOS	COACH MANOR	EXPENSES OPERATING SUPPLY		
701	99998	ABSTRACT TITLE	559997	54.52
		OVERPAYMENT		
701	99998	AMY STEIGER	559998	19.60
UNALLOCATED TAX	EXPEND	DUPLICATE PAYMENT		
701	99998	CITY OF WARREN - WATER	560004	7.90
UNALLOCATED TAX	EXPEND	DUPLICATE PAYMENT		
701	99998	FIRST AMERICAN TITLE	560009	1,433.51
		OVERPAYMENT		
701	99998	REVERSE MORTGAGE SERVICES	560022	100.00
		OVERPAYMENT		
701	15371	TITLE SOURCE INC	559927	7.59
		OVERPAYMENT		
704	99998	LYNNE BURKE	560015	7,873.00
		FIRE INSURANCE WITHHOLDING		
704	99998	ROBERT LADENDORF	560023	7,860.00
		FIRE INSURANCE WITHHOLDING		
704	99998	SHAMAS NERSAY	560025	8,129.00
		FIRE INSURANCE WITHHOLDING		
704	99998	TALAL YELDA	560030	7,812.00
		FIRE INSURANCE WITHHOLDING		
750	16280	CADR PLUS	4482357	200.00
		PAYROLL DEDUCTIONS		
750	80142	CAPITAL ONE BANK	4482365	599.55
		PAYROLL DEDUCTION		
750	80140	CHAPTER 13 TRUSTEE	4482370	995.70
		PAYROLL DEDUCTION		

CITY OF WARREN  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
750	80079	CHPTR 13 STANDING TRUSTEE	4482367	799.20
		PAYROLL DEDUCTION		
750	80079	CHPTR 13 STANDING TRUSTEE	4482368	976.39
		PAYROLL DEDUCTION		
750	80114	CHPTR 13 STANDING TRUSTEE	4482369	855.03
		PAYROLL DEDUCTION		
750	80165	INTERNAL REVENUE SERVICE	4482371	26.19
		PAYROLL DEDUCTION		
750	80165	INTERNAL REVENUE SERVICE	4482372	73.85
		PAYROLL DEDUCTION		
750	80001	LOCAL 1250	4482377	4,792.12
		UNION DUES DEDUCTIONS		
750	80163	MICHIGAN GUARANTY AGENCY	4482373	223.36
		PAYROLL DEDUCTION		
750	80118	MISDU	4482375	13,497.27
		PAYROLL DEDUCTIONS		
750	80152	OFFICE OF THE ATTORNEY	4482376	337.38
		PAYROLL DEDUCTION		
750	80216	PERFORMANT RECOVERY INC	4482366	24.40
		PAYROLL DEDUCTION		
750	14693	THE HARTFORD GROUP	4482358	10,526.78
		VOLUNTARY LIFE INSURANCE		
750	80164	US DEPT OF EDUCATION SFAC	4482374	148.91
		PAYROLL DEDUCTION		
750	80009	WARREN MUNICIPAL FEDERAL	4482364	75,145.00
		PAYROLL DEDUCTIONS		
750	80002	LOCAL 1917	559995	761.05
		UNION DUES DEDUCTIONS		
750	80007	WARREN FIRE FIGHTER FUND	559996	1,200.00
		PAYROLL DEDUCTIONS		
801	12719	JR MATHEWS INC	559850	9,975.00
	S/A	REVOLVING EXPENDITURE	DEMOLITION	

CITY OF WARREN WATER & SEWER SYSTEM  
BILLS TO BE APPROVED FOR PAYMENT  
REGULAR MEETING OF NOVEMBER 10, 2015  
SUMMARY PAGE

FUND	FUND NAME	TOTAL DISBURSEMENTS
592020	OPERATION & MAINTENANCE	\$1,082,598.74
592044	INFRASTRUCTURE REPL RES	35,388.24
592047	EQUIPMENT REPL RESERVE	535,788.58
592072	DEBT SERVICE RESERVE	269,973.75
592096	PAYROLL REVOLVING FUND	<u>19,620.46</u>
		<u>\$1,943,369.77</u>

CITY OF WARREN WATER & SEWER SYSTEM  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015  
 PAGE 1 OF 4

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592020	4282	BEDROCK EXPRESS LTD	1084374	34,691.58
		WATER MAINTENANCE DIRT HAULING		
592020	323	DTE ENERGY	1084375	41.29
		WATER MAINTENANCE ELECTRIC MONTHLY SERVICE		
592020	4376	AIRGAS USA LLC	94825	259.12
		WWTP CHEMICALS AT WWTP		
592020	99998	ANDREW BIELA	94852	220.00
		WATER MAINTENANCE EDUCATIONAL REIMBURSEMENT		
592020	4703	APPLIED IMAGING	94840	233.90
		VARIOUS MAINTENANCE SUPPLIES		
592020	2786	APPLIED IND TECHNOLOGIES	94814	98.40
		WWTP MAINTENANCE SUPPLIES		
592020	4519	ARC	94832	3.30
		WWTP OPERATING SUPPLIES		
592020	83	ARGUS-HAZCO	94792	412.15
		WWTP OPERATING SUPPLIES		
592020	1720	BLACKBURN MFG CO	94806	476.73
		WATER MAINTENANCE OPERATING SUPPLIES		
592020	99998	BRAD MORISETTE	94853	270.00
		WATER MAINTENANCE EDUCATIONAL REIMBURSEMENT		
592020	4461	BREHOB CORP	94829	1,053.88
		WWTP MAINTENANCE SUPPLIES		
592020	4837	BRENTWOOD INDUSTRIES	94844	3,355.50
		WWTP SPROCKET (6)		
592020	99998	BRIAN HIRZEL	94854	220.00
		WATER MAINTENANCE EDUCATIONAL REIMBURSEMENT		
592020	215	CENTRAL OIL COMPANY	94794	598.48
		WWTP MAINTENANCE SUPPLIES		
592020	2987	CHEMSEARCH	94815	392.10
		WATER MAINTENANCE OPERATING SUPPLIES		
592020	4534	D HILL ENVIRONMENTAL	94833	450.00
		WWTP EDUCATION & TRAINING		
592020	99998	DAMIAN KOLC	94855	270.00
		WATER MAINTENANCE EDUCATIONAL REIMBURSEMENT		
592020	99998	DANIEL WEIER	94856	211.33
		WWTP TRAVEL EXPENSE		
592020	142	DETROIT WATER & SEWERAGE	94793	864,665.25
		GENERAL 2015 WHOLESALE WATER		
592020	4612	DIVDAT	94836	1,506.21
		ADMINISTRATION SHUT OFF NOTICE POSTAGE		
592020	4634	EASTECH FLOW CONTROLS INC	94838	350.00
		WWTP MAINTENANCE SUPPLIES		
592020	371	EJ USA INC	94796	17,163.84
		INVENTORY SUPPLIES		
592020	4811	ELITE PEST MANAGEMENT	94842	54.00
		WATER MAINTENANCE PROFESSIONAL SERVICES		
592020	4854	ENVIRONMENTAL SALES INC	94848	4,113.72
		WWTP MAINTENANCE & REPAIRS		

CITY OF WARREN WATER & SEWER SYSTEM  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015  
 PAGE 2 OF 4

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592020	400	FEDEX	94797	18.28
WWTP		OPERATING SUPPLIES		
592020	1700	FISHER SCIENTIFIC	94805	569.31
WWTP		OPERATING SUPPLIES		
592020	99998	FRASER GRINDING CO.	94857	430.80
		REFUND		
592020	4388	GARRETT DOOR CO	94826	853.00
VARIOUS		FACILITY MAINTENANCE		
592020	1727	GRAINGER	94807	3,030.78
VARIOUS		MAINTENANCE SUPPLIES		
592020	1044	GRAYBAR	94798	3,220.48
WWTP		ELECTRICAL SUPPLIES		
592020	99998	HADEEL JAFAR KHALASAWI	94858	256.28
		REFUND		
592020	2268	HOME DEPOT CREDIT SVCS	94809	100.12
WWTP		MAINTENANCE SUPPLIES		
592020	4399	HOTSY MIDWEST CLEANING SY	94827	803.00
WWTP		MAINTENANCE SUPPLIES		
592020	4548	INTERNATIONAL CONTROLS	94834	465.00
WWTP		MAINTENANCE SUPPLIES		
592020	348	JACK DOHENY SUPPLIES INC	94795	821.61
WATER MAINTENANCE		FLEET MAINTENANCE		
592020	99998	JIMMIE LEWIS	94859	50.00
WATER MAINTENANCE		EDUCATIONAL REIMBURSEMENT		
592020	99998	JOE RUMINSKI	94860	689.25
WWTP		TRAVEL EXPENSE		
592020	99998	JOEL COOK	94861	270.00
WATER MAINTENANCE		EDUCATIONAL REIMBURSEMENT		
592020	99998	JOHN SCOTT	94862	270.00
WATER MAINTENANCE		EDUCATIONAL REIMBURSEMENT		
592020	2686	MACOMB COMMUNITY COLLEGE	94813	700.00
WWTP		EDUCATION AND TRAINING		
592020	99998	MARK WEBB	94863	195.96
WWTP		TRAVEL EXPENSE		
592020	4462	MAURER'S TEXTILE RENTAL	94830	152.92
WWTP		OPERATING SUPPLIES		
592020	4412	METRO WELDING SUPPLY	94828	22.50
WWTP		CHEMICALS AT WWTP		
592020	4514	MICH METER TECHNOLOGY GRP	94831	3,530.29
		INVENTORY SUPPLIES		
592020	4841	MICHIGAN ELECTRIC SUPPLY	94845	6,833.30
WATER MAINTENANCE		ELECTRICAL SUPPLIES		
592020	4861	MJ WHITE & SON	94850	716.00
WATER MAINTENANCE		PROFESSIONAL SERVICES		
592020	4601	MSC INDUSTIRAL SUPPLY CO	94835	135.72
WWTP		MAINTENANCE SUPPLIES		
592020	2567	MT CLEMENS CRANE & SERV	94811	135.00
WWTP		MAINTENANCE SUPPLIES		

CITY OF WARREN WATER & SEWER SYSTEM  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015  
 PAGE 3 OF 4

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592020	99998	NICHOLAS JIMENEZ	94864	220.00
		WATER MAINTENANCE	EDUCATIONAL REIMBURSEMENT	
592020	2401	OFFICE DEPOT INC	94810	572.91
		VARIOUS	OPERATING SUPPLIES	
592020	4645	PLANTE & MORAN PLLC	94839	8,350.00
		ADMINISTRATION	PROFESSIONAL SERVICES	
592020	3076	POSTMASTER	94818	225.00
		ADMINISTRATION	POSTAGE	
592020	4306	PRAXAIR DISTRIBUTION INC	94821	259.43
		VARIOUS	CHEMICALS AT WWTP	
592020	4844	RDC CONSTRUCTION SERVICES	94846	49,925.71
		WATER MAINTENANCE	CONCRETE MANHOLE AND SOD REPLACEMENT	
592020	4211	RED WING SHOE STORE	94820	546.96
		WATER MAINTENANCE	UNIFORMS	
592020	4325	RKA PETROLEUM COS INC	94823	1,580.65
		WWTP	DIESEL FUEL	
592020	1767	STATE OF MICHIGAN	94808	60.00
		WATER MAINTENANCE	MAINTENANCE SUPPLIES	
592020	3034	STATE OF MICHIGAN - MDEQ	94817	190.00
		WWTP	OPERATORS CERT RENEWAL	
592020	755	STATE OF MICHIGAN DNR&ENV	94801	26,040.30
		ADMINISTRATION	PUBLIC WATER SUPPLY ANNUAL FEE	
592020	4360	TETRA TECH INC	94824	2,000.00
		ADMINISTRATION	PROFESSIONAL SERVICES	
592020	4615	THE POD DROP OF FRASER	94837	140.00
		WATER MAINTENANCE	OPERATING SUPPLIES	
592020	1390	TREASURER CITY OF WARREN	94802	31,350.94
		VARIOUS	DPW FLEET CHARGES/NATURAL GAS CHARGES	
592020	4858	TRU-STEEL METALS LLC	94849	1,181.00
		WWTP	MAINTENANCE & REPAIRS	
592020	4852	US ECOLOGY INC	94847	996.00
		WWTP	OPERATING SUPPLIES	
592020	2619	USA BLUEBOOK	94812	2,121.87
		WWTP	METER KIT	
592020	1241	WARREN PIPE & SUPPLY CO	94799	625.68
			MAINTENANCE SUPPLIES	
592020	99998	WILLIAM KOENIG	94865	220.00
		WATER MAINTENANCE	EDUCATIONAL REIMBURSEMENT	
592020	1453	WORK 'N GEAR	94804	110.04
		WATER MAINTENANCE	UNIFORMS	
592020	1296	ZEP SALES & SERVICE	94800	501.87
		WATER MAINTENANCE	OPERATING SUPPLIES	
592044	1448	ANDERSON ECKSTEIN & WESTRICK	94803	1,663.77
		EXPENSE	ENGINEERING SERVICES	
592044	3086	ANGELO IAFRATE CONSTR CO	94819	31,510.49
		VARIOUS	WATER MAIN REPLACEMENT	

CITY OF WARREN WATER & SEWER SYSTEM  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF NOVEMBER 10, 2015  
 PAGE 4 OF 4

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592044	3007	HUBBELL ROTH & CLARK INC	94816	2,213.98
		ENGINEERING SERVICES		
592047	4824	SPENCE BROTHERS	94843	535,788.58
		FINAL CLARIFIER REHAB		
592072	4789	HUNTINGTON NATIONAL BANK	94841	257,860.00
		DEBT SERVICE		
592072	4308	US BANK	94822	12,113.75
		DEBT SERVICE		
592096	80001	AFSCME LOCAL 1250	1084377	1,605.87
		UNION DUES DEDUCTIONS		
592096	80098	MISDU	1084378	2,110.59
		PAYROLL DEDUCTIONS		
592096	80207	SUSAN WINTERS	1084379	150.00
		WAGE ASSIGNMENTS		
592096	14693	THE HARTFORD GROUP	1084373	2,013.95
		VOLUNTARY LIFE INSURANCE		
592096	80009	WARREN MUNIC FED CR UNION	1084376	13,470.00
		PAYROLL DEDUCTIONS		
592096	80002	AFSCME LOCAL 1917	94851	270.05
		UNION DUES DEDUCTIONS		

CITY OF WARREN WATER & SEWER SYSTEM  
 BILLS TO BE APPROVED FOR PAYMENT  
 REGULAR MEETING OF  
 NOVEMBER 10, 2015

MISCELLANEOUS TRANSFERS

<u>TRANSFER TO</u>	<u>DATE</u>	<u>AMOUNT</u>
ICMA - 401A	10/01/15	\$ 29,347.78
ING - Deferred Compensation	10/01/15	1,754.47
ICMA - Deferred Compensation	10/01/15	4,792.43
Lincoln - Deferred Compensation	10/01/15	1,233.98
ICMA - RHS Deductions & Contributions	10/01/15	1,924.80
ICMA - Roth IRA Contribution	10/01/15	855.00
ICMA - 401A	10/14/15	28,559.76
ING - Deferred Compensation	10/14/15	1,729.47
ICMA - Deferred Compensation	10/14/15	4,777.43
Lincoln - Deferred Compensation	10/14/15	1,233.98
ICMA - RHS Deductions & Contributions	10/14/15	1,813.64
ICMA - Roth IRA Contribution	10/14/15	890.00
ICMA - 401A	10/28/15	29,012.02
ING - Deferred Compensation	10/28/15	1,704.47
ICMA - Deferred Compensation	10/28/15	4,837.43
Lincoln - Deferred Compensation	10/28/15	1,233.98
ICMA - RHS Deductions & Contributions	10/28/15	1,903.62
ICMA - Roth IRA Contribution	10/28/15	890.00
<b>OCTOBER TOTAL</b>		<b>\$ 118,494.26</b>

FEDERAL TAX TRANSFERS

<u>PAID FROM</u>	<u>DATE</u>	<u>AMOUNT</u>
Comerica	10/15/15	\$ 63,658.96
Comerica	10/29/15	61,347.59
<b>OCTOBER TOTAL</b>		<b>\$ 125,006.55</b>



**DEPARTMENT OF PUBLIC SERVICE**

ONE CITY SQUARE, SUITE 320  
WARREN, MI 48093-5284  
(586) 574-4604  
FAX (586) 574-4517  
[www.cityofwarren.org](http://www.cityofwarren.org)

September 9, 2015

Scott C. Stevens, Council Secretary  
Mayor Pro Tem

**RE: Resolution for 6898 Lozier Nuisance Abatement**

Honorable Council Secretary:

The approval of a resolution is necessary for collection proceedings relating to the removal of a house at 6898 Lozier which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **October 13, 2015 consent agenda** for a City Council Meeting **November 10, 2015** to review and confirm Special Assessment Roll No. **470**.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "R. Sabaugh".

Richard D. Sabaugh, Director  
Department of Public Service

Read and Concur,

Approved:

A handwritten signature in blue ink that reads "Roxanne R. Conestalli".  
City Attorneys Office

Read and Concur,

Approved:

A handwritten signature in black ink that reads "James R. Fouts".  
James R. Fouts, Mayor

RDS/al  
Cc: Mayor  
Building  
Treasurer  
Controllers  
City Clerk  
Assessor

RECEIVED

SEP 10 2015

City Attorney's Office



DEPARTMENT OF PUBLIC SERVICE

ONE CITY SQUARE, SUITE 320

WARREN, MI 48093-5284

(586) 574-4604

FAX (586) 574-4517

www.cityofwarren.org

September 9, 2015

City Attorney:

RE: Fire damaged 1.25 story block and wood house (2376 square ft.) with crawl space and basement 576 square ft. Remove sign at north east front and parking blocks. Remove fence 54' of 4' chain link fence at east rear, 48' of 4' chain link fence at North side, 30' of 4' chain link fence at south side, 20' of 6' wood fence at west side at:

**6898 Lozier**  
**13-28-452-013**

LOT 182 AND THE East 17.5 feet of Lot 183 – SHERWOOD PARK, as recorded in Liber 8, Page 95 of Plats, Macomb County Records.

Interested Parties

Gamil Hamood Algahim  
First National Bank of America  
First National Acceptance Co.  
William J. Yochim Jr. Esq.

Please be advised that the nuisance at the above-noted location has been completed through efforts of the City as directed by the Nuisance Abatement Board of Appeals. Please institute collection proceedings including but not limited to any civil action which may be available.

Cost incurred by the City in effecting the abatement of this nuisance is as follows:

Demolition Bid # ITB-W-9098	\$13,450.00
Asbestos Survey	\$ 242.00
City Administrative Fees	\$ 1,092.50
Total	\$14,784.50

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 470. A Certificate of Abatement will be issued at a later date.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Sabaugh", written over a light blue background.

Richard D. Sabaugh, Director  
Department of Public Service

cc: Mayor  
Division of Building  
Property Maintenance  
City Controller  
City Clerk  
City Assessor  
Treasurer

**1st SAR Nuisance Resolution  
6898 Lozier (13-28-452-013)**

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, \_\_\_\_\_ at 7:00 p.m. Eastern Time in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

The Nuisance Abatement Board of Appeals held a public appeal hearing on the Hearing Officer's nuisance determination, and adopted a resolution upholding the Hearing Officer's determination that a nuisance existed upon the following described Property ("Property"):

**LOT 182 AND THE EAST 17.5 FEET OF LOT 183 – SHERWOOD PARK, as recorded in Liber 8, Page 95 of Plats, Macomb County Records.**

**Owner(s): Gamil Hamood Algahim  
First National Bank of America  
First National Acceptance Co.  
William J. Yochim Jr. Esq.**

The Nuisance Abatement Board of Appeals ordered abatement of the nuisance within **60 days** of the public appeal hearing and if the nuisance was not abated within the time limit, the Nuisance Abatement Board of Appeals directed the Director of Public Service to direct the removal of the nuisance. The City Clerk has notified the Property owner(s) of the Nuisance Abatement Board of Appeals Resolution, and order of nuisance removal.

The Property owner(s) failed to remove the nuisance within the time period prescribed by the Nuisance Abatement Board of Appeals.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of the Nuisance Abatement Board of Appeals.

The Director of Public Service has filed this report of the work done and the expenses incurred in the abatement of the nuisance.

NOW, THEREFORE, IT IS RESOLVED, that the City Council does hereby determine that the following charges shall be levied as a special assessment against the Property indicated:

<u>PROPERTY</u>	<u>CHARGES</u>
Parcel No. 13-28-452-013 also known as 6898 Lozier	\$14,784.50

IT IS FURTHER RESOLVED, that the City Assessor is hereby instructed to prepare a special assessment roll in accordance with the above determination and designate the name by which the roll shall be known.

IT IS FURTHER RESOLVED, that the special assessment roll shall be divided into ten (10) annual installments, and that the deferred installments of the special assessment roll shall bear interest at the rate of 8 ( 8%) per cent per annum.

IT IS FURTHER RESOLVED, that the special assessment roll shall be certified by the City Assessor and filed with the City Clerk. The City Clerk shall give notice by certified mail to the owner(s) of the Property upon which the aforesaid charges are levied, stating the basis for the assessment, the amount thereof, and the property affected, and giving the

Property owner(s) until the  10th  day of  November ,  2015 , for payment to be made. The notice shall further state that if payment is not made before the said  10th  day of  November ,  2015 , a public hearing shall be held on the aforesaid date before the City Council in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan 48092 at 7:00 p.m. Eastern \_\_\_\_\_ Time, for the purpose of hearing any objections to said special assessment roll as prepared.

AYES: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

NAYS: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

RESOLUTION DECLARED ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Scott C. Stevens  
Council Secretary  
Mayor Pro Tem

CERTIFICATION

STATE OF MICHIGAN    )  
                                  )SS.  
COUNTY OF MACOMB    )

I, PAUL WOJNO, duly elected City Clerk for the City of Warren, Macomb County, Michigan, hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

**2nd SAR Nuisance Resolution  
6898 Lozier (13-28-452-013)**

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, \_\_\_\_\_, at 7:00 p.m. Eastern \_\_\_\_\_ Time, in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

By resolution adopted \_\_\_\_\_, the City Council determined to levy a special assessment against the following described Property;

**Parcel No. (13-28-452-013) also known as 6898 Lozier**

The City Assessor has prepared a special assessment roll to Levy a special assessment against the Property indicated:

**PROPERTY**

**CHARGES**

**Parcel No. 13-28-452-013 also known as 6898 Lozier**

**\$14,784.50**

LOT 182 AND THE EAST 17.5 FEET OF LOT 183 – SHERWOOD PARK, as recorded in Liber 8, Page 95 of Plats.

**Owner(s): Gamil Hamood Algahim  
First National Bank of America  
First National Acceptance Co.  
William J. Yochim Jr. Esq.**

The special assessment roll has been certified by the City Assessor and filed with the City Clerk;

The City Clerk has given notice by certified mail on \_\_\_\_\_ to the owners of the Property upon which the aforesaid charges are levied, stating the basis for the assessment, the amount thereof, and the Property affected, and giving the property owners until the 10th day of November, 2015, for payment to be made;

Payment has not been made, and a public hearing having been held on November 10, 2015, after notice of the hearing having been given to the Property owners, in the notice described above;

NOW, THEREFORE, IT IS RESOLVED, that the special assessment roll in the following amount and bearing the following roll number is hereby confirmed as presented by the City Assessor:

SPECIAL ASSESSMENT NO. 470 - \$14,784.50

IT IS FURTHER RESOLVED, that the special assessment roll shall be divided into ten (10) annual installments, the first installment(s) shall be

due on July 1, 2016, and the subsequent installment(s) shall be due on July 1 of each and every year thereafter, bearing interest at the rate of eight (8%) per cent per annum, commencing on August 1, 2016.

IT IS FURTHER RESOLVED, that the installments of the special assessment roll shall be collected in the manner required by the appropriate provisions of Chapter 33, of the Code of Ordinances of the City of Warren.

AYES: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

NAYS: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

RESOLUTION DECLARED ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Scott C. Stevens  
Council Secretary  
Mayor Pro Tem

CERTIFICATION

STATE OF MICHIGAN )  
                                  )SS.  
COUNTY OF MACOMB )

I, PAUL WOJNO, duly elected City Clerk for the City of Warren, Macomb County, Michigan, hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk



September 18, 2015

Scott C. Stevens, Council Secretary  
Mayor Pro Tem

DEPARTMENT OF PUBLIC SERVICE  
ONE CITY SQUARE, SUITE 320  
WARREN, MI 48093-5284  
(586) 574-4604  
FAX (586) 574-4517  
[www.cityofwarren.org](http://www.cityofwarren.org)

**RE: Resolution for 8451 Jewett Nuisance Abatement**

Honorable Council Secretary:

The approval of a resolution is necessary for collection proceedings relating to the removal of a house at 8451 Jewett which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **October 13, 2015 consent agenda** for a City Council Meeting **November 10, 2015** to review and confirm Special Assessment Roll No. 471.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Sabaugh".

Richard D. Sabaugh, Director  
Department of Public Service

Read and Concur,

Approved:

A handwritten signature in blue ink, appearing to read "Roxanne R. Carostelli".  
City Attorneys Office

Read and Concur,

Approved:

A handwritten signature in blue ink, appearing to read "James R. Fouts".  
James R. Fouts, Mayor

RDS/al  
Cc: Mayor  
Building  
Treasurer  
Controllers  
City Clerk  
Assessor

RECEIVED

SEP 18 2015



City Attorney's Office

September 18, 2015

DEPARTMENT OF PUBLIC SERVICE

ONE CITY SQUARE, SUITE 320

WARREN, MI 48093-5284

(586) 574-4604

FAX (586) 574-4517

[www.cityofwarren.org](http://www.cityofwarren.org)

City Attorney:

RE: Fire damaged one story house (579 square feet) with crawl space. Remove two 5' gates at east side and debris from fire at rear at:

8451 Jewett  
13-27-327-022

Interested Parties: Harold G. Wilhoite

LOT 2912 – PIPER'S VAN DYKE SUBDIVISION NO. 10, as recorded in Liber 8, Page 69 of Plats, Macomb County Records.

Interested Parties Harold G. Wilhoite

Please be advised that the nuisance at the above-noted location has been completed through efforts of the City as directed by the Nuisance Abatement Board of Appeals. Please institute collection proceedings including but not limited to any civil action which may be available.

Cost incurred by the City in effecting the abatement of this nuisance is as follows:

Demolition Bid # RFQ-W-PS171	\$4,150.00
Asbestos Survey	\$ 203.00
City Administrative Fees	<u>\$1,092.50</u>
Total	<u>\$5,445.50</u>

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 471. A Certificate of Abatement will be issued at a later date.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Sabaugh".

Richard D. Sabaugh, Director  
Department of Public Service

cc: Mayor  
Division of Building  
Property Maintenance  
City Controller  
City Clerk  
City Assessor  
Treasurer

**1st SAR Nuisance Resolution  
8451 Jewett (13-27-327-022)**

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, \_\_\_\_\_ at 7:00 p.m. Eastern Time in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

The Nuisance Abatement Board of Appeals held a public appeal hearing on the Hearing Officer's nuisance determination, and adopted a resolution upholding the Hearing Officer's determination that a nuisance existed upon the following described Property ("Property"):

**LOT 2912 – PIPER'S VAN DYKE SUBDIVISION NO. 10, as recorded in Liber 8, Page 69 of Plats, Macomb County Records.**

**Owner(s): Harold G. Wilhoite**

The Nuisance Abatement Board of Appeals ordered abatement of the nuisance within **60 days** of the public appeal hearing and if the nuisance was not abated within the time

limit, the Nuisance Abatement Board of Appeals directed the Director of Public Service to direct the removal of the nuisance. The City Clerk has notified the Property owner(s) of the Nuisance Abatement Board of Appeals Resolution, and order of nuisance removal.

The Property owner(s) failed to remove the nuisance within the time period prescribed by the Nuisance Abatement Board of Appeals.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of the Nuisance Abatement Board of Appeals.

The Director of Public Service has filed this report of the work done and the expenses incurred in the abatement of the nuisance.

NOW, THEREFORE, IT IS RESOLVED, that the City Council does hereby determine that the following charges shall be levied as a special assessment against the Property indicated:

<u>PROPERTY</u>	<u>CHARGES</u>
Parcel No. 13-27-327-022 also known as 8451 Jewett	\$5,445.50

IT IS FURTHER RESOLVED, that the City Assessor is hereby instructed to prepare a special assessment roll in accordance with the above determination and designate the name by which the roll shall be known.

IT IS FURTHER RESOLVED, that the special assessment roll shall be divided into ten (10) annual installments, and that the deferred installments of the special assessment roll shall bear interest at the rate of 8 ( 8%) per cent per annum.

IT IS FURTHER RESOLVED, that the special assessment roll shall be certified by the City Assessor and filed with the City Clerk. The City Clerk shall give notice by certified mail to the owner(s) of the Property upon which the aforesaid charges are levied, stating the basis for the assessment, the amount thereof, and the property affected, and giving the

Property owner(s) until the 10th day of November, 2015, for payment to be made. The notice shall further state that if payment is not made before the said 10th day of November, 2015, a public hearing shall be held on the aforesaid date before the City Council in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan 48092 at 7:00 p.m. Eastern \_\_\_\_\_ Time, for the purpose of hearing any objections to said special assessment roll as prepared.

AYES: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

NAYS: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

RESOLUTION DECLARED ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Scott C. Stevens  
Council Secretary  
Mayor Pro Tem

CERTIFICATION

STATE OF MICHIGAN )  
                                  )SS.  
COUNTY OF MACOMB )

I, PAUL WOJNO, duly elected City Clerk for the City of Warren, Macomb County, Michigan, hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

**2nd SAR Nuisance Resolution  
8451 Jewett (13-27-327-022)**

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, \_\_\_\_\_, at 7:00 p.m. Eastern \_\_\_\_\_ Time, in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

By resolution adopted \_\_\_\_\_, the City Council determined to levy a special assessment against the following described Property;

**Parcel No. (13-27-327-022) also known as 8451 Jewett**

The City Assessor has prepared a special assessment roll to Levy a special assessment against the Property indicated:

**PROPERTY**

**CHARGES**

**Parcel No. 13-27-327-022 also known as 8451 Jewett**

**\$5,445.50**

LOT 2912 – PIPER'S VAN DYKE SUBDIVISION NO. 10, as recorded in Liber 8, Page 69 of Plats, Macomb County Records.

**Owner(s): Harold G. Wilhoite**

The special assessment roll has been certified by the City Assessor and filed with the City Clerk;

The City Clerk has given notice by certified mail on \_\_\_\_\_ to the owners of the Property upon which the aforesaid charges are levied, stating the basis for the assessment, the amount thereof, and the Property affected, and giving the property owners until the 10th day of November, 2015, for payment to be made;

Payment has not been made, and a public hearing having been held on November 10, 2015, after notice of the hearing having been given to the Property owners, in the notice described above;

NOW, THEREFORE, IT IS RESOLVED, that the special assessment roll in the following amount and bearing the following roll number is hereby confirmed as presented by the City Assessor:

SPECIAL ASSESSMENT NO. 471 - \$5,445.50

IT IS FURTHER RESOLVED, that the special assessment roll shall be divided into ten (10) annual installments, the first installment(s) shall be due on July 1, 2016, and the subsequent installment(s) shall be due on July 1 of each and every year thereafter, bearing interest at the rate of eight (8%) per cent per annum, commencing on August 1, 2016.





DEPARTMENT OF PUBLIC SERVICE

ONE CITY SQUARE, SUITE 320  
WARREN, MI 48093-5284  
(586) 574-4604  
FAX (586) 574-4517  
[www.cityofwarren.org](http://www.cityofwarren.org)

September 23, 2015

Scott C. Stevens, Council Secretary  
Mayor Pro Tem

**RE: Resolution for 3725 Alvina Nuisance Abatement**

Honorable Council Secretary:

The approval of a resolution is necessary for collection proceedings relating to the removal of a house and garage at 3725 Alvina which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **October 13, 2015 consent agenda** for a City Council Meeting **November 10, 2015** to review and confirm Special Assessment Roll No. **472**.

Thank you for your cooperation in this matter.

Sincerely,

  
Richard D. Sabaugh, Director  
Department of Public Service

Read and Concur,

Approved:

  
City Attorneys Office

Read and Concur,

Approved:

  
James R. Fouts, Mayor

RDS/al  
Cc: Mayor  
Building  
Treasurer  
Controllers  
City Clerk  
Assessor



**DEPARTMENT OF PUBLIC SERVICE**

ONE CITY SQUARE, SUITE 320

WARREN, MI 48093-5284

(586) 574-4604

FAX (586) 574-4517

[www.cityofwarren.org](http://www.cityofwarren.org)

September 23, 2015

City Attorney:

RE: Dilapidated one story house (737 square feet) with crawl space, no foundation, piers. Garage 280 square feet, garage is leaning, roof sagging and walls are rotten. Remove cable dish at rear. Remove 90 ft of 6 ft. high wood fence at east side. Remove 90 ft of 6 ft high wood fence at west side. Remove 75 square feet concrete covered porch at:

**3725 Alvina  
13-31-476-029**

THE WEST 44 FEET OF LOT 6 – SUPERVISOR'S PLAT OF SCMIDTS RYAN ROAD SMALL FARMS OF LOT 57 OF SUPERVISOR'S PLAT NO. 7, as recorded in Liber 20, Page 28 of Plats, Macomb County Records.

Interested Parties

Robinson REO LLC  
Bat Holdings Two LLC

Please be advised that the nuisance at the above-noted location has been completed through efforts of the City as directed by the Nuisance Abatement Board of Appeals. Please institute collection proceedings including but not limited to any civil action which may be available.

Cost incurred by the City in effecting the abatement of this nuisance is as follows:

Demolition Bid # RFQ-W-PS169	\$5,475.00
Asbestos Survey	\$ 193.00
City Administrative Fees	<u>\$1,092.50</u>
Total	\$6,760.50

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 472. A Certificate of Abatement will be issued at a later date.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Sabaugh", written over a light-colored background.

Richard D. Sabaugh, Director  
Department of Public Service

cc: Mayor  
Division of Building  
Property Maintenance  
City Controller  
City Clerk  
City Assessor  
Treasurer

**1st SAR Nuisance Resolution  
3725 Alvina (13-31-476-029)**

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, \_\_\_\_\_ at 7:00 p.m. Eastern Time in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

The Nuisance Abatement Board of Appeals held a public appeal hearing on the Hearing Officer's nuisance determination, and adopted a resolution upholding the Hearing Officer's determination that a nuisance existed upon the following described Property ("Property"):

**THE WEST 44 FEET OF LOT 6 – SUPERVISOR'S PLAT OF SCHMIDTS RYAN ROAD  
SMALL FARMS OF LOT 57 OF SUPERVISOR'S PLAT NO. 7, as recorded in Liber 20, Page 28 of Plats, Macomb County Records.**

**Owner(s):           Robinson REO LLC  
                          Bat Holdings Two LLC**

The Nuisance Abatement Board of Appeals ordered abatement of the nuisance within **60 days** of the public appeal hearing and if the nuisance was not abated within the time limit, the Nuisance Abatement Board of Appeals directed the Director of Public Service to direct the removal of the nuisance. The City Clerk has notified the Property owner(s) of the Nuisance Abatement Board of Appeals Resolution, and order of nuisance removal.

The Property owner(s) failed to remove the nuisance within the time period prescribed by the Nuisance Abatement Board of Appeals.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of the Nuisance Abatement Board of Appeals.

The Director of Public Service has filed this report of the work done and the expenses incurred in the abatement of the nuisance.

NOW, THEREFORE, IT IS RESOLVED, that the City Council does hereby determine that the following charges shall be levied as a special assessment against the Property indicated:

<u>PROPERTY</u>	<u>CHARGES</u>
<b>Parcel No. 13-31-476-029 also known as 3725 Alvina</b>	<b>\$6,760.50</b>

IT IS FURTHER RESOLVED, that the City Assessor is hereby instructed to prepare a special assessment roll in accordance with the above determination and designate the name by which the roll shall be known.

IT IS FURTHER RESOLVED, that the special assessment roll shall be divided into ten (10) annual installments, and that the deferred installments of the special assessment roll shall bear interest at the rate of 8 ( 8%) per cent per annum.

IT IS FURTHER RESOLVED, that the special assessment roll shall be certified by the City Assessor and filed with the City Clerk. The City Clerk shall give notice by certified mail to the owner(s) of the Property upon which the aforesaid charges are levied, stating the basis for the assessment, the amount thereof, and the property affected, and giving the



**2nd SAR Nuisance Resolution  
3725 Alvina (13-31-476-029)**

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, \_\_\_\_\_, at 7:00 p.m. Eastern \_\_\_\_\_ Time, in the Council Chamber of the Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmember: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

By resolution adopted \_\_\_\_\_, the City Council determined to levy a special assessment against the following described Property;

**Parcel No. (13-31-476-029) also known as 3725 Alvina**

The City Assessor has prepared a special assessment roll to Levy a special assessment against the Property indicated:

PROPERTY

CHARGES

Parcel No. 13-31-476-029 also known as 3725 Alvina

**\$6,760.50**

THE WEST 44 FEET OF LOT 6 – SUPERVISOR’S PLAT OF SCMIDTS RYAN ROAD SMALL FARMS OF LOT 57 OF SUPERVISOR’S PLAT NO. 7, as recorded in Liber 20, Page 28 of Plats, Macomb County Records.

**Owner(s): Robinson REO LLC  
Bat Holdings Two LLC**

The special assessment roll has been certified by the City Assessor and filed with the City Clerk;

The City Clerk has given notice by certified mail on \_\_\_\_\_ to the owners of the Property upon which the aforesaid charges are levied, stating the basis for the assessment, the amount thereof, and the Property affected, and giving the property owners until the 10th day of November, 2015, for payment to be made;

Payment has not been made, and a public hearing having been held on November 10, 2015, after notice of the hearing having been given to the Property owners, in the notice described above;

NOW, THEREFORE, IT IS RESOLVED, that the special assessment roll in the following amount and bearing the following roll number is hereby confirmed as presented by the City Assessor:

SPECIAL ASSESSMENT NO. 472 - \$6,760.50

IT IS FURTHER RESOLVED, that the special assessment roll shall be divided into ten (10) annual installments, the first installment(s) shall be due on July 1, 2016, and the subsequent installment(s) shall be due on July 1 of each and every year thereafter, bearing interest at the rate of eight (8%) per cent per annum, commencing on August 1, 2016.





**PLANNING DEPARTMENT**

ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
[www.cityofwarren.org](http://www.cityofwarren.org)

October 6, 2015

TO: Scott C. Stevens, Secretary  
Warren City Council

FROM: Planning Commission

RE: REQUEST TO REZONE PROPERTY; located on the southeast corner of Twelve Mile Road and Grobbel Avenue; 5454 Twelve Mile; from the present zoning "O", Office District, to C-2, General Business District; Section 17; Brushwood Corp. (Peter Dow)

At a public hearing on September 14, 2015, the Planning Commission adopted a resolution pertaining to the above-captioned matter. The resolution, as adopted, is a recommendation to the City Council to APPROVE the rezoning from its present zoning classification "O", Office District to C-2, General Business District.

You will find attached herewith a copy of the petitioner's letter, location map, staff findings and recommendation, resolution, minutes and concept plans in connection with this matter.

Please schedule this matter for formal action by the City Council. If you have any questions or need additional information, please contact the Planning Director, Ronald Wuerth.

Thank you for your cooperation in this matter.

Respectfully submitted,

---

Jason McClanahan  
Commission Secretary

Read and Concur:

---

James R. Fouts  
Mayor

/jah

Attachments



September 19, 2015

Peter Dow  
17016 Mack Ave  
Grosse Pointe Park, MI 48230

**FILE COPY**

**PLANNING DEPARTMENT**

ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
[www.cityofwarren.org](http://www.cityofwarren.org)

RE: REQUEST TO REZONE PROPERTY; located on the southeast corner of Twelve Mile Road and Grobbel Avenue; 5454 Twelve Mile; from the present zoning "O", Office District, to C-2, General Business District; Section 17; Brushwood Corp. (Peter Dow).

Dear Mr. Dow:

At its public hearing of September 14, 2015, the Planning Commission adopted a resolution pertaining to the above captioned matter. The resolution, as adopted, is a recommendation to the City Council that the formal request to rezone property, specifically identified pursuant to a legal description in said resolution, from "O" to C-2, be APPROVED by City Council, and more specifically:

It is recommended that the rezoning request "O," Office District to "C-2," General Business District be APPROVED. The "P" Parking District portion of the parcel, characterized as the north 15 ft. and the west 50 ft. would remain unchanged.

The property in question is adjacent to C-2 zoned property to the east and north. The proposed rezoning meets the standards set forth in both the policy plan and the comprehensive master plan of the City of Warren.

The formal resolution will be forwarded to the City Council, together with the plan, minutes and Finding & Recommendation in connection with said matter, when the Planning Commission approves the minutes from the September 14, 2015 hearing.

Please do not hesitate to contact our office, should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jason McClanahan".

Jason McClanahan  
Commission Secretary

/jah

cc: Ronald F. Wuerth  
City Attorney  
Albert M. Mackey Jr., Estate

## RESOLUTION

The Planning Commission of the City of Warren having published Notice of Public Hearing in accordance with the statutes and ordinances governing the same and having held a public hearing thereon on Monday, the 14th day of September, 2015, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan, and having considered the objections raised thereto, Resolves to recommend and does so recommend to the Council of the City of Warren that the following described property, to-wit:

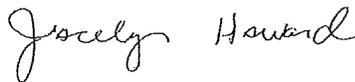
A parcel of land in part of the Northeast ¼ of Section 17, T1N, R.12E, City of Warren Macomb County, Michigan, Parcel Identification number 13-17-226-035 (5454 Twelve Mile Road) more particularly described as:

The east 54 ft. of the south 54 ft. of Lot 1 and the east 54 ft. of Lot 2 of Eden Gardens Subdivision, part of the northeast ¼ Section 17, T1N, R.12E, City of Warren, Macomb County, Michigan, according to the Plat Thereof as recorded in Liber 47, Page 45 of Plats, Macomb County Records.

be rezoned from its present zoning classification "O", Office District to zoning classification C-2, General Business District in accordance with the rezoning agreement and map attached hereto and made a part hereof, and in accordance with Ordinance No. 30 of the ordinances of the City of Warren, and further, that said Ordinance No. 30 be amended in accordance herewith.

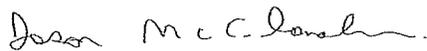
RESOLUTION adopted at the meeting of September 14, 2015.

CITY OF WARREN PLANNING COMMISSION



---

Jocelyn Howard, Chairperson



---

Jason McClanahan, Secretary

### FINDINGS

1. The petitioner is requesting that property located on the southeast corner of Twelve Mile Road and Grobbel Avenue be rezoned; from the present zoning "O", Office District, to "C-2", General Business District.
2. **CHARACTERISTICS OF THE PROPERTY IN QUESTION CAN BE SUMMARIZED AS FOLLOWS:**
  - a) **SIZE AND DIMENSIONS OF PROPERTY:** A square shaped parent parcel measuring 136 ft. x 104 ft. and containing 14,144 sq. ft. with 104 ft. of frontage along Twelve Mile Rd.; lots 1 and 2 of Eden Gardens Subdivision.
  - b) **PRESENT USE:** A vacant building, formerly a physical therapy office
  - c) **PRESENT ZONING:** "O," Office District (the east 54 ft. of the south 121 ft. of the property) and "P," Parking District (the north 15 ft. and the west 50 ft. of the property).
3. **CURRENT STATUS OF APPLICATION**
  - a) The Planning Commission, pursuant Article XXIV, Changes and Amendments, Section 24.01, Division 1. Procedure for standard rezoning or Section 24.10, Division 2. Procedure for Rezoning with conditions of the Zoning Ordinance, must provide a report and recommendation to City Council for any rezoning requests that alter or change zoning district boundaries.
  - b) The present hearing will be the initial formal review of this application by the Planning Commission.
  - c) On August 19, 2015 notice was given in the Warren Weekly for the public hearing before the Planning Commission.
  - d) On November 13, 1996 the Board of Appeals GRANTED permission to construct a 17 ft. 4 in. x 18 ft. 8 in. addition to no less than 2 ft. of the east property line.
  - e) On September 27, 1972 the Board of Appeals GRANTED permission to construct a 36 ft. x 82 ft. office building.
  - f) On May 23, 1972 the City Council by formal motion REZONED lots 1 and 2 of Eden Garden Subdivision from R-1-C to "O" Office District and "P" Parking District as amended by Zoning Map No. 30-406.

6.b REZONING REQUEST "O" to "C-2"  
Section 17  
Brushwood Corp. (Peter Dow)  
September 14, 2015  
Page 2

**4. GENERAL DESCRIPTION OF SURROUNDING PROPERTIES IS AS FOLLOWS:**

- a) The property to the north across Twelve Mile is zoned "C-2" and contains a vacant restaurant and collision shop (Ron's Auto Repair).
- b) The property to the east is zoned "C-2" and "P" is developed with a medical office.
- c) The property to the south is zoned R-1-C and contains a residential dwelling.
- d) The property west across Grobbel Avenue is zoned R-1-C and contains a residential dwelling.

**5. THE CONCEPT PLAN SUBMITTED BY THE PETITIONER INDICATES THAT:**

- a) The concept plan indicates that the existing 36 ft. x 82 ft. vacant office building will remain "as is" on the site.
- b) Parking exists for twenty (20) spaces to the rear of the building and abutting Grobbel Avenue.
- c) A four (4) ft. high brick wall exists along the south rear property line.
- d) Access would be provided via one driveway to Twelve Mile Road.
- e) Sidewalks exist along Twelve Mile Road and Grobbel Avenue.
- f) A trash enclosure location is not indicated on the plan.
- g) All other improvements on the site would remain as exists.

6. The petitioner should be apprised of the fact that formal site plan approval before the Planning Commission is required prior to obtaining a building permit, should the City Council grant the rezoning request.

6.b REZONING REQUEST "O" to "C-2"  
Section 17  
Brushwood Corp. (Peter Dow)  
September 14, 2015  
Page 3

### RECOMMENDATION

The following recommendation is made regarding the rezoning request for the property in question as described above.

It is recommended that the rezoning request "O," Office District to "C-2," General Business District be APPROVED. The "P" Parking District portion of the parcel, characterized as the north 15 ft. and the west 50 ft. would remain unchanged.

The property in question is adjacent to C-2 zoned property to the east and north. The proposed rezoning meets the standards set forth in both the policy plan and the comprehensive master plan of the City of Warren.

And furthermore recommendations were received from the following divisions and departments:

**TAXES:** No Delinquent Taxes

**DTE:** Approved

5. APPROVAL OF THE MINUTES – August 24<sup>th</sup>, 2015

MOTION:

A motion was made by Commissioner Vinson to approve, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OUTDOOR STORAGE OF SALVAGED VEHICLES: Located on the east side of Schoenherr Road; approximately 462 ft. south of Ten Mile Road; 24660 Schoenherr; Section 25; Designers Group, Inc.; Ali Jizzini (Ali Raichouni). **TABLED.** Letter to table with no future date.

Chair Howard – We did receive a correspondence regarding this that the petitioner would like to have this item tabled. Mr. Wuerth since we have a letter to table are we going to let the site plan expire or are we just going to hold this for the length of the time that he can have the site plan?

Mr. Ron Wuerth – What you see on the front agenda page is incorrect he wanted it tabled until October 5<sup>th</sup>.

MOTION:

A motion was made by Commissioner Rob to table until October 5<sup>th</sup>, 2015, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

Commissioner Rob.....	Yes
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Chair Howard.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes
Secretary McClanahan.....	Yes
Commissioner Pryor.....	Yes

- B. REQUEST TO REZONE PROPERTY: Located on the southeast corner of Twelve Mile Road and Grobbel Avenue; 5454 Twelve Mile; from the present zoning "O" Office District, to C-2, General Business District; Section 17; Brushwood Corp. (Peter Dow)  
PETITIONERS PORTION:

Mary Clark CER-6819  
September 14<sup>th</sup>, 2015

Mr. Peter Dow – We've been trying to market that property for sale or for lease since February and every inquiry has been something other than office zoning. I did have a physical therapy operation that was looking to possibly lease that and then they found something else. So we are sitting here with a vacant building and no one that's interested in purchasing the building do to the zoning. The zoning across the street is a bump shop and that is zoned C2. Right next door to the property is a surgical center and that is zoned C2 and the surgical center does back up to the residential and they have a parking buffer as this property does. So what we were asking for was just to be able to change the zoning on the structure so that we could sell or place a tenant in the building that would more fit in line with who's inquiring about the building.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.  
**DTE:** Approved.

Mr. Ron Wuerth reads the recommendations of the Staff:

**MOTION:**

A motion was made by Secretary McClanahan to approve, supported by Vice Chair Kupiec.

**COMMISSIONERS PORTION:**

Commissioner Pryor – I was over there looking at the parking area and the back bothered my because it looks like it's a sink hole back there. The elevation is really low and it was wondering if there was a problem with that and with parking in that area?

Mr. Peter Dow – Not that I know of, but I can certainly address that and take a look at that.

Commissioner Pryor – I wish you would because the culvert is even but it's cracked all around it like the whole area was sinking. It might be dangerous. I drove back there and I said I don't want to drive in there so I backed out of it, so I wish you would take a look at that please.

Mr. Peter Dow – I sure will.

Commissioner Pryor – Thank you.

Commissioner Rob – Mr. Wuerth, just to have clarification we are not having any site plan changes, that’s why it’s not going to Board of Appeals am I right?

Mr. Ron Wuerth – There are no site plan changes this is a rezoning, it’s an existing site. Parking and building to our knowledge will remain the same.

Commissioner Rob – So it will not go to the Board of Appeals anyway because we are not changing anything?

Mr. Ron Wuerth – It’s just as is.

Commissioner Rob – Thank you.

Chair Howard – Just to remind everyone this is a rezoning request not a site plan request and we are looking for that to go to C2. Mr. Secretary roll call please.

ROLL CALL:

The motion carried as follows:

Secretary McClanahan.....	Yes
Commissioner Pryor.....	Yes
Commissioner Rob.....	Yes
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Chair Howard.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes

- C. REQUEST TO REZONE PROPERTY: Located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; from present zoning classification R-2, Two Family Residential District, to C-2, General Business District, Section 23; REDICO (Paul Stodulski).

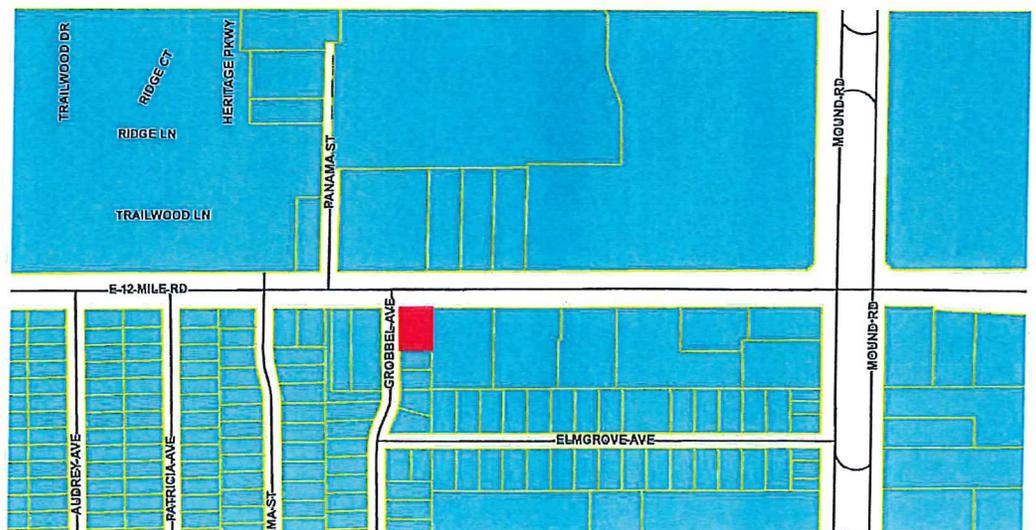
PETITIONERS PORTION:

Mr. Tim McCafferty – I’m with REDICO and I’ve got some of my project team here with me. Nicole Jackson from the Henry Ford Health Systems, John Drain from REDICO, Chris Jones from Meijer, and Lyle Wynn with AEW.

We are here tonight to look for rezoning of the old Henry Ford Hospital site from R2 to C2 business general. We have been

Mary Clark CER-6819  
September 14<sup>th</sup>, 2015

**REQUEST TO REZONE PROPERTY;** located on the southeast corner of Twelve Mile Road and Grobbel Avenue; 5454 Twelve Mile; from the present zoning O, Office District, to C-2, General Business District; Section 17; Brushwood Corp. (Peter Dow)



**WARREN**  
Warren Planning Department  
One City Square, Suite 315  
Warren, MI 48093  
Office: 586-574-4687  
CityofWarren.org



**PLANNING DEPARTMENT**

ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
www.cityofwarren.org

October 6, 2015

TO: Scott C. Stevens, Secretary  
Warren City Council

FROM: Planning Commission

RE: REQUEST TO REZONE PROPERTY; located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; from present zoning classification R-2, Two Family Residential District, to C-2, General Business District; Section 23; REDICO (Paul Stodulski).

At a public hearing on September 14, 2015, the Planning Commission adopted a resolution pertaining to the above-captioned matter. The resolution, as adopted, is a recommendation to the City Council to APPROVE the rezoning from its present zoning classification R-2, Two Family Residential District to C-2, General Business District.

You will find attached herewith a copy of the petitioner's letter, location map, staff findings and recommendation, resolution, minutes and concept plans in connection with this matter.

Please schedule this matter for formal action by the City Council. If you have any questions or need additional information, please contact the Planning Director, Ronald Wuerth.

Thank you for your cooperation in this matter.

Respectfully submitted,

Read and Concur:

\_\_\_\_\_  
Jason McClanahan  
Commission Secretary

\_\_\_\_\_  
James R. Fouts  
Mayor

/jah

Attachments



September 19, 2015

**PLANNING DEPARTMENT**

Paul Stodulski  
1 Town Square, Ste 1600  
Southfield, MI 48076

**FILE COPY**

ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
[www.cityofwarren.org](http://www.cityofwarren.org)

RE: REQUEST TO REZONE PROPERTY; located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; from present zoning classification R-2, Two Family Residential District, to C-2, General Business District; Section 23; REDICO (Paul Stodulski).

Dear Mr. Stodulski:

At its public hearing of September 14, 2015, the Planning Commission adopted a resolution pertaining to the above captioned matter. The resolution, as adopted, is a recommendation to the City Council that the formal request to rezone property, specifically identified pursuant to a legal description in said resolution, from R-2 to C-2, be APPROVED by City Council, and more specifically:

It is recommended that the rezoning request "R-2", Two Family Residential District, to "C-2," General Business District be APPROVED.

The property in question is adjacent to numerous zoning districts, "O" Office, "C-1" Local Business District, "C-3" Wholesale and Intensive Business District, "M-1" Light Industrial District and residential districts (R-1-C and R-1-P). The intersection of Ten Mile and Schoenherr Roads and a half mile in all directions is considered an intensive business node area. The variety of zoning districts is supported with the variety of existing uses.

The Planning Commission recently recommended approval for a property located east of the this site at Schoenherr and Ten Mile Roads to be rezoned from "C-1" Local Business District to "C-3" Wholesale and Intensive Business District.

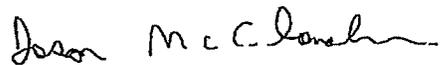
The area will continue to add new uses creating a business district in place of the former Bi-County hospital use. The roadway system is mostly in place to handle any additional load to the vehicular capacity, however a traffic analysis may be required in the future to determine if roadway widening north of this site on Schoenherr Road would be beneficial.

The proposed rezoning meets the standards set forth in both the policy plan and the comprehensive master plan of the City of Warren.

The formal resolution will be forwarded to the City Council, together with the plan, minutes and Finding & Recommendation in connection with said matter, when the Planning Commission approves the minutes from the September 14, 2015 hearing.

Please do not hesitate to contact our office, should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jason McClanahan". The signature is written in a cursive style with a horizontal line at the end.

Jason McClanahan  
Commission Secretary

/jah

cc: Ronald F. Wuerth  
City Attorney  
Barbara Rossman

6.c REZONING REQUEST "R-2" to "C-2"

Section 23

REDICO (Paul Stodulski)

September 14, 2015

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**FINDINGS**

1. The petitioner is requesting that property located on the northwest corner of Ten Mile and Schoenherr Roads be rezoned; from the present zoning "R-2", Two Family Residential District, to "C-2", General Business District.
2. **CHARACTERISTICS OF THE PROPERTY IN QUESTION CAN BE SUMMARIZED AS FOLLOWS:**
  - a) **SIZE AND DIMENSIONS OF PROPERTY:** A rectangular parcel measuring 760.53 ft. x 1,232.45 ft. with 760.53 ft. of frontage along Zagaiski Ave., 1,232.45 ft. of frontage along Schoenherr Road and 759.51 ft. of frontage along Ten Mile Road.
  - b) **PRESENT USE:** Vacant Bi-County Community Hospital.
  - c) **PRESENT ZONING:** R-2, Two Family Residential District.
3. **CURRENT STATUS OF APPLICATION**
  - a) The Planning Commission, pursuant Article XXIV, Changes and Amendments, Section 24.01, Division 1. Procedure for standard rezoning or Section 24.10, Division 2. Procedure for Rezoning with conditions of the Zoning Ordinance, must provide a report and recommendation to City Council for any rezoning requests that alter or change zoning district boundaries.
  - b) The present hearing will be the initial formal review of this application by the Planning Commission.
  - c) On August 19, 2015 notice was given in the Warren Weekly for the public hearing before the Planning Commission.
  - d) On May 19, 2003, the Planning Commission APPROVED the withdrawal of the site plan for an operating room addition originally approved on November 4, 2002.
  - e) On April 7, 2003, the Planning Commission APPROVED plans for a surgical room addition to an existing Bi-County Hospital.
  - f) On November 4, 2002, the Planning Commission APPROVED plans for an operating room addition measuring approx. 105 ft. x 203 ft. and containing 39,180 sq. ft.
  - g) On June 15, 1998, the Planning Commission APPROVED plans for a two story irregularly shaped emergency room addition measuring approx. 60 ft. x 115 ft.

6.c REZONING REQUEST "R-2" to "C-2"

Section 23

REDICO (Paul Stodulski)

September 14, 2015

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- h) On March 9, 1998, the Planning Commission APPROVED plans for the relocation of modular offices from a location aside the emergency portion of the hospital to a location near the west property line. A parking lot expansion measuring 88 ft. x 202 ft. would be constructed southeast of the medical office building.
- i) On March 8, 1993, the Planning Commission APPROVED plans for a building addition measuring approximately 105 ft. 3 in. x 155 ft. adjoining the south and west elevations of the hospital.
- j) On July 6, 1981, the Planning Commission APPROVED plans for a storage garage measuring 27 ft. x 65 ft. located 100 ft. from the north property line (Zagaiski Ave.) and 60 ft. from the west property line.
- k) On May 5, 1975, the Planning Commission APPROVED plans for a maintenance garage, two (2) building additions and two (2) parking areas.
  - 1) The maintenance garage measures 27 ft. x 64 ft. and is located east of the hospital and 157 ft. west of Schoenherr Road.
  - 2) The west wing building addition measures 72 ft. x 124 ft. and adjoins the west elevation of the existing hospital.
  - 3) The north wing building addition measures 146 ft. x 146 ft. adjoining the north elevation of the hospital.
  - 4) One parking area measures 190 ft. x 726 ft. and is located north of the proposed north wing addition.
  - 5) A second parking area measures 62 ft. x 511 ft. and is located along the west property line, replacing the helipad and adjoining the existing parking lot south and east.

NOTE: The eight (8) ft. wide greenbelt is required along the west property line abutting the parking area.

- l) On October 7, 1974, the Planning Commission APPROVED plans for an "L" shaped, one story building addition constructed adjoining the east elevation of the hospital.
- m) On February 23, 1973, the Planning Commission APPROVED plans for a building addition to the fourth and fifth floors of the existing hospital. The outside dimensions are 76 ft. 8 in. x 255 ft. 2 in.
- n) On April 12, 1971, the Planning Commission APPROVED plans for two (2)

6.c REZONING REQUEST "R-2" to "C-2"

Section 23

REDICO (Paul Stodulski)

September 14, 2015

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parking areas.

- o) On July 27, 1970, the Planning Commission APPROVED plans for two (2) building additions measuring 23 ft. x 65 ft. and 24 ft. x 52 ft. and adjoining the north elevation of the hospital.
- p) On February 10, 1969, the Planning Commission APPROVED plans for a doctor's office measuring 62 ft. x 154 ft. containing three (3) stories, constructed 55 ft. south of the southeast corner of the hospital and 144 ft. west of Schoenherr Road.
- q) On November 25, 1968, the Planning Commission APPROVED plans for three (3) 70 ft. x 70 ft. helipads.

Pad #1 was located along the west property line, 350 ft. north of Ten Mile Road.

NOTE: A six (6) ft. High brick wall was required along the west property line where the helipad abuts the R-1-C zone. The wall was held in abeyance and to be reviewed at the time the property immediately west is developed. The property has since been rezoned to "O", Office District.

Pad #2 was located 175 ft. from the west property line and 430 ft. north of Ten Mile Road.

Pad #3 was located 75 ft. from the west property line and 100 ft. north of Ten Mile Road.

- r) On February 18, 1964, the City Council REZONED the property in question, Bi County Hospital, measuring 759.51 ft. x 1,262.45 ft. and located in the northwest corner of Ten Mile and Schoenherr Roads, from R-1-C, R-1-P, "P" and C-1 to R-2 and as amended by Zoning Map No. 30-112.
- s) On January 27, 1964, the Planning Commission APPROVED plans for an irregularly shaped hospital with overall measurements of 222 ft. x 255 ft.

**4. GENERAL DESCRIPTION OF THE SURROUNDING PROPERTIES IS AS FOLLOWS:**

- a) The properties to the north, across Zagaiski Ave., are zoned "R-1-C" and "O" and contains single family dwellings and a medical office.
- b) The properties to the east, across Schoenherr Road, are zoned "R-1-C", "R-1-P", "O", C-1, C-3 and M-1 and contain single family dwellings, a car wash (Super Car Wash Express, Inc.), a vacant drive-thru restaurant (formerly Burger King) and a car service center (Morisette).

6.c REZONING REQUEST "R-2" to "C-2"

Section 23

REDICO (Paul Stodulski)

September 14, 2015

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- c) The properties to the south, across Ten Mile Road, are zoned "R-1-C", "P", "C-1" and "C-2" and contain a single family residence, a bank (Huntington) and a gasoline station (Mobil).
- d) The property to the west is zoned R-1-P and "O" and contains a medical office building.

5. **THE CONCEPT PLAN SUBMITTED BY THE PETITIONER INDICATES THAT:**

- a) A Meijer supermarket measuring approximately 357 ft. x 535 ft. and containing 191,352 sq. ft. is proposed setback 273 ft. from the north property line (Zagaiski Ave.), 365 ft. from the east property line (Schoenherr Road), 420 ft. from the south property line (Ten Mile Road), and 36 ft. from the west property line. Also included is an outdoor sales area, outdoor garden center, and drive-thru pharmacy. The concept plan also indicates the potential development of a gas station with convenience store and two (2) developer out lots.
- b) Parking spaces for 734 passenger vehicles would be provided for the main store and 14 passenger vehicles for the convenience store. Parking for 626 spaces is provided along the east property line (Schoenherr Road side) to the supermarket. Parking for 116 spaces is provided south of the proposed supermarket. There are six (6) passenger vehicle spaces to the west of the outdoor garden center. Bicycle rack parking is indicated along the east side of the building (Schoenherr side) and to the west of the outdoor garden center (west side).
- c) Access is provided via one main driveway and one service driveway to Ten Mile Road and one main driveway and one service driveway to Schoenherr Road.
- d) No walls or greenbelts are indicated at this time; however, an eight (8) ft. wide greenbelt would be required along the west property line, as required by the Planning commission who approved site plan dated April 12, 1971 and May 5, 1975. The south 750 ft. abutting the west property line is now zoned "O", Office District and therefore, the greenbelt would not be required. The greenbelt would be required abutting the R-1-P District along the north 474 ft. of the west property line.
- e) Sidewalk exists along Schoenherr and Ten Mile Roads. No sidewalk is present along the south side of Zagaiski Ave.
- f) One (1) trash enclosure is indicated on the site plan to the east of the gasoline convenience center. A trash compactor is also indicated north of the building.
- g) All other improvements on the site would remain as exists.

6.c REZONING REQUEST "R-2" to "C-2"

Section 23

REDICO (Paul Stodulski)

September 14, 2015

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6. The petitioner should be apprised of the fact that formal site plan approval before the Planning Commission is required prior to obtaining a building permit, should the City Council grant the rezoning request.

6.c REZONING REQUEST "R-2" to "C-2"  
Section 23  
REDICO (Paul Stodulski)  
September 14, 2015  
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### RECOMMENDATION

The following recommendation is made regarding the rezoning request for the property in question as described above.

It is recommended that the rezoning request "R-2", Two Family Residential District, to "C-2," General Business District be APPROVED.

The property in question is adjacent to numerous zoning districts, "O" Office, "C-1" Local Business District, "C-3" Wholesale and Intensive Business District, "M-1" Light Industrial District and residential districts (R-1-C and R-1-P). The intersection of Ten Mile and Schoenherr Roads and a half mile in all directions is considered an intensive business node area. The variety of zoning districts is supported with the variety of existing uses.

The Planning Commission recently recommended approval for a property located east of the this site at Schoenherr and Ten Mile Roads to be rezoned from "C-1" Local Business District to "C-3" Wholesale and Intensive Business District.

The area will continue to add new uses creating a business district in place of the former Bi-County hospital use. The roadway system is mostly in place to handle any additional load to the vehicular capacity, however a traffic analysis may be required in the future to determine if roadway widening north of this site on Schoenherr Road would be beneficial.

The proposed rezoning meets the standards set forth in both the policy plan and the comprehensive master plan of the City of Warren.

And furthermore recommendations were received from the following divisions and departments:

**TAXES:** No Delinquent Taxes

RESOLUTION

The Planning Commission of the City of Warren having published Notice of Public Hearing in accordance with the statutes and ordinances governing the same and having held a public hearing thereon on Monday, the 14th day of September, 2015, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan, and having considered the objections raised thereto, Resolves to recommend and does so recommend to the Council of the City of Warren that the following described property, to-wit:

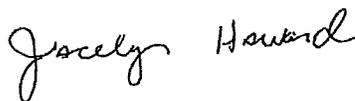
A parcel of land in located in the Southeast  $\frac{1}{4}$  of Section 23, T1N, R.12E, City of Warren Macomb County, Michigan, Parcel Identification number 13-23-476-008 (13355 Ten Mile Road) more particularly described as:

Commencing at the Southeast corner of Section 23, T1n, R.12E, City of Warren, Macomb County, Michigan; thence S88°18'58"W 819.51 ft. along the south line of Section 23 and the centerline of Ten Mile Road (120 ft. wide); thence N01°32'37"W (recorded as N01°29'42"W) 60.00 ft. for a PLACE OF BEGINNING; thence continuing N01°32'37"W (recorded as N01°29'42"W) 1,230.70 ft.; thence the following two (2) courses along the south line of Zagaiski Road (60 ft. wide); N89°12'55"E 162.09 ft. and N87°48'23"E 598.40 ft.; thence S01°30'10"E 1,233.48 ft. along the west line of Schoenherr Road (120 ft. wide); thence S88°18'58"W 759.56 ft. along the north line of said Ten Mile Road to the PLACE OF BEGINNING being a part of the southeast  $\frac{1}{4}$  of said Section 23, containing 21.47 acres of land, more or less, being subject to easement, conditions, restrictions and exceptions of record, if any.

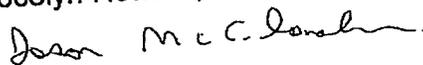
be rezoned from its present zoning classification R-2, Two Family Residential District to zoning classification C-2, General Business District in accordance with the rezoning agreement and map attached hereto and made a part hereof, and in accordance with Ordinance No. 30 of the ordinances of the City of Warren, and further, that said Ordinance No. 30 be amended in accordance herewith.

RESOLUTION adopted at the meeting of September 14, 2015.

CITY OF WARREN PLANNING COMMISSION



Jocelyn Howard, Chairperson



Jason McClanahan, Secretary

Commissioner Rob – Mr. Wuerth, just to have clarification we are not having any site plan changes, that's why it's not going to Board of Appeals am I right?

Mr. Ron Wuerth – There are no site plan changes this is a rezoning, it's an existing site. Parking and building to our knowledge will remain the same.

Commissioner Rob – So it will not go to the Board of Appeals anyway because we are not changing anything?

Mr. Ron Wuerth – It's just as is.

Commissioner Rob – Thank you.

Chair Howard – Just to remind everyone this is a rezoning request not a site plan request and we are looking for that to go to C2. Mr. Secretary roll call please.

ROLL CALL:

The motion carried as follows:

- Secretary McClanahan..... Yes
- Commissioner Pryor..... Yes
- Commissioner Rob..... Yes
- Commissioner Robinson..... Yes
- Assistant Secretary Smith..... Yes
- Commissioner Vinson..... Yes
- Chair Howard..... Yes
- Commissioner Karpinski..... Yes
- Vice Chair Kupiec..... Yes

C. REQUEST TO REZONE PROPERTY: Located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; from present zoning classification R-2, Two Family Residential District, to C-2, General Business District, Section 23; REDICO (Paul Stodulski).

PETITIONERS PORTION:

Mr. Tim McCafferty – I'm with REDICO and I've got some of my project team here with me. Nicole Jackson from the Henry Ford Health Systems, John Drain from REDICO, Chris Jones from Meijer, and Lyle Wynn with AEW.

We are here tonight to look for rezoning of the old Henry Ford Hospital site from R2 to C2 business general. We have been

working with Henry Ford for some time on the disposition of the hospital and seeking the highest and best use for the property. We've come to believe that there is a void of retail uses in the area and limited opportunities for other kinds of uses. So in our relationship with Meijer we contacted them and Meijer took a look at this site and the area and thought that this would be a great opportunity for one of their stores at that site. So I'm going to have Lyle Wynn from AEW talk about the plan, not that we are here for site plan approval we just wanted to share with you what we are looking to do.

Chair Howard – Thank you very much sir we appreciate that.

Mr. Lyle Wynn – I'm with Anderson Eckstein and Westrick and our address is 51301 Schoenherr Road. We have been retained by Meijer's to help them through the rezoning process and site plan process. What we have here tonight is a plan that outlines the various zonings that are on this project. What I have up on the board here is a colorized version of what you have in your packet. Essentially the property is zoned R2 we are seeking a C2 zoning. The surrounding properties are a mixture of zoning districts everything from office to light industrial C1, C2, C3, and residential so there's quite a mixture of uses surrounding the property.

So what we've put together here is showing in conceptually, and I know it's not a site plan we will have a lot more details to work through if we get past this stage. What we have is a Meijer facility with the merchandizing and the grocery operations. With that is a drive thru pharmacy as well as the outdoor garden area attached to that up at the corner is a gas station convenient store. Now what we also show is two parcels that we retained by REDICO, one fronting 10 Mile Road the second one fronting Schoenherr Road. What we want to note is through these lots the driveway access would not be onto either of the major roads they would be internally into the site not separate driveways. So that's the concept we have now we have reviewed this with the Department of Roads in terms of driveway locations and the widening that would be required to get entry into the site and it's reflect in this plan here.

Meijer's is really trying to save trees where they can and at the corner of Schoenherr and 10 Mile Road there are some larger trees there and the goal is to save those trees. We really want to try and proceed forward as quickly as possible, they are excited about the project. I know you are the recommending body and if Council takes action to approve this we are ready with Meijer's to start submitting a

site plan. We will work through the details as they come up with the project as we go through that.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

Mr. Ron Wuerth reads the recommendation of the Staff:

**PUBLIC HEARING:**

Ms. Susan Robinson – I have a lot of questions and concerns. I live at 13206 E. Ten Mile in a home that my father built in the 40s and thankfully is still our family home. I'd like to know where the store is going to face?

Chair Howard – If you can pose your questions to this body then this body will then in turn ask that to the petitioner, but please state your concerns.

Ms. Susan Robinson – My concerns are traffic and crime. With just a little medical office building now I have a hard time getting in the left turn lane because people drive the left turn lane because they think it's a third lane for them, I have to go around them to get into my driveway. All I see is escalation more traffic luckily we already have five lanes on 10 Mile I know they don't on Schoenherr. There are seven homes on the south side of that street and we are going to see all that traffic.

Ms. Tom Satawa – I live at 13235 Zagaiski Avenue, we are the first street north of that proposed site. You obviously don't turn from Zagaiski onto Schoenherr after three in the afternoon because it's already a two light cycle to get out if you're lucky. Within 15 minutes of this corner we have six Meijer's how many more do we need. The worse thing is the traffic. Like I said at five o'clock it's two or three light cycles to get out or you have to turn right on Schoneherr go turn around at Walgreens or 10 Mile and Meijer's is going to do nothing but make it ridiculous, you can widen it three more lanes and it's still going to be ridiculous.

Mr. Bill Anderson – I live at 13240 Ten Mile Road I live right next to Susan Robinson. I have pretty much the same concerns as her. As a sidebar my dad worked on the farm where the proposed Meijer's is I'm not so sure he'd be thrilled with it, he passed away 50 years ago. We are senior citizens, almost all seven of us. Right now we think there's limited crime and the traffic is a concern of ours.

Ms. Marcy Webster – I live at 1324 Zagaiski, I have a few concerns about this being a Meijer. One mostly it's not so much the car traffic as it is the supply trucks that would be coming in. Is the loading zone going to be on the back facing our street or will it be on the side or the front of the building on the 10 Mile side. I'm concerned about crime, shoplifters running into our backyards trying to hide from security.

Other concerns are noise, right now it's a quiet pleasant community we really like living there we have the wetlands that are there it feels safe. Now there will be things like car alarms, noise, people talking, 24 hour of continuous activity, Meijer's is 24 hours so this would be also, lighting is a problem my bedroom faces that property so I'd see the lights and hear the car alarms going off so that's certainly an issue. With a grocery store there's always the garbage concern rodent population concerned for my property as well as the wetlands with that in mind. The smell so I'd like a wall maybe with trees to protect us from litter, noise, garbage, smell, light, and the crime if possible. It sounds like it's not really an option to ask for there not to be a Meijer's across the street from us at this point.

I also worry about property value going down with this being a mostly an industrial and commercial use people don't want to live with that in their front yard so I do worry about my property value because of that. With the amount of people does the community support having another giant store or will it be something that will be empty again in a few years like the Kmart not too far from us.

Construction concerns debris, noise, dust, the pollutants that are going to be in the air from a big construction project like that, construction equipment that's going to be tying up the area around us. Will anything spill over into our street, will we have to deal with construction equipment on our street these are all concerns. One of the issues we had is we had a big problem when it was a hospital of employees coming over to smoke on our street and leaving a lot of debris and litter. I think if a wall with trees were up and there was no driveway access to our street and it was completely blocked off that would certainly be helpful.

Mr. Ken Price – I live at 13421 Zagaiski, again that's the street just north of this property. One problem we have currently is traffic Zagaiski is the only street between Frazho and 10 Mile with an exit off of Schoenherr. There's a lot of traffic that already cuts through that area. We have child and grandchildren that like to play out front and we worry all the time about somebody getting hurt. If there's a Meijer's going in I can see a lot of people zipping in and out up and

Mary Clark CER-6819  
September 14<sup>th</sup>, 2015

down that street and that's a very scary thing for us as parents and grandparents.

I love Meijer's I shop there all the time we have about six of them within 10 to 15 minutes from us. All we ask is if Meijer's does go in that it's done properly and safely. Put yourselves in our place would you want one across the street from you?

Mr. Robert Walsh – I live at 13265 Zagaiki. I'm concerned about the traffic a wall and trees would be nice, I worry about property values.

Chair Howard – I do want the Commissioners to note that this is just a rezoning request they are going to come back to us for a site plan approval. What we have before us right now is a rezoning request.

MOTION:

A motion was made by Vice Chair Kupiec to approve, supported by Commissioner Vinson.

COMMISSIONERS PORTION:

Assistant Secretary Smith – Listening to some of the concerns that some of the residents had I can understand what they are saying. They need to know at this point and time this is just a rezoning it doesn't deal with the actual site plan. As far as the driveways that they were concerned about according to the concept plan that we were presented there are no driveways coming from that Meijer parking lot onto Zagaiki Street at all. That street is not going to be affected by any traffic coming out of the Meijer because there's no driveway coming out onto that street at all. So as far as the site plan approval goes that hasn't been approved yet so therefore your concerns could possibly be addressed at that time.

Commissioner Rob – I know we are talking about zoning right now, but there are a lot of concerns I recommend that when you do the site plan consider the traffic and the other stuff the residents have said. If it's going to be done the residents want it done in a proper way so I recommend you bring a good site plan to the table.

Mr. Lyle Wynn – I agree with that.

Vice Chair Kupiec – To the concerns of the public in the neighborhood, I've had the opportunity of working with Meijer's in another site development in the City of Warren and I can say that they work with professionalism, integrity, and they will respond to the needs of the residents. So keep in mind when the site plan comes

available you'll have a chance to voice your opinions. They talked about greenbelts and saving trees it's been my experience that they've been very good about this.

Chair Howard – I would say that we have a plethora of issues before us and again we don't have a site plan. I am in the area so I'll be having my eye there I'm not that far from you. I am very happy that you indicated that the large trees that were on the site that those would be preserved that was one of my questions today regarding that. When you addressed that in your initial comments I respect you for that. In terms of the traffic flow you're going to come back to us and give us a traffic pattern flow that would address the concerns of the neighbors, and I would also suggest sir that while you're in that phase that you have some type of Town Hall meeting with the neighbors so they can see your concept plan and address their concerns. It is a very lovely neighborhood there, there are some greenbelts there as well as the wetlands so I know they do want to preserve that area. Did you have any additional comments that you wanted to address sir?

Mr. Lyle Wynn – I don't want to go into specifics yet but I do respect the comments from the public, they are valid. We certainly will be taking a look at those and take those under consideration. I know some of the design features we are talking about will address those comments and we will work through the information and work with the Department of Roads as well, regarding the traffic.

Chair Howard – Thank you sir. I'll turn it over to the Commission for action again this is merely a rezoning request to C2 roll call please.

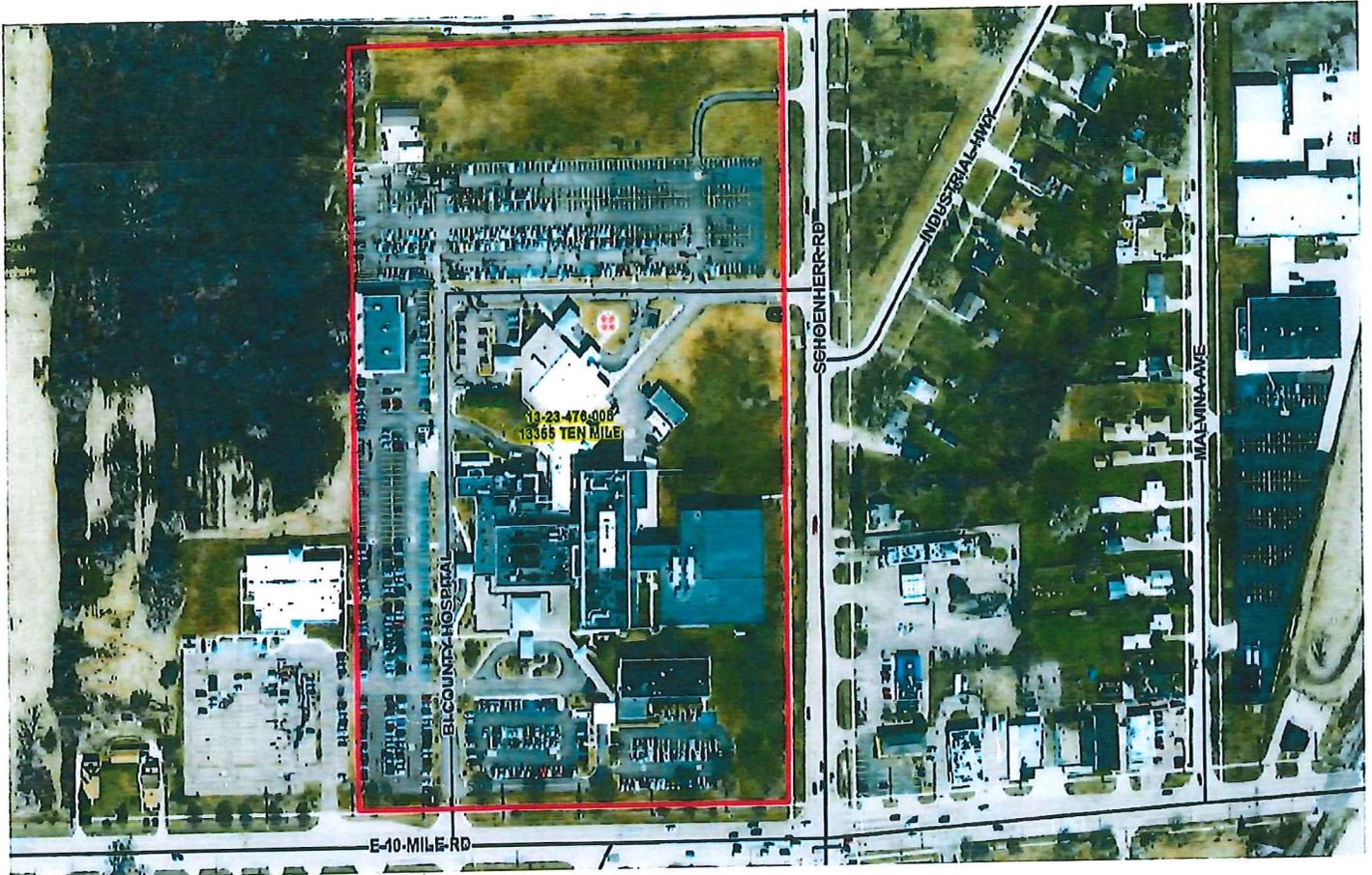
**ROLL CALL:**

The motion carried as follows:

Vice Chair Kupiec.....	Yes
Secretary McClanahan.....	Yes
Commissioner Pryor.....	Yes
Commissioner Rob.....	Yes
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Chair Howard.....	Yes
Commissioner Karpinski.....	Yes

- D. **SITE PLAN APPROVAL FOR PARKING LOT ADDITION:** Located on the southeast corner of Schoenherr Road and Leonard Avenue; Section 36; 21944 Schoenherr; Jeffrey Najor.

**REQUEST TO REZONE PROPERTY:** located on the north west corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; from present zoning classification R-2, two family residential, to C-2, General Business District; Section 23; REDICO ( Paul Stodulski).



**Warren Planning Department**  
**One City Square, Suite 315**  
**Warren, MI 48093**

Office: 586-574-4687  
[CityofWarren.org](http://CityofWarren.org)



## Fwd: rezone concerns 10 mile and Schoenherr

Scott C. Stevens <[scs425@wowway.com](mailto:scs425@wowway.com)>

Tue 10/6/2015 7:34 AM

Inbox

To: Mary Kamp <[mkamp@cityofwarren.org](mailto:mkamp@cityofwarren.org)>;

2 attachments (112 KB)

Rezone concerns 1.docx; ATT00001.htm;

Sent from my iPhone

Scott C. Stevens  
Council Secretary  
Mayor Pro Tem  
Warren City Council

Begin forwarded message:

From: Paul Webster <[pwebster@wowway.com](mailto:pwebster@wowway.com)>

Date: October 4, 2015 at 9:45:15 PM EDT

To: [cdspjr@yahoo.com](mailto:cdspjr@yahoo.com), [pgreen@cityofwarren.org](mailto:pgreen@cityofwarren.org), [scs425@wowway.com](mailto:scs425@wowway.com), [kcolegio4@aol.com](mailto:kcolegio4@aol.com),  
[boccomino2007@wowway.com](mailto:boccomino2007@wowway.com), [sgwarner1@yahoo.co](mailto:sgwarner1@yahoo.co)

Subject: rezone concerns 10 mile and Schoenherr

Everyone,

I am attaching a copy of our concerns as residents of Zagaiski Street in Warren near 10mile and Schoenherr roads. I would like to know the date and time of the next meeting that this issue will be addressed. Please feel free to contact me if you have any questions. Can someone also forward this to Keith Sadowski, as he does not have an email address listed on the City of Warren website. I look forward to your reply.

Thank you,

Paul and Marcy Webster

[13245 Zagaiski](#)  
[Warren MI 48089](#)  
586-405-8058

9/15/2015

I am sending this to each of you to let you know of our concerns for the rezoning of the property at the corner of 10 mile and Schoenherr. We are concerned residents and this is the start of the communication we are working on as neighbors to band together to express the concerns that are going on in our community. I welcome any response you may have. Your responses will be shared with our neighbors.

Thank you  
Paul Webster  
13245 Zagaiki  
Warren MI 48089  
586-405-8058 cell  
313-745-0273 work  
pwebster@wowway.com

Everyone, Marcy gave me the details from the City Council meeting Monday night. I am listing the items she brought up below as well as some of her notes. I would like all of us to be on the same page with our concerns and suggestions. Lets make sure we are communicating efficiently.

1. Traffic control
  - A. Trucks
  - B. General traffic
2. Protected wetlands at end of Zagaiki
3. Garbage
  - A. Litter
  - B. Smell
4. Rodents, other animals and insects (how will they be controlled)
5. Lighting, had issue with Hospital lighting being too bright at night
6. Worker concerns
  - A. Smokers
  - B. Loitering
7. Noise
  - A. Car alarms
  - B. General noise at all hours
8. Crime
  - A. What is plan for police presence.
  - B. Cameras as deterrents
  - C. Had some issues when hospital was a business
9. School nearby
10. Property value and Taxes. Our property value has already taken a big enough decline
11. Wall and trees in place so we do not have to look at a business with cars coming and going all hours.
12. What is Meijer commitment to our community? What are consequences is commitments not met?
  - A. Schools
  - B. Residents
13. Effect on nearby businesses that have had a commitment to our neighborhood for many years
  - A. Walgreens
  - B. Bank
  - C. Gas station
  - D. Kroger

E. etc.

14. Why need for this location? Kmart failed 3 miles up road as a similar business. Why not use that location? already zoned.

Meijer locations: 12/Mound; 8/Woodward; 13/Dequindre

Target locations: 12/Dequindre; 15/Van Dyke

Kmart: 10/Dequindre; 10 ½ /Gratiot

CVS: 11/Schoenherr; 10 ½ /Hoover; 10/VanDyke

Walgreens: 10/Schoenherr; 10/Gratiot; 9/VanDyke; 13/Hoover

Walmart: 12/VanDyke; 14/VanDyke

Home Depot 10 ½ /Hoover

Lowe's 13/VanDyke

Menards 14/VanDyke

Kroger 10 ½ Hoover

Value Fresh 10/Hoover

Gas station 10/Schoenherr; 10/Hoover x2; 696/Hoover x2; 696/Schoenherr,

Many other local businesses that have been here for a long time will be affected by this also.

15. Construction concerns

A. Debris, dust and dirt.

B. Traffic

C. Noise

D. Ecological concerns

16. What other businesses will be affiliated with this plan and on this property?

Here are the notes she took from the meeting:

Tim McCaffrey from Redico

Cris Jones from Meijer 616-735-7992 crimson.jones@meijer.com

a Representative from Henry Ford

Lyle Winn from Anderson, Eckstein and Westrick, Inc. Engineering firm 586-726-1234 lain@aewinc.com

Rezone from R-2 to C-2

Working with Henry Ford seeking best use of property

Void of retail use in our area and relationship with Meijer asked Meijer to look at usefulness of the property per Henry Ford Rep.

Various zonings already in this area Residential as well as Commercial

Department of roads for driveway access and intersection congestion. Traffic analysis may be required and beneficial

The rezoning meets requirements per council and is approved.

No driveways on Zagaiski planned at this point

One council member asked that the residents concerns are taken seriously and that we as residents should be invited to planning meetings

Was told that resident concerns will be addressed

Next meeting about zoning will be October 13 and there will be a series of planning meetings

Lyle addressed some landscaping concerns regarding a berm and retention pond further discussions will continue based on concerns.

On plan, the loading dock was on Zagaiski side of building, want it moved to 10 mile side of building.

Fencing and or wall concerns raised regarding keeping kids out of pond.



PLANNING DEPARTMENT  
ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
Fax (586) 574-4645  
www.cityofwarren.org

September 15, 2015

TO: Scott C. Stevens, Secretary  
Warren City Council

FROM: Planning Commission

RE: SUBDIVISION PROPERTY SPLIT AND COMBINATION REQUEST; property located on the west side of Winchester Avenue, approximately 352 ft. north of Beebe Avenue; split the westerly 23.5 ft. of 31710 Winchester Avenue (Parcel No. 13-05-429-005) and combine said 23.5 ft. with 31719 Winchester (Parcel No. 13 05-428-017); Section 5; Christine Kowalczyk.

At a public hearing on August 10, 2015, the Planning Commission adopted a resolution pertaining to the above-captioned matter. The resolution, as adopted, is a recommendation to the City Council to APPROVE the Lot Split & Combination, subject to the conditions in the attached letter to the petitioner

You will find attached herewith a copy of the petitioner's letter, location map, staff findings and recommendation, resolution, minutes and concept plans in connection with this matter.

Please schedule this matter for formal action by the City Council. If you have any questions or need additional information, please contact the Planning Director, Ronald Wuertth.

Thank you for your cooperation in this matter.

Respectfully submitted,

Read and Concur:

Handwritten signature of Jason McClanahan in black ink.

Jason McClanahan  
Commission Secretary

Handwritten signature of James R. Fouts in black ink.

James R. Fouts  
Mayor

/jah

Attachments



August 14, 2015

CHRISTINE O. KOWALCZYK  
LORRAIN J. KRZANIEWSKYJ  
31719 WINCHESTER AVE  
WARREN MI 48092

PLANNING DEPARTMENT  
ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
WWW.CITYOFWARREN.ORG

RE: SUBDIVISION PROPERTY SPLIT AND COMBINATION REQUEST; property located on the west side of Westchester Avenue, approximately 352 ft. north of Beebe Avenue; split combine said 23.5 ft. with 31719 Winchester (Parcel No. 13-05-428-017); Section 5; Christine Kowalczyk.

Dear Christine Kowalczyk:

At its public hearing of August 10, 2015, the City of Warren Planning Commission voted to APPROVE the above-described site plan use, subject to the standard conditions of the Planning Commission and more specifically:

It is recommended that the lot split be approved conditionally subject to the standard conditions of the Planning Commission and more specifically:

1. The petitioner and owner of parcel 13-05-428-017 and the owner of property of parcel 13-05-429-005 must provide a recorded document for ingress/egress easement to the owner of the Property abutting to the north 13-05-429-004. This document must be approved in draft format for form by the City Attorney prior to it being recorded at the Macomb County Register of Deeds. The document shall then be provided to the Planning Department.
2. The west 23.45 ft. of parcel 13-05-429-005 shall not ever be considered a stand-alone building site and that said parcel measuring 23.45 ft. x 75 ft. shall, as a part of this action, be hereafter considered combined with parcel 13-05-428-017 as an ownership interest only.
3. The lots and abutting streets shall be graded and drained. The petitioner must send a letter to the Public Service Director requesting an inspection of the site. The Director, in turn, forwards the request to the Engineering Division to perform the inspection. A copy of the positive results of the inspection shall be provided to the Planning Department.
4. The utility companies be given the opportunity to obtain any easements they may require. A copy of the responses from the utility companies shall be provided to the Planning Department.

5. Approval of City Council shall be obtained. City Council approval shall become effective upon compliance with all conditions listed. The petitioner shall complete the conditions within one (1) year.
6. The petitioner must provide the planning Department with documentation indicating that all conditions as assigned are completed. The department then notifies the City Clerk that a certified copy of the resolution shall be recorded with the Macomb County Register of Deeds.

Pursuant to Section 22.16 B.6 of the Zoning Ordinance the approved site plan shall be valid for a period of two (2) years from the date of approval, after which time it will be automatically revoked if building permits have not been issued. It should be noted, however, that an extension for a period of up to one (1) year may be granted by the Planning Commission if the petitioner notifies the Planning Commission, in writing, at least sixty (60) days prior to the expiration date.

Should you have any questions, please do not hesitate to contact our office at 586-574-4687.

Sincerely,

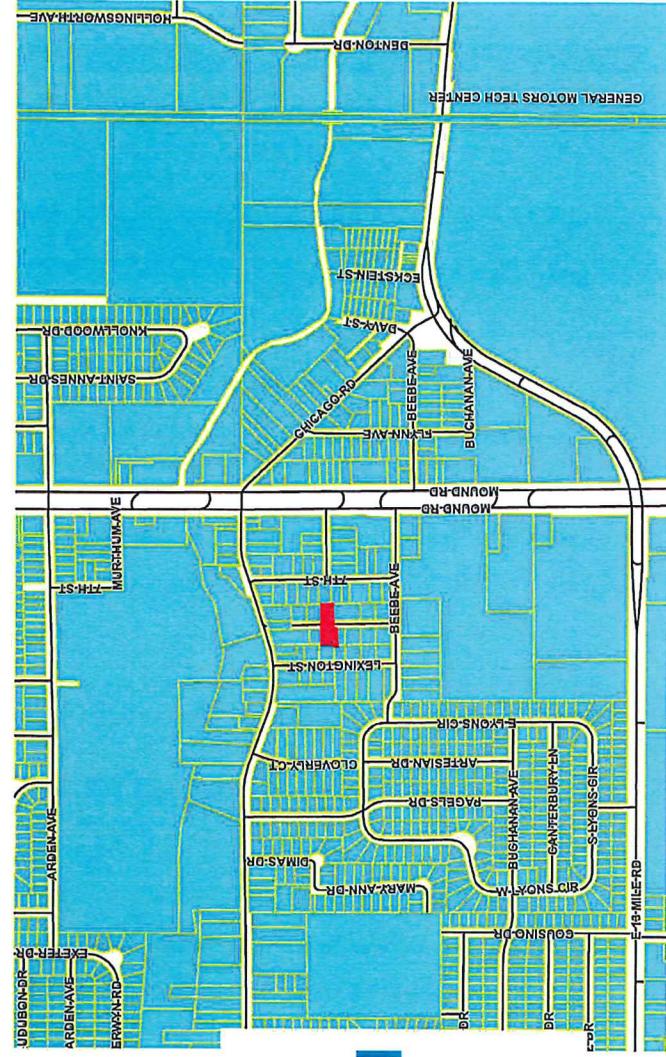


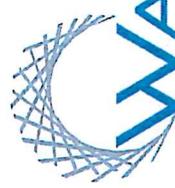
Jason McClanahan  
Commission Secretary

/eps

cc: Mayor James R. Fouts  
Assistant City Attorney  
Richard Sabaugh, Public Service Director  
Lynne Martin, Zoning Department  
Daniel Simpson, Fire Department  
Ronald F. Wuerth, Planning Director

**SUBDIVISION PROPERTY SPLIT AND COMBINATION REQUEST; Property located on the west side of Westchester Avenue, approximately 352 feet north of Beebe Avenue; Split the westerly 23.5 feet of 31710 Winchester Avenue (Parcel No. 13-05-429-005) and combine said 23.5 feet with 31719 Winchester (Parcel No. 13-05-428-017); Section 5; Christine Kowalczyk**



 **WARREN**  
Warren Planning Department  
One City Square, Suite 315  
Warren, MI 48093  
Office: 586-574-4687  
CityofWarren.org

RESOLUTION

WHEREAS, Christine O. Kowalczyk and Lorrain J. Kryzaniwskyj., owners of property located on the west side of Winchester Avenue, approximately 352 ft. north of Beebe Avenue, has petitioned the Planning Commission of the City of Warren to split and combinethe following subdivision lot to-wit:

Parcel of land located on the west side of Winchester Avenue approximately 352 ft. north of Beebe Avenue; Section 5; City of Warren, Macomb County Michigan. Parcel identification number 13-05-428-017 (31719 Winchester) and 13-05-429-005 (31710 Winchester) and more particularly described as:

Lot 4, Block 2 of Plat 1 of Assessor's Addition to the Village of Warren.

be split as follows:

(Parcel A)

The east 135.7 ft. of the parent parcel) 13-05-429-005, 31710 Winchester Avenue) being rectangular in shape measuring 75 ft. x 137.5 ft. and containing 10,312.5 sq. ft. This parcel contains a single family dwelling with attached garage. This parcel would have part of the existing private driveway, Winchester Avenue along its west property line.

NOTE: In 1983, this parcel was split and sold without the City of Warren's Council approval. The owner sold the west 23.45 ft. of the property to the property owner to the west (Iwan Car) for the purpose of providing access to the public part of Winchester Avenue via Tech City Subdivision to the south. However, when the owner sold the property, an access easement should have been permitted over the west 23.45 ft. and the west part of the original property to the owner of property to the north. This action would then have provided the owner of 31720 Winchester Avenue access to the public roadway. The owner of 31720 Winchester already had provided an easement for access to the owner of 31730 Winchester Avenue when they purchased their property;

and also:

(Parcel B)

The west approximately 23.45 ft. of the parent parcel 13-05-429-005 and parcel 13-05-428-017, being rectangular in shape measuring 80 ft. x 128.65 ft. and containing 10,292 sq. ft. This parcel containing a single family dwelling with attached garage. This parcel would have part of the existing private driveway, Winchester Avenue.

AND WHEREAS, the City of Warren, a municipal corporation pursuant to Granted under Act No. 288 of the Public Acts of 1967 (the Subdivision Control Act of 1967) as amended by the Land Division Act P. A. 591 of 1996, provides that no lot, outlot, or other parcel of land in a recorded plat shall be further partitioned or divided unless in conformity with the ordinances of the municipality;

AND WHEREAS, the Planning Commission of the City of Warren has held a hearing thereon Monday the 10th day of August 2015, at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan, and has considered the request of Christine O. Kowalczyk and Lorrain J. Kryzaniwskyj, that the above described property be split and combination, and has considered the objections raised thereto:

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Warren does hereby recommend to the Council of the City of Warren that the petition to split and combine the above-described lot, as aforesaid, be approved provided:

It is recommended that the lot split be APPROVED subject to the standard conditions of the Planning Commission and more specifically:

1. The petitioner and owner of parcel 13-05-428-017 and the owner of property of parcel 13-05-429-005 must provide a recorded document for ingress/egress easement to the owner of the property abutting to the north 13-05-429-004. This document must be approved in draft format for form by the City Attorney prior to it being recorded at the Macomb County Register of Deeds. The document shall then be provided to the Planning Department.
2. The west 23.45 ft. of parcel 13-05-429-005 shall not ever be considered a stand alone building site and that said parcel measuring 23.45 ft. x 75 ft. shall, as a part of this action, be hereafter considered combined with parcel 13-05-428-017 as an ownership interest only.
3. The lots and abutting streets shall be graded and drained. The petitioner must send a letter to the Public Service Director requesting an inspection of the site. The Director, in turn, forwards the request to the Engineering Division to perform the inspection. A copy of the positive results of the inspection shall be provided to the Planning Department.

4. The utility companies be given the opportunity to obtain any easements they may Require. A copy of the responses from the utility companies shall be provided to the Planning Department.
5. Approval of City Council shall be obtained. City Council approval shall become effective upon compliance with all conditions listed. The petitioner shall complete the conditions within one (1) year.
6. The petitioner must provide the planning Department with documentation indicating that all conditions as assigned are completed. The department then notifies the City Clerk that a certified copy of the resolution shall be recorded with the Macomb County Register of Deeds.

RESOLUTION adopted at the meeting of August 10, 2015

PLANNING COMMISSION OF THE CITY OF WARREN

*Jocelyn Howard*

\_\_\_\_\_  
Jocelyn Howard, Chairperson

*Jason M. C. Donahue*

\_\_\_\_\_  
Jason McClanahan, Secretary

6.c) LOT SPLIT: ONE LOT INTO TWO LOTS

Section 5  
Christine Kowalczyk  
August 10, 2015  
Page 1

FINDINGS

1. The petitioner is requesting a parcel that is part of Lot 4, Block 2 of Plat of Assessor's Addition to the Village of Warren located on the west side of Winchester Avenue (private) approximately 352 ft. north of Beebe Avenue, split the westerly 23.5 ft. of 31710 Winchester Avenue, parcel 13-05-429-005 on the east side of Winchester Avenue and combine said 23.5 ft. with 31719 Winchester Avenue, parcel 13-05-428-017.

The purpose of the lot split is to provide approximately the west half the private right of way of Winchester Avenue to the adjoining property owner correctly be taxed for the property and provide access to the properties to the north.

2. **CHARACTERISTICS OF THE PROPERTY IN QUESTION CAN BE SUMMARIZED AS FOLLOWS:**

- a) **SIZE AND DIMENSIONS OF THE PARENT PARCEL:** A rectangular shaped parcel measuring 75 ft. x 159.15 ft. and containing 11,936.25 sq. ft. with 75 ft. of frontage along east side of Winchester Avenue (private) parcel 13-05-429-005 of Lot 4 of Block 2 of Plat 1 of Assessor's Addition to the Village of Warren.
- b) **PRESENT USE:** Single family dwelling with attached garage. The west approximately 23.45 ft. of the property is occupied by a private roadway (extension of the platted roadway Winchester Avenue).
- c) **PRESENT ZONING:** R-1-C, One Family Residential District and located within the Downtown Development Authority.

The R-1-C district has existed since the adoption of the Zoning Ordinance on July 21, 1960.

3. **CURRENT STATUS OF APPLICATION**

- a) Chapter 35 Subdivision regulations, Article II Platting procedure and data required; Section 35-26 Lot splits of the Code of Ordinances require the Planning Commission to review proposed lot split(s) for the purpose of lot division within the subdivision plat, to review for conformance with all ordinances, administrative rules, regulations, and the master plan for the City and to make recommendations to the Board of Appeals, if necessary, and the City Council.
- b) The present hearing will be the initial formal review of this application by the Planning Commission.
- c) On November 1, 1983, the Building Division issued Building Permit No. 105711 for a single family dwelling with attached garage. A 5 ft. rear easement was indicated. (Michael G. Wiegand; 31710 Winchester Avenue).

6.c) LOT SPLIT: ONE LOT INTO TWO LOTS

Section 5  
Christine Kowalczyk  
August 10, 2015  
Page 2

- d) On October 14, 1983, the Macomb County Register of Deeds recorded a Warranty Deed, Liber 3552, Page 453 conveying a small parcel measuring 23.45 ft. x 75 ft. from 13-05-429-005 to 13-05-428-017 presumably for right of way purposes.
- e) On June 21, 1979, the Building Division issued Building Permit No. 100251 for a single family dwelling with attached garage. A 5 ft. wide easement is indicated along the south property line (Iwan & Mary Car; 31719 Winchester Avenue).
- f) On April 24, 1961, the Building Division issued Building Permit No. 42246 for a single family dwelling with attached garage. A note states the lot split was approved by J. L. B. on April 20, 1961. Two land surveys indicate Winchester Avenue as a private drive along the west part of the property measuring approximately 48 ft. in width (Max McCall; 31720 Winchester Avenue).
- g) On May 18, 1961, the Building Division issued Building Permit No. 42673 for a single family dwelling with attached garage. (Don Hacker; 31730 Winchester Avenue).
- h) On September 29, 1953, the Macomb County Register of Deeds recorded the Plat of Tech City Subdivision in Liber 29 of Plats on Page 1.

The majority of the lots were platted with 50 ft. lot widths. Tech City Subdivision represents a re-plat of part of Lot 4, Block 2 of Assessor's Plat addition to the Village of Warren. This is a public subdivision with a north/south 50 ft. wide public right of way. It is this public right of way that provides access to the public system of roadway to the four (4) residents living north of the subdivision.

The subject property shares its south property line with Lot 1 and the 50.02 ft. of right of way of Tech City Subdivision.

- i) Notice letters were sent to the local school district, all City of Warren departments and divisions and affected utilities. Letters have been received from the Assessing Dept., Treasurer's Office, Fire Dept., City Engineer, and Zoning Bureau.

There were no objections, written or stated, to the lot split providing the following conditions are compiled with:

From the Engineer: The parcel split/combination is not necessary. The legal descriptions and Title Commitments for both parcels are inclusive of this parcel split/combination. The legal description and parcel depiction on Macomb County GIS is incorrect.

**4. GENERAL DESCRIPTION OF SURROUND PROPERTIES IS AS FOLLOWS:**

The properties to the north, east, south and west across Winchester Avenue, a private drive, are zoned R-1-C and contain Single Family Dwellings.

6.c) LOT SPLIT: ONE LOT INTO TWO LOTS

Section 5  
Christine Kowalczyk  
August 10, 2015  
Page 3

5. **THE PLOT PLAN SUBMITTED BY THE PETITIONER INDICATES THAT:**

- a) Parcel "A" would be the east 135.7 ft. of the parent parcel (13-05-429-005, 31710 Winchester Avenue) being rectangular in shape measuring 75 ft. x 137.5 ft. and containing 10,312.5 sq. ft. This parcel contains a single family dwelling with attached garage. This parcel would have part of the existing private driveway, Winchester Avenue along its west property line.

NOTE: In 1983, this parcel was split and sold without the City of Warren's Council approval. The owner sold the west 23.45 ft. of the property to the property owner to the west (Iwan Car) for the purpose of providing access to the public part of Winchester Avenue via Tech City Subdivision to the south. However, when the owner sold the property, an access easement should have been permitted over the west 23.45 ft. and the west part of the original property to the owner of property to the north. This action would then have provided the owner of 31720 Winchester Avenue access to the public roadway. The owner of 31720 Winchester already had provided an easement for access to the owner of 31730 Winchester Avenue when they purchased their property.

- b) Parcel "B" would be the west approximately 23.45 ft. of the parent parcel 13-05-429-005 and parcel 13-05-428-017, being rectangular in shape measuring 80 ft. x 128.65 ft. and containing 10,292 sq. ft. This parcel containing a single family dwelling with attached garage. This parcel would have part of the existing private driveway, Winchester Avenue.
- d) Parcels 13-05-428-017 and 13-05-428-005 would meet the requirements of the Zoning Ordinance for square footage, lot width, etc.

- e) No private easements are indicated on the plot plan.

6.c) LOT SPLIT: ONE LOT INTO TWO LOTS

Section 5

Christine Kowalczyk

August 10, 2015

Page 4

**RECOMMENDATION**

It is recommended that the lot split be approved conditionally subject to the standard conditions of the Planning Commission and more specifically:

1. The petitioner and owner of parcel 13-05-428-017 and the owner of property of parcel 13-05-429-005 must provide a recorded document for ingress/egress easement to the owner of the property abutting to the north 13-05-429-004. This document must be approved in draft format for form by the City Attorney prior to it being recorded at the Macomb County Register of Deeds. The document shall then be provided to the Planning Department.
2. The west 23.45 ft. of parcel 13-05-429-005 shall not ever be considered a stand-alone building site and that said parcel measuring 23.45 ft. x 75 ft. shall, as a part of this action, be hereafter considered combined with parcel 13-05-428-017 as an ownership interest only.
3. The lots and abutting streets shall be graded and drained. The petitioner must send a letter to the Public Service Director requesting an inspection of the site. The Director, in turn, forwards the request to the Engineering Division to perform the inspection. A copy of the positive results of the inspection shall be provided to the Planning Department..
4. The utility companies be given the opportunity to obtain any easements they may require.
5. Approval of City Council shall be obtained. City Council approval shall become effective upon compliance with all conditions listed. The petitioner shall complete the conditions within one (1) year.
6. The petitioner must provide the planning Department with documentation indicating that all conditions as assigned are completed. The department then notifies the City Clerk that a certified copy of the resolution shall be recorded with the Macomb County Register of Deeds.

And furthermore recommendations were received from the following divisions and departments:

**TAXES:** No Delinquent Taxes

**ENGINEERING:** Preliminary review yielded the following comments:

The parcel split/combination is not necessary. The legal descriptions and Title Commitments for both parcels are inclusive of this parcel split/combination.  
The legal description and parcel depiction on Macomb County GIS is incorrect.

**ZONING:** Approved

**FIRE:** Approved

**ASSESSING:** Approved



**PUBLIC SERVICE DEPARTMENT  
ENGINEERING DIVISION**  
One City Square, Suite 300  
Warren, MI 48093-2390  
(586) 759-9300  
Fax (586) 759-9318  
www.cityofwarren.org

To: Ronald F. Wuerth, Planning Director  
From: James VanHavermaat, City Engineer  
Date: September 15, 2015  
RE: Winchester Avenue, Lot Split/Combination- Section 5

This memo is in response to item 3 on the Planning Commission letter dated 8/14/15 regarding a proposed lot split/combination on Winchester Avenue.

The letter requests that the Engineering Division inspect the grading and drainage on this site. On the afternoon of August 19th, during a rainfall event, I drove to the site to inspect and evaluate the site drainage conditions. During the rain event, there was some ponding in the roadway. However, most of the roads in this area were experiencing similar ponding during the storm event.

I went to the site again on August 20th, the day after the rain event. On this occasion, I detected only minimal traces of ponding on the site. Once again, this was typical in the surrounding area.

Based on my observations, there are no significant grading or drainage problems on this site.

Sincerely,  
CITY OF WARREN

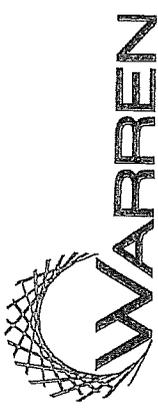
A handwritten signature in black ink, appearing to read "James VanHavermaat".

James VanHavermaat, P.E.  
City Engineer

cc: Richard Sabaugh, Public Service Director

RECEIVED

SEP 16 2015  
CITY OF WARREN  
PLANNING COMMISSION



August 26, 2015

**FILE COPY**

PLANNING DEPARTMENT  
ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
[www.cityofwarren.org](http://www.cityofwarren.org)

TO: FILE

RE: Item #4 of the petitioner letter dated August 14, 2015:

SUBDIVISION PROPERTY SPLIT AND COMBINATION REQUEST; property located on the west side of Westchester Avenue, approximately 352 ft. north of Beebe Avenue; split combine said 23.5 ft. with 31719 Winchester (Parcel No. 13-05-428-017); Section 5; Christine Kowalczyk.

On August 26, 2015 Michelle Katopodes, City Planner received a call from Christine Kowalczyk. Ms. Kowalczyk stated that she spoke with DTE on August 25, 2015 in order to satisfy number #4 of the petitioner letter dated August 14, 2015. A representative from the utility company stated that they do not need to inspect the site and that they would not provide a letter because easements are in place per the deed recorded by Macomb County.

The information provided verbally by Ms. Kowalczyk has satisfied the requirements of item #4 of the petitioner letter dated August 14, 2015.

/mlk

cc: Christine Kowalczyk.

**RESOLUTION TO SPLIT AND COMBINE  
PROPERTY LOCATED APPROXIMATELY 352 FT. NORTH  
OF BEEBE AVENUE  
13-05-429-005 (31710 WINCHESTER) AND  
13-05-428-017 (31719 WINCHESTER AVENUES)**

A regular meeting of the City Council of the City of Warren, Macomb County, Michigan held on \_\_\_\_\_, at 7 p.m. Eastern Standard Time at the Warren Community Center, 5460 Arden, Warren, Michigan.

PRESENT: Councilmembers \_\_\_\_\_

ABSENT: Councilmembers \_\_\_\_\_

The following preamble and resolution was offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_:

WHEREAS, Christine O. Kowalczyk and Lorrain J. Kryzaniwskyj, owners of property located approximately 352 ft. north of Beebe Avenue, has petitioned the Planning Commission of the City of Warren to split and combine the following subdivision lot to-wit:

Parcel of land located on the west side of Winchester Avenue approximately 352 ft. north of Beebe Avenue; Section 5; City of Warren, Macomb County Michigan. Parcel identification number 13-05-428-017 (31719 Winchester) and 13-05-429-005 (31710 Winchester) and more particularly described as:

Lot 4, Block 2 of Plat 1 of Assessor's Addition to the Village of Warren.

be split as follows:

(Parcel A)

The east 135.7 ft. of the parent parcel 13-05-429-005, (31710 Winchester Avenue) being rectangular in shape measuring 75 ft. x 137.5 ft. and containing

10,312.5 sq. ft. This parcel contains a single family dwelling with attached garage. This parcel would have part of the existing private driveway, Winchester Avenue along its west property line.

NOTE: In 1983, this parcel was split and sold without the City of Warren's Council approval. The owner sold the west 23.45 ft. of the property to the property owner to the west (Iwan Car) for the purpose of providing access to the public part of Winchester Avenue via Tech City Subdivision to the south. However, when the owner sold the property, an access easement should have been permitted over the west 23.45 ft. and the west part of the original property to the owner of property to the north. This action would then have provided the owner of 31720 Winchester Avenue access to the public roadway. The owner of 31720 Winchester already had provided an easement for access to the owner of 31730 Winchester Avenue when they purchased their property;

and also:

(Parcel B)

The west approximately 23.45 ft. of the parent parcel 13-05-429-005 and parcel 13-05-428-017, being rectangular in shape measuring 80 ft. x 128.65 ft. and containing 10,292 sq. ft. This parcel containing a single family dwelling with attached garage. This parcel would have part of the existing private driveway, Winchester Avenue.

The Planning Commission held a public hearing on August 10, 2015 and adopted a Resolution recommending to the City Council that the requested lot split and combination be approved subject to the standard conditions adopted August 10, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of

Warren recommends that the petition to split the above-referenced subdivision

lots, as aforesaid, be approved subject to the standard conditions of the Planning

Commission and more specifically:

1. The petitioner and owner of parcel 13-05-428-017 and the owner of property of parcel 13-05-429-005 must provide a recorded document for ingress/egress easement to the owner of the property abutting to the north 13-05-429-004. This document must be approved in draft format for form by the City Attorney prior to it being recorded at the Macomb County Register of Deeds. The document shall then be provided to the Planning Department.

2. The west 23.45 ft. of parcel 13-05-429-005 shall not ever be considered a stand alone building site and that said parcel measuring 23.45 ft. x 75 ft. shall, as a part of this action, be hereafter considered combined with parcel 13-05-428-017 as an ownership interest only.
3. The lots and abutting streets shall be graded and drained. The petitioner must send a letter to the Public Service Director requesting an inspection of the site. The Director, in turn, forwards the request to the Engineering Division to perform the inspection. A copy of the positive results of the inspection shall be provided to the Planning Department.
4. The utility companies be given the opportunity to obtain any easements they may Require. A copy of the responses from the utility companies shall be provided to the Planning Department.
5. Approval of City Council shall be obtained. City Council approval shall become effective upon compliance with all conditions listed. The petitioner shall complete the conditions within one (1) year.
6. The petitioner must provide the planning Department with documentation indicating that all conditions as assigned are completed. The department then notifies the City Clerk that a certified copy of the resolution shall be recorded with the Macomb County Register of Deeds.

AYES: Councilmembers \_\_\_\_\_

NAYS: Councilmember \_\_\_\_\_

RESOLUTION DECLARED ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
SCOTT C. STEVENS  
Secretary of the Council  
Mayor Pro Tem

**CERTIFICATION**

STATE OF MICHIGAN )  
                          ) SS.  
COUNTY OF MACOMB )

I, PAUL WOJNO, duly elected City Clerk for the City of Warren, Macomb  
County, Michigan, hereby certify that the foregoing is a true and correct copy of the  
resolution adopted by the Council of the City of Warren at its meeting held on  
\_\_\_\_\_ , 2015.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

When recorded return to:  
City Clerk  
One City Square, Suite 205  
Warren, Michigan 48093-5285

Drafted by:  
Planning Department  
City of Warren  
One City Square, Suite 315  
Warren, Michigan 48093-5285

Ms. Caitlin Murphy – It will.

- B. SITE PLAN APPROVAL FOR BUILDING ADDITION TO CONVENIENCE STORE AND EXISTING BP GAS STATION: Located on the south east corner of Fourteen Mile and Ryan Roads, Section 5; 4040 Fourteen Mile; Dave Jajjoka (Scope Data). **TABLED.**

PETITIONERS PORTION:

Mr. Avis Choulagh – I'm the Attorney representing the petitioner who stands to my right. At this time we are respectfully requesting this matter be rescheduled for a different date contingent upon having a full Board present.

MOTION:

A motion was made by Secretary McClanahan to table, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

Vice Chair Kupiec – The item will be tabled to a date certain of August 24, 2015, is that good for you?

Mr. Avis Choulagh – Yes it is sir, have a nice evening.

Commissioner Vinson – I have a question to the petitioner that just left he said until a full Board is present and we can't guarantee that so I just wanted to make sure he understood that.

Vice Chair Kupiec – I guess we'll have to deal with that when it comes if he shows up and there isn't a full Board it will be his privilege to get another date.

Mr. Avis Choulagh – I just request to adjourn it one last time then.

- C. SUBDIVISION PROPERTY SPLIT AND COMBINATION REQUEST:

Property located on the west side of Westchester Avenue, approximately 352 ft. north of Beebe Avenue; split the westerly 23.5 ft. of 31710 Winchester Avenue (Parcel No. 13-05-429-005) and combine said 23.5 ft. with 31719 Winchester (Parcel No. 13-05-428-017); Section 5; Christine Kowalczyk.

PETITIONER PORTION:

Ms. Christine Kowalczyk – I'm a resident of Howell Michigan and I'm with my sister this evening Lorrain Kryzaniwskyj who has been a resident of Warren for 37 years and my other sister could not be

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August 10<sup>th</sup>, 2015

here she is a resident of the State of Oregon. I just wanted to go over what our situation is I don't know how many of you up there know exactly what has transpired. My dad bought a lot in Warren in 1979 and my parents have recently deceased in 2014. We obviously inherited the home and we are putting it up for sale we listed it as of February 4<sup>th</sup>, 2015. Edna Miller who is a resident of the Street Winchester who was also the wife of Arthur Miller who we knew for many years approached my dad to sell him 23 feet of the easement street of Winchester for \$500.00 dollars, which he purchased after his house on Winchester was complete.

We have a deed that was registered at Macomb County we have a stamp on it that indicates the city received it. We listed the house with a realtor February 4<sup>th</sup> we got a legitimate buyer with a purchase agreement which was approved by his lender and the title company turned the whole thing down because they said that the property that my parents bought is somehow attached to the house across the street. We went to the city and spoke to Todd Keyworth, Todd in so many words said this is going to probably take months. So we felt no choice but to hire an attorney to try to see if he could speed things up. We retained Chuck Earl who has been an attorney for 45 years and I guess he knows a lot of you.

We've got nowhere so far and we've also got another buyer that came and we also lost that buyer because this issue with the 23 feet easement is not per the city attached to my parents home, so that's where we are today. So I'm asking you to please approve this this evening so it doesn't go on any further for us. We are still taking care of the home, cutting the grass and making it look very nice for the community. We have to go into that empty house and take care of it and I'm sorry that I'm upset but this has been going on since February 4<sup>th</sup>.

Ms. Lorrain Kryzaniwskiyj – We have all the legal documents, we have the survey, we have the Macomb County Deed, and we have the deed to the house. We have every legal document you can have, so there's no reason why this 23 feet should not be added to my father's property it was bought, paid for, and documented. It's holding us up again from selling the house because it won't clear.

Ms. Christine Kowalczyk – Our attorney has spoken to Mary Michaels, Todd Keyworth, Don Worth, I've talked to Don Worth just this past Thursday we don't know what else to do this has been going on for three months. The house across the street that the property is attached to just recently got new owners as well they are Laronda and Cleveland Tyler. We've spoken to them our attorney

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has spoken to them they don't want the 23 feet. They've already signed papers with Chuck Earl stating they don't want the 23 feet.

Ms. Lorrain Kryzaniwskyj – So we are here to ask you what else do we need to do to get your approval or whoever's approval to get this resolved.

Ms. Christine Kowalczyk – We obtained Chuck Earl as of May 4<sup>th</sup> its cost us a lot of money. I asked him not to be here this evening because I can't afford him and this has been going on with Chuck since May 4<sup>th</sup>. I brought copies and pictures of what I'm talking about and that's the easement in front of my dad and mom's property. Well without that easement no title company or mortgage company is going to give anybody a loan to buy this home without having easement to it. I don't know if any of you want a picture of this.

Vice Chair Kupiec – I think we have a picture of it in our packet, but you can submit it if you'd like just give it to the Secretary.

Ms. Christine Kowalczyk – So Chuck just recently drew up a lot split application, which my sisters gave me power of attorney to sign for them and this was just recently submitted, I can't see the date on it.

Ms. Lorrain Kryzaniwskyj – When my father purchased the property and purchased the 23 feet there was no house across the street. His purchase was in 1983 the house across the street was purchased in 1985. Edna Miller already had it documented at Macomb County, the 23 feet, I don't know what happened between the new owners across the street in 1985 acquiring my father's property.

Ms. Christine Kowalczyk – In 1983 the 23 feet was already documented, surveyed and stamped with Macomb County.

Ms. Lorrain Kryzaniwskyj – According to our attorney the only way to rectify this is to go ahead and do the lot split with Laronda's signature, she's already notarized that she's fine with us taking the 23 feet. So what we need here today is your approval so the city can add the 23 feet to the property so we can move on.

Ms. Christine Kowalczyk – The reason why we didn't put the house up for sale until February 4<sup>th</sup> is because my dad passed away the day after Christmas and in our religion we have to wait 40 days before we do anything. So we waited the 40 days and when the 40

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days was up, which was February 4<sup>th</sup> we listed the property. We also paid the \$500.00 dollars for the lot split application fee as well.

PUBLIC HEARING:

Mr. Joseph Hunt – I was looking at the on line code ordinances and I don't see anything against this particular lot split and combination. They own the property, it's been zoned, it's been surveyed and there's a relationship between the property across the street. I'm definitely in favor of this lot split and combination for the individuals so that they can sell this property. I don't see any limitations that are within the code of ordinance read them there's nothing here that prohibits this. I know that Mr. Earl is a smart individual he's at Chicago and Mound Road right in this district of section 5 so he would know better than anybody and he's been practicing law in this city for a long time. Look at the ordinance there's nothing here that would prohibit it so I'm in favor of it.

Mr. David Maurer – I live two lots down from his property I think it should be approved. It would stop a whole lot of hassle, it would put everybody at peace, and keep the people happy. It's been mixed up for a long time and we never knew anything about it. We'd like to keep the neighborhood peaceful so I think with all good common sense it should be approved and it should be done.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Preliminary review yielded the following comments:

The parcel split/combination is not necessary. The legal descriptions and Title Commitments for both parcels are inclusive of this parcel split/combination. The legal description and parcel depiction on Macomb County GIS is incorrect.

**ZONING:** Approved.

**FIRE:** Approved.

**ASSESING:** Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

\*\*Just a few comments regarding all this. First I want to make the statement that these titles were approved at the Macomb County Register of Deeds back in the 80's, but they never were approved by the City. That's what is at issue here. It's not that they were right or wrong they just simply weren't reviewed by the City and City Council had to approve these to make them right and it is my belief that they are right. That's what we are here for we have to go through this process and make sure they are right. The Engineering Division

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makes a statement about the parcels and they are right in the fact that it says the legal description and parcel depiction on Macomb County GIS is incorrect. They are absolutely right once we get this approved we can correct those things through this document and send off to the county and they will make a change to their maps and we will make a change to all the records that we have.

I've been working on this since May when I first had a meeting with Mr. Earl. Mr. Earl was advised from the very beginning to go through the process and approval would be obtained, I'm simply stating a fact here he was informed. And I'll go as far as to say this whole issue would have been completed by now we wouldn't be standing here now if action would have been taken right away. It's not that the City didn't try to help because I will tell you that every department became involved in this including the former City Attorney and the now Acting City Attorney. All that work and discussion was unnecessary and frankly right now I'm glad we are here at this point. As far as I'm concerned once this gets approved by City Council we will move as rapidly as we can to help these people move forward and get these conditions approved and completed so that they can sell that property and move on with their lives. So with that the recommendation is submitted.

MOTION:

A motion was made by Secretary McClanahan to approve, supported by Commissioner Vinson.

COMMISSIONERS PORTION:

Assistant Secretary Smith – Mr. Wueth I understand the situation that the ladies have been going through I actually went to the site yesterday and looked around. Normally like when we have an alley vacation one person gets half of the alley but this is a whole street that's included in that property. There is a property north of that which says private drive and part of the 23 feet does go into the property of the property across the street, which takes part of their driveway. If this property is included in with their property will the people have to have an egress to go to the property to the north? Say they change owners and the new owner says well we don't want them to be on the property what kind of protection do they have to say this is the way it is the street is part of this property? It seems like there should be some agreement so that the people that have to drive down that street to either go to the property on the right that's losing part of their property and the one to the north of that will still be able to have their access without any kind of problems?

Mary Clark CER-6819  
August 10<sup>th</sup>, 2015

Mr. Ron Wuerth – Mr. Smith, Winchester is a public street up to this point where these properties are that we are talking about. From that point and on their property it turns out to be a private road, it was a private road for quite a few years before they came along. You've got two lots to the north and the one farthest north to my knowledge seems they were there first and then they sold the parcel right immediately to their south and in their deed they made sure that they had access across that property to continue on to the roadway. But that didn't happen when it came to these two parcels across from each other. And that is the reason for condition number one where access agreement is given to that property to the north, that property has already given access to the other property that's farther north. So it just follows that once this is in place there will be no one landlocked. I've heard that term before and that's what we are trying to achieve here. If we get this document in place then everyone can use the private and the public roads without a problem.

Vice Chair Kupiec – To the petitioner, make sure you have a copy of the recommendations if you do not have a copy get a copy tonight before you leave or make arrangement to find out how you get a copy of the recommendations. As you hear he was in favor of getting this done but there are some responsibilities that you have also as a citizen and as a land owner. Also it was stated that Mr. Earl was fully advised of what to do at some point and time. So it needs to be taken care of on your end also make sure you have recommendations and follow what Mr. Wuerth tells you and I'm sure you'll be successful.

Ms. Lorrain Kryzaniwskyj – I do have those recommendations sir, my problem is with number three and number four where they want us to get in contact with utilities when we already have utilities. I have the deed that says that they have utilities in the back of my parent's property. So for us to get in touch with utilities plus grading and draining the street that's existing there are sewers there. Grading and draining the street for what purpose, I don't understand that. So he's putting these recommendations on us that you are going to agree to tonight because that's what you're hearing, but on my side of it what is grading and draining when the street exists. Everything is in place the utilities are in place like I said my father lived there for 36 years. It says utility company be given the opportunity to obtain an easement, what easement, I have documentation of easement why would I need to get in touch with utilities for what purpose we have utilities. I don't understand number three and number four on the recommendations, before you vote on this tell me why I have to do this?

Mary Clark CER-6819  
August 10<sup>th</sup>, 2015

Vice Chair Kupiec – Okay well number three have you ever contacted the Public Service Director requesting an inspection of the site?

Ms. Lorrain Kryzaniwskyj – No.

Vice Chair Kupiec – Well that's number three that's one thing you have to do. And number four Mr. Wuerth can you explain that to her, but what I think he's talking about is just having a utility company come out and check to make sure that they have access to their utilities. Not if the utilities are working or not it's access to be able to work and service the lines if need be. You need to contact the Public Service Director because this is a matter of ordinance that you have to follow.

Ms. Lorrain Kryzaniwskyj – I understand that, I guess I needed clarification of what we're supposed to do.

Ms. Christine Kowalczyk – We are currently paying the utilities on this house the water, the electric, the gas, everything currently is still running in that home and we are paying those payments to the utility companies.

Ms. Lorrain Kryzaniwskyj – It's on the deed it says 5 feet easement over the rear of lot 14 for public utilities, it's in the rear they are not on the street.

Mr. Ron Wuerth – First I will go with number four since we are talking about the utility company. It's a common request that these companies have the opportunity to obtain any easements they may require. We don't know if the easements that they have out there right now are correct or not. I understand about deeds and I understand easements but sometimes utility companies have reasons to change those easements, alter them, or do nothing to them and they are satisfied. But what it does take is a contact a letter to them and utilizing this document you're going to get a letter sent to you this Friday. It will talk about this recommendation that we are making, remember this recommendation goes to City Council you can probably get a jump on things by contacting the utility companies in advance because it will probably take a month and a half to go to City Council from here. You can probably call them and ask them in advance if they have any reason to change easements or do any of that. It's contacting everyone that now services that house.

Mary Clark CER-6819  
August 10<sup>th</sup>, 2015

Ms. Christine Kowalczyk – I still have the same question why would we have to contact them if we already have them existing?

Mr. Ron Wuerth – They exist but as I said just earlier here sometimes they want to change them to improve access that's one of the reasons why.

Ms. Christine Kowalczyk – So that would be change things and improvement only for our house?

Mr. Ron Wuerth – It could very well be everyone else but they will come out and take a look. It's a common thing that utility companies will do, they change things.

Ms. Lorrain Kryzaniwskyj – This common thing will take how long?

Ms. Christine Kowalczyk – You're recommending that the utility comes out nobody else is having a problem with utilities it's your recommendations, the City's.

Mr. Ron Wuerth – This particular requirement is something that we have required of all lot splits since I've worked for the City 26 years and that requirement has been in every one of those lot splits in 26 years and before then. As I said this is a common requirement, this is not unusual.

Ms. Lorrain Kryzaniwskyj – Other than yourself who makes this common requirement?

Vice Chair Kupiec – Mr. Wuerth I think what we need to do as I suggested to the petitioner they need to contact you either after this meeting or come to your office and discuss all this with you, because obviously there's a lot that has to be discussed here. And it sounds like Mr. Earl has been advised of some of this previously. So I think this is something that needs to be done away from this audience and in private. I think we need to put this to a vote.

Ms. Lorrain Kryzaniwskyj – I don't understand what three is?

Mr. Ron Wuerth – Three is simply allowing the Engineering Division to come out check the drainage, obviously they are not going to grade anything, it's a hard surfaced area. They will look where and how the drainage goes if there's never been a problem they are going to approve it. By the time you get to City Council you can have both of these items taken care of if you react right away. The Public Service Director will direct the City Engineer to send someone

Mary Clark CER-6819  
August 10<sup>th</sup>, 2015

out there to take a look at the area. The thing you have to understand this is for the protection of the public, your protection, and everyone in that neighborhood and that's the reason for that.

Commissioner Robinson – Mr. Wuerth, is it merely them contacting the utility company and maybe getting a letter or something from them that say the proper easement is okay in parcel here, would that suffice?

Mr. Ron Wuerth – The answer is yes, neither one should take that long.

Vice Chair Kupiec – We have a motion by Secretary McClanahan, support by Commissioner Vinson.

ROLL CALL:

The motion carried unanimously as follows:

- Secretary McClanahan..... Yes
- Commissioner Pryor..... Yes
- Commissioner Robinson..... Yes
- Assistant Secretary Smith..... Yes
- Commissioner Vinson..... Yes
- Commissioner Karpinski..... Yes
- Vice Chair Kupiec..... Yes

D. SITE PLAN APPROVAL FOR PARKING LOT REALIGNMENT:

Located on the east side of Ryan Road; approximately 580 ft. south of Thirteen Mile Road; 30758 Ryan; Section 8; Patrick Westerlund.

PETITIONERS PORTION:

Mr. Patrick Westerlund – I'm with TDG Architects at 79 Oakland Avenue in Pontiac Michigan, we are here representing Rob Cordaro for the property that he owns on Ryan Road. We are doing a simple expansion to the parking lot it's a mere 1200 square feet pavement are to provide eight additional parking spaces to the property.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Preliminary review of this site has yielded the following comments:

All hard surfaced areas on private property must be internally drained.

**FIRE:** Approved.

**DTE:** Approved.

Mary Clark CER-6819  
August 10<sup>th</sup>, 2015







**CITY ATTORNEY'S OFFICE**

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

[www.cityofwarren.org](http://www.cityofwarren.org)

November 5, 2015

Mr. Scott C. Stevens  
Council Secretary  
Mayor Pro Tem

**Re: Proposed ordinance adding Articles 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**

Dear Council Secretary Stevens:

Attached please find the above-noted proposed ordinance amendments, which include minor revisions and corrections to the ordinances submitted on October 7, 2015. The revisions are primarily intended to make non-substantive corrections.

If acceptable, please submit this version to Council for its consideration at the second reading on Tuesday, November 10, 2015.

Respectfully,

A handwritten signature in cursive script that reads "Mary Michaels".

Mary Michaels  
Acting City Attorney

A handwritten signature in cursive script that reads "Catlin Murphy".

Catlin Murphy  
Assistant City Attorney

MMj 57686  
Attachment

cc: Hon. James R. Fouts, Mayor  
Ron Wuerth, Planning Director  
Everett Murphy, Zoning Inspector  
Michelle Katopodes, Planner I

ORDINANCE NO.80-\_\_\_

AN ORDINANCE TO ADD AN ARTICLE TO CHAPTER 21 TO IMPOSE LOCAL REQUIREMENTS REGULATING THE USE AND GROWTH OF MEDICAL MARIHUANA, TO PROHIBIT ODORS CAUSING NUISANCE; TO AMEND CHAPTER 22, RELATING TO POSSESSION, USE, AND TRANSPORT OF MARIHUANA; AND TO ADD A SECTION TO CHAPTER 22 PROHIBITING FRAUDULENT REPRESENTATION TO A POLICE OFFICER ABOUT MEDICAL USE OF MARIHUANA TO AVOID ARREST OR PROSECUTION.

THE CITY OF WARREN ORDAINS:

**SECTION 1.** That the Code of Ordinances of the City of Warren, Michigan, is hereby amended by adding Article VI to impose local standards for the use, growth and cultivation of Medical Marihuana, which shall read as follows:

**ARTICLE VI. – LOCAL REQUIREMENTS FOR MEDICAL MARIHUANA**

**Sec. 21-81. – Purpose.**

The City of Warren acknowledges that lawful medical use of marihuana serves the seriously ill, by alleviating their symptoms. It is in the public welfare to establish local standards to ensure that the procedures utilized to help the seriously ill with medicinal marihuana are compatible with the character of the community. The neighborhoods must be protected from any residual odors or dangerous heating processes that are associated with marihuana growth, as well as the explosions and fires caused by the grow process. This ordinance is intended to impose local requirements for those individuals registered as “qualifying patients” as defined under the Michigan Medical Marihuana Act, MCL 333.26421, et seq., to contain growth of medical marihuana to specifically zoned areas, and to restrict presence in neighborhoods only to those qualifying patients who take safety measures to prevent hazards and odors associated with the growth and processing of marihuana. This ordinance is intended to preserve the character of the community, and protect the citizens from any disruption, traffic, offensive smell or nuisance due to the growth of medical marihuana, and the unexpected consequences of electrical fires and dangerous explosions.

**Sec. 21-82. – Definition.**

The terms used in this article, including “qualifying patient(s)” or “primary caregiver” will have the meaning assigned to them in the Michigan Medical Marihuana Act, MCL 333.26421, et al.

**21-83 – General.**

(a) A person within the City of Warren who has been issued and possesses a lawful registry identification card as a qualifying patient as set forth in MCL 333.26421, et seq. (the Act), shall comply with the following:

1. Consumption of medical use of marihuana shall not occur in:
  - i. any public place;
  - ii. a common area of a hotel, motel, apartment building, condominium complex, or other business establishment, including the driveways, entrance areas, parking lots, areas open to the public or other residents and/or guests;
  - iii. any non-public area of a hotel, motel, apartment building, rental dwelling or similar facility or any other establishment at which the owner has prohibited marihuana use, cultivation, manufacture, or transfer on the premises.
2. The growth, cultivation, manufacturing or storage of medical marihuana may occur at a residential dwelling of a qualifying patient only in compliance with this article and the Act.
3. A qualifying patient, or his or her primary caregiver shall not distribute, transfer or sell the medical marihuana to another person from his or her residential dwelling or premises, and no person shall be allowed or have access to medical marihuana on the qualifying patient's property other than the qualifying patient and his or her primary caregiver.
4. No marihuana shall be cultivated, grown, manufactured or processed in any manner that would emit or release odors beyond the interior of the structure, or which is otherwise discernible to another person.
5. The odor of marihuana from the growth, manufacturing, processing, or cultivation must be prevented by the installation of an operable filtration to ventilation and exhaust equipment, and odors must otherwise be effectively confined to the interior of the building or dwelling from which the odor is generated. No ventilation or exhaust system may be installed where marihuana is grown or cultivated without a filtration system approved by the Building Inspections Division to eliminate odors.
6. Medical marihuana shall not be grown, cultivated, manufactured, processed or stored other than in industrial districts as may be designated and expressly allowed within the Zoning Ordinances of the City of Warren, or

otherwise only under the following conditions and in compliance with the following requirements:

- i) the property on which the medical marihuana is grown, processed, manufactured, or cultivated is occupied by a qualifying patient as his or her principal residence, as principal residence is defined in MCL 211.7u;
- ii) such property is under the control of the qualifying patient through written lease or deed;
- iii) the medical marihuana is only for the purpose of consumption by the owner/occupant qualifying patient residing in on that property;
- iv) the growth, storage, manufacturing and cultivation is in compliance with Michigan Medical Marihuana Act, and rules promulgated under the Act, and this Article and applicable ordinances;
- (v) The property has registered with the Division of Building Inspections, and satisfies a safety inspection of the property's heating equipment, filtration system, and electrical wiring, lighting, and or watering devices that support the cultivation, growth or harvesting of marihuana.
- (vi) All medical marihuana shall be grown and contained within the primary dwelling, in an enclosed, locked facility inaccessible and equipped with locks to restrict access from any person other than the qualified patient and his or her primary caregiver.

(b) Any on-site lighting in room with windows where medical marihuana is grown shall employ shielding methods between 11 p.m. and 7 a.m., without alteration to the exterior of the residence, to prevent ambient light spillage from encroaching upon neighboring property.

(c) Any portion of a residential dwelling where heating equipment is used to grow, process, manufacture, or cultivate medical marihuana, or where chemicals such as herbicides, pesticides, and fertilizers are stored, shall be subject to mandatory inspection and approval by the City of Warren Fire Department.

(d) No property may be used to grow, cultivate, manufacture, or process marihuana unless the owner or lessee of the property registers with the Division of Building Inspections upon submission of a plan for such growth, processing, storage and cultivation, and satisfies a mandatory safety inspection of the heating equipment and processes, filtration equipment, and the electrical wiring, lighting and water system used to support the growth, processing or cultivation of medical marihuana. Any such equipment, processes, and systems shall be maintained, utilized, operated and used in the manner that is approved by the Division of Building Inspections. Any information and records maintained by the Division that are confidential under the Act will be withhold from public disclosure.

(e) No medical marihuana is to be grown, processed, manufactured, or cultivated without the filtration, heating method, lighting and electrical wiring, and chemical storage

and usage methods being approved by the Division of Building Inspections and the Fire Department.

(f) The growth, cultivation, storage, or processing marihuana in violation of section 22-83 subsections (g), (h) and (i) is a misdemeanor punishable by up to \$500 and/or 90 days in jail. In addition, all marihuana is subject to confiscation by the police. These remedies are in addition to any other remedy or penalty provided under the Act or this ordinance.

(g) Except as stated in this article, no manufacture, cultivation, processing or growth of medical marihuana shall occur in any location except in the M-1 and M-2 industrial districts as defined in and as may be expressly permitted under Appendix A of the Zoning Ordinances of the City of Warren, or as otherwise may be approved as provided in the Zoning Ordinance, and in compliance with the conditions as set forth in such the Zoning Ordinances.

(h) Except for locations that may be permitted in the zoning ordinance, the location from which a primary caregiver grows, cultivates, or otherwise provides services to a qualifying patient shall be under the control, through written lease or deed in favor of, and occupied as the principal residence of, the qualifying patient, shall be only for purposes of providing services solely to and consumption by, such qualifying patient, and must comply in all regards with the Act and rules promulgated under the Act.

(i) Any use, manufacturing, growth, or cultivation of medicinal marihuana shall otherwise be in compliance with the Act, and the provisions of this article are intended to supplement the requirements and remedies provided under the Act.

21-84. Cost recovery. In the event of any explosion, release, hazard that results from the growth, cultivation or processing of medical marihuana, the qualifying patient will be responsible for reimbursement of any emergency response costs which were deployed to remediate, contain or respond to the explosion, fire, release or hazard, including transportation, overtime costs, special equipment or testing, and shall be responsible for the repair of property damages, or medical expenses for injuries resulting from such explosion, release, harmful emission, or hazard.

Sec. 21-85 – 21-89. Reserved.

SECTION 2. That the Code of Ordinances of the City of Warren, Michigan, is amended to add Article VII to control and prohibit the infiltration of offensive odors in the City of Warren, and which shall read as follows:

#### ARTICLE VII. ODORS CAUSING NUISANCE

Sec. 21-90 – Purpose.

It is the purpose of this article to promote the health, safety, and general welfare of the citizens of the City by prohibiting offensive odors, and protecting citizens from harmful air quality and to preserve the comfortable and enjoyable use of property.

An offensive odor includes, but is not limited to, strong odors caused by:

- (a) animal husbandry;
- (b) toilets, stagnant pools, garbage, or dead animals;
- (c) chemicals or industrial activities;
- (d) burning garbage, rubber, and/or other materials or substances; or
- (e) growing, cultivating, and/or the use or consumption of marijuana or marihuana.

**Sec. 21-91. – Short title.**

This Section shall be known and cited as “The Fresh Air Ordinance”.

**Sec. 21-92. - Prohibition**

- (a) Except as listed in Section 21-93, a person is prohibited from causing or allowing an odor emission that:
  - 1) A reasonable person would consider an offensive odor;
  - 2) Endangers the public health or welfare; or
  - 3) Unreasonably interferes with another person’s enjoyment of life, health, safety, peace, comfort, or property.

**Section 21-93. – Exceptions.**

- (a) Offensive odors do not include odors caused by:
  - 1) cooking or preparing food; or
  - 2) composting food

**Section 21-94. - Odor Nuisance Determination.**

An authorized code official may determine that an odor violates Section 21-92 by any of the following methods:

- (a) Detecting an odor which he or she determines is exceedingly pungent and of such intensity threshold as to:
  - 1) Potentially cause distress, discomfort or injury to a person with ordinary sensibilities; or
  - 2) Substantially interfere with the comfortable enjoyment of residential dwellings by dwelling persons of ordinary sensibilities; or
  - 3) Have the propensity to induce nausea in persons or ordinary sensibilities.
- (b) Using a field olfactometer, or similar odor-measuring device.

**Section 21-95. Punishment.**

A violation of Article VI and Article VII is a municipal civil infraction, punishable by a fine of not less than one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) per violation; and/ or costs; assessments; and damages and expenses, as provided by MCL 600.8727(3).

SECTION 2. That Chapter 22, Article VIII, Division I, Section 22-191 of the Code of Ordinances of the City of Warren, Michigan

**WHICH PRESENTLY READS:**

**Sec. 22-191. - Possession, use, and transport prohibited.**

(a) Except as lawfully allowed by applicable state or federal law, it shall be unlawful for any person to possess, use, or provide to another person marihuana as defined in the Michigan Public Health Code, MCL 333.7101 et seq.; or the United States Controlled Substances Act, 21 USC Section 801 et seq.

(b) A person shall not transport or possess usable marihuana as defined by the Michigan Medical Marihuana Act in or upon a motor vehicle or any self-propelled vehicle designed for land travel unless the usable marihuana is one (1) or more of the following:

- (1) Enclosed in a case that is carried in the trunk of the vehicle; or
- (2) Enclosed in a case that is not readily accessible from the interior of the vehicle, if the vehicle in which the person is traveling does not have a trunk.

(c) A person who violates subsection (b) is guilty of a misdemeanor punishable by imprisonment for not more than ninety-three (93) days or a fine of not more than five hundred dollars (\$500.00), or both.

**IS HEREBY AMENDED TO READ AS FOLLOWS:**

**Sec. 22-191. Marihuana possession, use, or transfer and transport prohibited; Medical marihuana transport or possession in a vehicle limited to a locked case.**

- (a) Except as ~~lawfully allowed permitted~~ by applicable state or federal law, it shall be is unlawful for any person to possess, use, or ~~transfer provide to another person~~ marihuana as defined in the Michigan Public Health Code, MCL 333.7101 *et seq.* as amended; or the United States Controlled Substances Act, 21 USC Section 801 *et seq.* as amended.
- (b) Except as lawfully allowed permitted by state or federal law, it shall be is unlawful for any person to use marijuana or marihuana as defined in the Michigan Public Health Code, MCL 333.7101 *et seq.* as amended; or the United States Controlled Substances Act, 21 USC Section 801 *et seq.* as amended.
- (c) It is unlawful for a person to transport or possess usable marihuana as defined by the Michigan Medical Marihuana Act, MCL 333.26421, et seq. as amended, in or upon a motor vehicle or any self-propelled vehicle designed for land travel, unless except if the usable marihuana is either: one (1) or more of the following
  - (1) Enclosed in a sealed or locked case that is carried in the trunk of the vehicle; or
  - (2) Enclosed in a sealed or locked case that is not readily accessible from the interior of the vehicle, if the vehicle in which the person is traveling does not have a trunk.
- (d) A case is a portable, non-transparent container with a lid which can be used to enclose an object, substance, or material.
- (e) A person who violates subsection (a) is guilty of a misdemeanor punishable by imprisonment for not more than ninety (90) days or a fine of not more than five hundred dollars (\$500.00), or both. A person who violates subsection (b) is guilty of a misdemeanor punishable by imprisonment for not more than ninety (90) days and/or a fine of not more than five hundred dollars (\$500.00). A person who violates subsection (c) is guilty of a misdemeanor punishable by imprisonment for not more than ninety-three (93) days and/or a fine of not more than five hundred dollars (\$500.00).

**SECTION 3.** That Chapter 22, Article VIII, Division I of the Code of Ordinances of the City of Warren, Michigan, is hereby amended to add Section 22-193, which shall read as follows:

**Sec. 22-193. Fraudulent representation relating to the medical use of marihuana to avoid arrest or conviction.**

- (a) It is illegal for a person or entity to make a fraudulent representation of any fact or circumstance relating to the medical use of marihuana, as defined by Medical

Marihuana Act, MCL 333.26423(e)–(f), to a police officer in order to avoid arrest or prosecution.

(b) A violation of subsection (a) is punishable by a fine of not more than five hundred dollars (\$500.00).

(c) A violation of this section may be grounds for an arrest or charges under a separate ordinance or law for making a false statement to a police officer, and may otherwise be subject to penalty or punishment under such other offense.

**SECTION 4.** This Ordinance shall take effect on \_\_\_\_\_, 2015.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-\_\_\_\_ was adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

Published: \_\_\_\_\_



**CITY ATTORNEY'S OFFICE**

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

[www.cityofwarren.org](http://www.cityofwarren.org)

September 24, 2015

Mr. Scott C. Stevens  
Council Secretary  
Mayor Pro Tem  
City of Warren

**Re: Proposed Ordinance Amending Chapter 18 of the Code of Ordinances  
Entitled Licensing, Relating to Restaurant License Expiration**

Dear Secretary Stevens:

Attached please find proposed amendment to Chapter 18 of the code of ordinances entitled Licensing, relating to restaurant license expiration. Due to the volume of business licenses that the City Clerk's office receives with the annual expiration date of March 31st, changing the annual expiration date of restaurant licenses from March 31st to May 31st will speed up processing time and prevent delays.

Please place the proposed amendment to Chapter 18 on the Council agenda for consideration and adoption of a first reading.

Sincerely,

A handwritten signature in blue ink that reads "Roxanne R. Canestrelli".

Roxanne R. Canestrelli  
Assistant City Attorney

Read and Concur:

A handwritten signature in black ink that reads "Mary Michaels".  
Mary Michaels  
Acting City Attorney

Approved:

A handwritten signature in black ink that reads "James R. Fouts".  
James R. Fouts  
Mayor

RRC/vlt Ltr to S Stevens City Council – Ordinance Amending Ch 18 re Restaurant License Expiration ID 57240

cc: Paul Wojno, City Clerk  
Sonja Buffa, Deputy Clerk  
Miranda Westphal, Business Licensing Clerk

ORDINANCE NO. \_\_\_\_ - \_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 18 OF THE CODE OF ORDINANCES ENTITLED LICENSING.

THE CITY OF WARREN ORDAINS:

**SECTION 1.** That Chapter 18 of the City of Warren Code of Ordinances entitled Licensing, Section 18-13,

**WHICH PRESENTLY READS:**

Sec. 18-13. - Expiration.

The license year shall terminate on the thirty-first day of March at midnight, next after the issuance of the license. The expiration date of each license shall be indicated on the face thereof.

**IS HEREBY AMENDED TO READ AS FOLLOWS:**

Sec. 18-13. - Expiration.

Unless otherwise noted, the license year shall terminate on the thirty-first day of March at midnight, ~~next after~~ following the issuance of the license. The restaurant license year shall terminate on the thirty-first day of May at midnight, following the issuance of the license. The expiration date of each license shall be indicated on the face thereof.

**SECTION 2.** All other sections of Chapter 18 of the code of ordinances shall remain unchanged and effective.

I HEREBY CERTIFY that the foregoing Ordinance No. \_\_\_\_ - \_\_\_\_ was adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_ and shall be effective \_\_\_\_\_.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

Published: \_\_\_\_\_



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October 5, 2015

Mr. Scott C. Stevens  
Council Secretary  
City of Warren

**RE: Ordinance to amend Chapter 2, Article V, Division 10, of the Code of Ordinances relating to the Senior Health Care Services Commission**

Dear Council Secretary Stevens:

Attached for consideration at the October 13, 2015 City Council meeting, please find a proposed ordinance amending Chapter 2, Article V, Division 10, of the Code of Ordinances relating to the Senior Health Care Services Commission. ("Commission")

It was discovered that an amendment is necessary because some of the ordinance language has become outdated. On September 15, 2015, the Commission approved the attached ordinance amendment.

Should you have any questions, please contact Cathy Lawson at (586)758-1310.

Respectfully submitted,

A handwritten signature in blue ink that reads "Annette Gattari-Ross".

Annette Gattari-Ross  
Assistant City Attorney

agr/sd/ ltr to stevens senior health cov/id57216

Attachment

Read and Concur:

A handwritten signature in black ink that reads "Mary Michaels".  
\_\_\_\_\_  
Mary Michaels  
Acting City Attorney

Read and Concur:

A handwritten signature in black ink that reads "James R. Fouts".  
\_\_\_\_\_  
James R. Fouts  
Mayor

cc: Senior Health Commission (c/o Cathy Lawson)



JAMES R. FOUTS - MAYOR

**HOUSING COMMISSION**

26600 BURG ROAD  
WARREN, MI 48089  
(586) 758-1310

[www.cityofwarren.org](http://www.cityofwarren.org)

September 18, 2015

Annette Gattari-Ross  
City Attorney  
One City Square – Suite 400  
Warren, MI 48089

**RE: Senior Health Care Commission:**

Dear Ms. Gattari-Ross,

On September 15, 2015, the Senior Health Care Commission considered and approved the attached Proposed Ordinance Amendment.

Please submit to City Council for its next regular meeting.

Should you have any questions, please contact me at (586)758-1310.

Sincerely,

A handwritten signature in black ink that reads "Cathy Lawson".

Cathy Lawson  
Director of Administration

Read and Concur:

A handwritten signature in black ink that reads "James R. Fouts".

James R. Fouts  
Mayor

ORDINANCE NO. 80-\_\_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF WARREN RELATING TO THE SENIOR HEALTH CARE SERVICES COMMISSION

THE CITY OF WARREN ORDAINS:

**SECTION 1.** That the Code of Ordinances, Chapter 2, Article V, Division 10, entitled Senior Health Care Services Commission **WHICH PRESENTLY READS:**

**DIVISION 10. - WARREN CITY COMMISSION FOR SENIOR HEALTH CARE SERVICES**

**Sec. 2-257. - Created; qualifications; composition; number of members.**

There shall be created a Warren city commission for senior health care services consisting of twelve (12) members. The members of the commission shall be appointed by the mayor and confirmed by the city council. Five (5) members shall be Warren senior citizens, four (4) members shall be health care professionals, one (1) member shall be an employee of the mayor's office, one (1) member shall be a representative of Bi-County Hospital and one (1) member shall be a representative of Macomb Hospital Center. No persons shall be appointed as a member, and any member shall vacate his or her chair who, simultaneously holds any position at any level of city government as an elected or appointed officer, or as an administrative officer or department head, whether elected or appointed.

**Sec. 2-258. - Definition.**

In this section the following words and phrases shall have the meanings respectively ascribed to them:

Senior citizen shall mean any person who is fifty-five (55) years or older.

**Sec. 2-259. - Terms of office.**

The original members of the commission shall be appointed by the mayor and confirmed by the city council for the following terms:

- (a) Four (4) members shall be appointed for a term of three (3) years, their terms expiring on July 1, 1990.
- (b) Four (4) members shall be appointed for a term of two (2) years, their terms expiring on July 1, 1989.

- (c) Four (4) members shall be appointed for a term of one (1) year, their terms expiring on July 1, 1988.

Upon expiration of the original terms, subsequent appointment shall be for a term of three (3) years. A commissioner, whose term of office has expired, shall continue to hold office until a successor has been appointed. Should a vacancy occur on the commission, a replacement shall be appointed, as provided above, to fill the remainder of the unexpired term.

**Sec. 2-260. - Compensation.**

Members of the commission shall serve without compensation.

**Sec. 2-261. - Meetings; rules of procedure; records; quorum; officers.**

The commission shall meet at regular intervals, such meetings to be public. It shall adopt its own rules of procedure, and shall keep a record of the proceedings. Seven (7) members shall constitute a quorum for the transaction of business. A chairperson and vice-chairperson shall be elected by the commission.

**Sec. 2-262. - Duties and powers.**

The commission shall have the following duties and powers:

- (a) To identify all active senior citizen groups and organizations in the City of Warren and maintain a listing of such;
- (b) To maintain contact with each group or organization on a regular basis;
- (c) To identify health care information needs of the Warren senior citizen community and to, if need be, conduct public hearings;
- (d) To assemble available information materials to address identified needs;
- (e) To actively disseminate these materials to identified senior citizen groups and organizations;
- (f) To sponsor informational health care seminars on a quarterly basis;
- (g) To offer health care advisory clinics to counsel Warren senior citizen on their health care planning, procedures and problems;
- (h) To provide more efficient senior citizen health care service by promoting cooperation in the community of Warren health care professionals;
- (i) To pursue funding from public and private resources currently available for senior citizen health care information material purposes;
- (j) To work to expand available free transportation services for Warren senior citizens through private organizations and volunteers;
- (k) To meet with the mayor on an annual basis to establish goals and objectives.

**Sec. 2-263. - Annual reports to city council.**

The commission shall make an annual report of its activities to the city council and at such time shall state its goals and objectives for that coming year and shall make such other reports as the city council may from time to time require.

**IS HEREBY AMENDED TO READ:**

**DIVISION 10. - WARREN CITY COMMISSION FOR SENIOR HEALTH CARE SERVICES**

**Sec. 2-257. - Created; qualifications; composition; number of members.**

There shall be created a Warren city commission for senior health care services consisting of twelve (12) members. The members of the commission shall be appointed by the mayor and confirmed by the city council. Five (5) members shall be Warren senior citizens, ~~four (4)~~ **six (6)** members shall be **representatives from health care organizations with varied backgrounds**, professionals, **and** one (1) member shall be an employee of the City appointed by the Mayor. ~~of the mayor's office, one (1) member shall be a representative of Bi-County Hospital and one (1) member shall be a representative of Macomb Hospital Center.~~ No persons shall be appointed as a member, and any member shall vacate his or her chair who, simultaneously holds any position at any level of city government as an elected or appointed officer, or as an administrative officer or department head, whether elected or appointed.

**Sec. 2-258. - Definition.**

In this section the following words and phrases shall have the meanings respectively ascribed to them:

**Health Care Organization shall mean organizations and people whose primary intent is to promote, restore or maintain health.**

*Senior citizen* shall mean any person who is fifty-five (55) years or older.

**Sec. 2-259. - Terms of office.**

~~The original members of the commission shall be appointed by the mayor and confirmed by the city council for the following terms:~~

- ~~(a) Four (4) members shall be appointed for a term of three (3) years, their terms expiring on July 1, 1990.~~
- ~~(b) Four (4) members shall be appointed for a term of two (2) years, their terms expiring on July 1, 1989.~~
- ~~(c) Four (4) members shall be appointed for a term of one (1) year, their terms expiring on July 1, 1988.~~

**The term of office shall be three (3) year staggered terms.** ~~Upon expiration of the original terms, subsequent appointment shall be for a term of three (3) years. A commissioner, whose term of office has expired, shall continue to hold office until a~~

successor has been appointed. Should a vacancy occur on the commission, a replacement shall be appointed, as provided above, to fill the remainder of the unexpired term.

**Sections 2-260 through 2-263 shall remain unchanged.**

**SECTION 2.** This Ordinance shall take effect on \_\_\_\_\_, 2015.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-\_\_\_\_\_ was adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_, 2015.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

Published: \_\_\_\_\_

55564



September 30, 2015

CITY ATTORNEY'S OFFICE  
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Mr. Scott C. Stevens  
Council Secretary  
Mayor Pro Tem  
City of Warren

**Re: Proposed ordinance to amend Chapter 41, Section 41-155 regulating storm water runoff for new or redeveloped project sites**

Dear Council Secretary Stevens:

Attached is a proposed amendment to Chapter 41, Section 41-155 of the Code of Ordinances to regulate post-construction storm water runoff for new and redeveloped project sites. The City of Warren is currently operating under a State of Michigan issued jurisdictional general National Pollution Elimination System (NPDES) permit for discharges from its Municipal Separate Storm Sewer System (MS4). Under the permit requirements, the City must submit annual reports. The State also occasionally audits permit holders to ensure compliance. In the most recent audit results, the State mandated that the City enact an ordinance that regulates and monitors storm water runoff from certain larger development or redevelopment project sites.

In order to comply with the State permit regulations, this proposed ordinance requires the owner of a property of certain larger development or redevelopment sites to apply for and receive a permit ensuring that the owner of the property develop or redevelop and maintain the property in a way that complies with the storm water management practices listed in the most recent version of the Macomb County Public Works Office Procedures and Design Standards for Storm Water Management. Additionally, the proposed ordinance allows the City to continue to inspect the site for compliance and provides that a violation of the ordinance is a municipal civil infraction. The City Attorney's Office is also working with various city departments to amend the site plan review section of the Zoning Ordinance to include storm water runoff as a consideration in site plan approval.

Please place this item on the next regular scheduled agenda for consideration and adoption. If you need any further information, please feel free to call me at extension 4527.

Respectfully,

  
Caitlin Murphy  
Assistant City Attorney

CM/j ID 56264  
Attachments

cc: David Monette, W.W.T.P.  
Todd Schaedig, W.W.T.P.  
Greg Paliczuk, Building  
James Van Havermaat, Engineering  
Ron Wuerth, Planning

Read and Concur:

  
Mary Michaels  
Acting City Attorney

Approved:  
  
James R. Fouts  
Mayor

ORDINANCE NO. 80-\_\_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 41, WATER AND SEWERS, SECTION 41-155 OF THE CODE OF ORDINANCES RELATING TO POST-CONSTRUCTION STORM WATER RUNOFF FOR NEW AND REDEVELOPED PROJECTS.

THE CITY OF WARREN ORDAINS:

**SECTION 1.** That Chapter 41, Article III, Division 4, Section 41-155 of the Code of Ordinances of the City of Warren, Michigan,

**WHICH PRESENTLY READS AS FOLLOWS:**

**Sec. 41-155. - Reserved.**

**IS HEREBY AMENDED TO READ AS FOLLOWS:**

**Sec. 41-155. – ~~Reserved.~~ Post-Construction Storm Water Runoff.**

- (a) **Purpose.** The purpose of this Section is to establish requirements and standards for discharging and treating storm water runoff in the City of Warren that comply with the Federal National Pollutant Discharge System (NPDES) storm water regulations, administered by the State of Michigan, pursuant to MCL 324.3103, for all new development or redevelopment projects. The City of Warren holds a State of Michigan issued jurisdictional general permit for discharges from its Municipal Separate Storm Sewer System (MS4). The permit, incorporating State and Federal rules and regulations, requires the City to manage post-construction storm water runoff from new development and redevelopment projects throughout the City of Warren.
- (b) **Definitions.**
- (1) Responsible Party is the legal owner(s) of the property.
  - (2) Post-Construction Storm Water Runoff is the storm water that flows from a Project Site after completion of a Development or Redevelopment Project.
  - (3) The Project Site is any area on the Development or Redevelopment Project where there is Earth Disturbance.
  - (4) The Minimum Treatment Volume is the first inch of the Post-Construction Storm Water Runoff. The Minimum Treatment Volume is calculated by the formula listed in the Michigan Department of Environmental Quality (MDEQ) Post-Construction Storm Water

Runoff Controls Program Compliance Assistance Document, as amended (SWCAD).

- (5) Water Quality Treatment Performance Standard is removal of a minimum of 80 percent of total suspended solids (TSS) as compared with uncontrolled runoff; or limiting TSS discharge concentrations to no more than 80 milligrams per liter.
- (6) Channel Protection Performance Standard is maintaining Post-Construction Storm Water Runoff and peak flow rate at or below the existing level for all storms up to the 2-year, 24-hour event.
- (7) Existing Level is the runoff volume and peak flow rate from the land use immediately preceding the Development or Redevelopment Project.
- (8) Earth Disturbance is any activity which removes ground cover, changes the slope or contours of the land, or exposes the soil surface to the actions of wind and rain. It includes, but is not limited to, excavation, surface grading, filling, landscaping, or removal of vegetative roots.
- (9) A Development or Redevelopment Project is a construction project involving a public or private property where there is either:
  - (i) an earth disturbance of one acre or more; or
  - (ii) an earth disturbance of less than one acre, but that is part of a larger common plan of development or sale that would disturb one acre or more.

**(c) Applicability.**

- (1) This Section applies to all Development or Redevelopment Projects where Post-Construction Storm Water Runoff flows into a MS4.

**(d) Macomb County Public Works Office's Procedures and Design Standards for Storm Water Management (PDSSM).**

- (1) Unless otherwise provided, for purposes of this Section, all measurements or calculations are determined by the methods and definitions provided in the most recent version of the PDSSM;

**(e) Requirements.** Unless the Engineering Department provides the Responsible Party a written exemption, the Responsible Party shall do all of the following:

- (1) Before beginning construction, apply for and receive a storm water runoff permit from the City of Warren.
  - (i) The permit application shall include a storm water management plan that complies with the storm water criteria, source controls, site controls, and storm water management practices listed in the most recent version of the PDSSM, including but not limited to:

(ii) Post-development, site-specific structural and vegetative Best Management Practices (BMPs) designed, installed, and maintained to:

- a. treat the Minimum Treatment Volume to the Water Quality Treatment Performance Standard; and
- b. achieve the Channel Protection Performance Standard;

(iii) If the TSS concentrations in the Minimum Treatment Volume do not exceed 80 milligrams per liter, the Responsible Party shall provide site-specific documentation attesting to the TSS concentrations; and

(iv) An operation and maintenance plan that ensures maximum design performance.

(2) Develop and maintain the property in conformity with the permit.

**(f) Enforcement.**

(1) Nonexclusive remedy.

(i) The City of Warren retains all remedies available to it through other sections of the Code of Ordinances, including but not limited to remedies available through public nuisance and blight proceedings.

(2) Permit Compliance. To ensure permit compliance, the City of Warren may do any one or more of the following:

(i) have the Director of Public Service stop construction on a project until the Responsible Party provides adequate assurances that the requirements of this Section will be implemented;

(ii) access the property for intermittent inspections by the Building, Engineering, Waste Water Treatment, or other city department;

(iii) require the Responsible Party to connect to the public storm sewer system;

(iv) perform any necessary BMP maintenance or corrective actions that the Responsible Party neglects to perform; or

(v) impose any other requirements necessary.

(3) Costs. The City of Warren may require the Responsible Party to reimburse it for costs associated with ensuring permit compliance.

(4) Penalty.

(i) A violation of this Section is a municipal civil infraction, punishable by a fine of not less than one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000.00) per violation; and/ or costs; assessments; and damages and expenses, as provided by MCL 600.8727(3).

(ii) The judge or magistrate may also order:

- a. corrective action to remedy the violation;

- b. reimbursement to the City for documented enforcement costs; and
- c. any other appropriate legal or equitable action.

Cross-reference – Municipal civil infraction imposition of costs § 1-17.

**SECTION 2.** This Ordinance shall take effect on \_\_\_\_\_, 2015.

I HEREBY CERTIFY that the foregoing Ordinance No. \_\_\_\_\_ was adopted by the Council of the City of Warren at its meeting held on \_\_\_\_\_.

\_\_\_\_\_  
PAUL WOJNO  
City Clerk

Published: \_\_\_\_\_, 2015



PUBLIC SERVICE DEPARTMENT  
ENGINEERING DIVISION  
One City Square, Suite 300  
Warren, MI 48093-2390  
(586) 759-9300  
Fax (586) 759-9318  
www.cityofwarren.org

November 2, 2015

Mr. Scott C. Stevens  
City Council Secretary

**RE: CONSIDERATION AND ADOPTION OF RESOLUTION to Approve Contract Modification No. 1 to City Contract P-14-590, Chicago Road Resurfacing (Cadillac Asphalt, LLC.,) increasing the original contract amount by \$58,604.97 and extending contract completion time through December 31, 2015.**

Attached hereto is a copy of the proposed Contract Modification No. 1 to the City Contract P-14-590, Chicago Road Resurfacing (Dequindre Road to Mound Road).

The contract modification is for additional work outside the scope of the original contract, modifications to the contract work after project award and extension of contract time resulting in an increase to the original contract amount by \$58,604.97 and extending contract completion time through December 31, 2015.

It is the Engineering Division's recommendation that the Warren City Council approve the Contract Modification No. 1 to the City Contract P-14-590 Chicago Road Resurfacing habilitation, as presented in the attached Contract Modification No. 1.

It is also the Engineering Division's recommendation that project funding be modified as follows, to account for completion of the additional work:

- a. Increase in the amount of \$73,732.78 (2012 W&S Capital Improvement Bonds, account 592044-21107)
- b. Decrease in the amount of \$15,127.81 (Priority Roads Investment Program (PRIP) account 2451-80100).

Additionally, it is recommended that Payment No. 3 for the work completed under the contract P-14-590, Chicago Road HMA Rehabilitation in the amount of \$93,283.26 be issued to Cadillac Asphalt, LLC within three (3) days after obtaining City Council's approval of the attached Contract Modification No. 1.

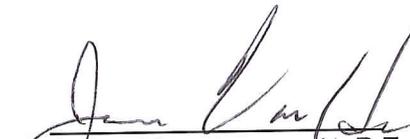
Please place this item on the November 10, 2015 City Council agenda for consideration.

Should you have any questions regarding this matter, I can be reached in my office at (586) 759-9302.

Sincerely,

Read and Concurred:

Read and Concurred:

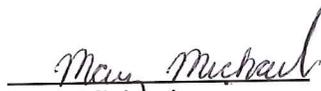
  
James Van Havermaat, P.E.  
City Engineer

  
Richard Sabaugh  
Public Service Director

  
Renee Rezak  
Budget Director

Approved as to Form:

Recommended to Council:

  
Mary Michaels  
Acting City Attorney

  
James R. Fouts  
Mayor

JVH/dd

Attach: Contract Modification No. 1, Proposed Resolution and Payment No. 4

**RESOLUTION APPROVING CONTRACT MODIFICATION NO. 1  
TO CITY CONTRACT P-14-590  
CHICAGO ROAD RESURFACING (DEQUINDRE ROAD TO MOUND ROAD)  
CADILLAC ASPHALT, LLC**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, 20\_\_\_\_, at 7:00 p.m. Eastern \_\_\_\_\_ Time, in Council Chambers located at Warren Community Center Auditorium, 5460 Arden Ave., Warren, Michigan.

PRESENT: Councilmembers \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmembers \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_, and supported by Councilmember \_\_\_\_\_.

Cadillac Asphalt, LLC and the City of Warren entered into a contract titled P-14-590, Chicago Road Resurfacing (Dequindre to Mound).

Certain changes to the plans and specifications were deemed necessary by the City Engineer due to additional work outside the scope of original contract, field changes and modifications to the original contract work.

In compliance with Section 200, Subsections 236, 238 and 239, Cadillac Asphalt, LLC, the project's engineering consultant (HRC) and the City Engineer have determined mutually acceptable prices for the additional work and modifications to the original contract work.

The City Engineer recommends approval of the attached Contract Modification No. 1 as submitted, thereby increasing the original contract amount by \$58,604.97 and extending contract completion time through December 31, 2015.

The City Engineer also recommends that project funding be modified as follows, to account for the additional work:

- a. Increase in the amount of \$73,732.78 (2012 W&S Capital Improvement Bonds, account 592044-21107)
- b. Decrease in the amount of \$15,127.81 (Priority Roads Investment Program (PRIP) account 2451-80100.

Funding is available in the 2012 W&S Capital Improvement Bonds.

The City Engineer further recommends that Payment No. 4 for the work completed under the contract P-14-590, Chicago Road Resurfacing (Dequindre to Mound) in the amount of \$93,737.52 be issued to Cadillac Asphalt, LLC within three (3) days after obtaining City Council's approval of the attached Contract Modification No. 1.

THEREFORE, IT IS RESOLVED, that the City of Warren approves modifications to the Contract titled P-14-590, Chicago Road Resurfacing (Dequindre to Mound) for additional work outside the scope of original contract, modifications to the original contract work after project award extension of contract completion time resulting in an increase of \$58,604.97 to the original contract amount and extension of contract completion time through December 31, 2015, as presented in the attached Contract Modification No. 1.

IT IS FURTHER RESOLVED, that the Mayor and Clerk of the City of Warren are authorized to execute Contract Modification No. 1 for the City Contract P-14-590, Chicago Road Resurfacing (Dequindre to Mound) in such form that meets with the approval of the City Attorney.

IT IS FURTHER RESOLVED, that project funding is modified as follows, to account for completion of additional work:

- a. Increase in the amount of \$73,732.78 (2012 W&S Capital Improvement Bonds , account 592044-21107)
- b. Decrease in the amount of \$15,127.81 (Priority Roads Investment Program (PRIP) account 2451-80100.

IT IS FURTHER RESOLVED, that Payment No. 4 in the amount of \$93,737.52 payable to Cadillac Asphalt, LLC be issued within three (3) days after obtaining City Council's approval of the Contract Modification No. 1.





**PUBLIC SERVICE DEPARTMENT  
ENGINEERING DIVISION**  
One City Square, Suite 300  
Warren, MI 48093  
(586) 759-9300  
Fax (586) 759-9318  
www.cityowarren.org

## CONTRACT MODIFICATION

**DATE:** 11/02/2015

**CONTRACT:** P-14-590, Chicago Road HMA Resurfacing (Dequindre Road to Mound Road)  
(HRC Project 20140523)

**MODIFICATION NO.:** 1

**TO:** Caddillac Asphalt, Inc.  
12345 23 Mile Road  
Shelby Twp., MI 48315

**NECESSITY FOR REVISION:** Additional work outside the scope of the original contract, modifications to the contract work after project award and extension of contract time.

The following work items are hereby added as part of the original contract:

HRC CM No. 1 Additional work due to conflict of the new sanitary sewer main with an unknown sewer pipe near 4771 Chicago Road. Reflects addition of a new Pay Item No. 6 to the Division II – Chicago Road Sanitary Sewer for extra work related to utility conflict with an unknown sewer pipe near 4771 Chicago Road.

1.0 LS @ \$21,927.45 = \$21,927.45

Additional work due to repair of pipe and void below pavement resulting from poor condition of sewer joints near 4896 Chicago Road. Reflects addition of a new Pay Item No. 7 to the Division II – Chicago Road Sanitary Sewer for extra work related to sewer pipe and pavement void repair near 4896 Chicago Road.

1.0 LS @ \$32,677.52 = \$32,677.52

Joint cleanout and repairs in the existing pavement. Reflects addition of a new Pay Item No. 58 to the Division I – Chicago Road Resurfacing for extra work that was not included in the original contract.

1.0 LS @ \$4,000.00 = \$4,000.00

Total Amount for HRC CM No. 1:

\$58,604.97

In addition to the aforementioned increase in the contract amount, the contract completion time is extended through December 31, 2015 to allow completion off all project work.

Extension of Contract Time: through December 31, 2015

The total change in contract price due to work outside the scope of original contract, modifications to the contract work after project award is \$58,604.97.

The Contractor will be held to furnish all materials and labor required for the completion of the work described herein, including all items incidental thereto or necessary to complete the work, even though not specifically mentioned.

This document shall become an amendment to the Contract, and all provisions of the Contract will apply thereto.

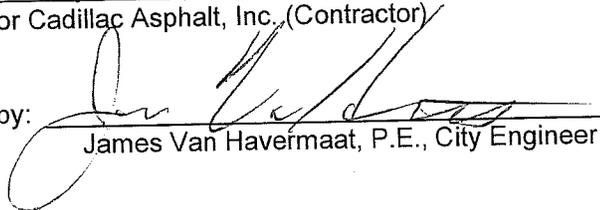
The sum of \$58,604.97 is hereby added to the original Contract Amount of \$902,650.90 resulting in an amended contract price of \$961,255.87.

The contract Completion Time is extended through December 31, 2015.

The above shall be effective upon approval of the Mayor and City Council.

Accepted by: Bradley Hillard (as signed on HRC CM 1)  
for Cadillac Asphalt, Inc., (Contractor)

Date: 10/30/2015

Recommended by:   
James Van Havermaat, P.E., City Engineer

Date: 11/2/15

Approved by Warren City Council

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
James R. Fouts, Mayor

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
Paul Wojno, City Clerk

Date: \_\_\_\_\_

**AUTHORIZATION FOR CHANGE IN WORK**

Owner: City of Warren – Engineering Division  
One City Square, Suite 300  
Warren, Michigan 48093

CONSULTING ENGINEERS: HUBBELL, ROTH & CLARK, INC.  
 CORPORATE OFFICE: 555 HULET DRIVE, BLOOMFIELD HILLS, MI (248) 454-6300  
 CORPORATE MAILING ADDRESS: P.O. BOX 824, BLOOMFIELD HILLS, MI 48303-0824

Name of Project: Chicago Road Resurfacing, Mound to Dequindre Change Order No. 1

Contractor: Cadillac Asphalt, LLC Date: October 29, 2015

Address: 12345 23 Mile Road HRC Job No. 20140523

Shelby Twp., MI 48315 Page 1 of 1

This Change Order, When Approved, Will Constitute Authorization for the Following Changes:

Description of Work	Unit	Estimated Quantities	Unit Price	Amount Increase	Amount Decrease
1. Additional work due to conflict of the proposed sanitary sewer main with an unknown sewer pipe near 4771 Chicago Road.	LS	1	\$21,927.45	\$21,927.45	
2. Additional work due to repair of pipe and void below pavement resulting from poor condition of sewer joints near 4896 Chicago Road.	LS	1	\$32,677.52	\$32,677.52	
3. Joint cleanout and repairs in the existing pavement.	LS	1	\$4,000.00	\$4,000.00	
<b>Total</b>				\$58,604.97	\$0.00
<b>Net Increase</b>				\$58,604.97	

Change in Time of Completion: None to \_\_\_\_\_

Recommended by: *Michael Menon* Date: 10/30/2015  
 Hubbell, Roth & Clark, Inc.

Accepted by: Cadillac Asphalt, LLC By: *[Signature]* Date: 10/30/15

Approved by: City of Warren By: \_\_\_\_\_ Date: \_\_\_\_\_



**PAYMENT REQUEST**

Date : November 2, 2015

To : Dave Smith, Accountant, Controller's Office  
Amy Moore, Budget Analyst, Water Division

NOTE: City Council Approval Required

From : Engineering Division

Re : Payment No. 4  
Project No. P-14-590  
Location Chicago Road, Dequindre to Mound  
Improvement: HMA Resurfacing

Payee : Cadillac Asphalt, LLC  
12345 23 Mile Road  
Shelby Twp., MI 48315

Original Contract Amount (City Council Approval 9/09/2014)	<u>\$902,650.90</u>
Proposed Contract Modification No. 1	<u>\$58,604.97</u>
Contract Modification No. 2	<u>\$0.00</u>
Proposed Amended Contract Amount	<u>\$961,255.87</u>

Total Work performed as of: 10/29/15	<u>\$960,030.59</u>
Less Retainage 1.04%	<u>\$10,000.00</u>
Net Amount Earned	<u>\$950,030.59</u>
Amount of Previous Payment Requests	<u>\$856,293.07</u>

**Amount Due This Estimate**

**\$93,737.52**

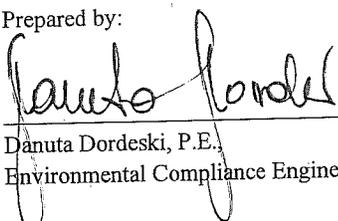
Retainage Previously Withheld	<u>\$45,132.55</u>
Retainage Change this Pay Estimate	<u>(\$35,132.55)</u>

Engineering & Administration Revenue @	<u>\$0.00</u>
Inspection Revenue hrs @ \$65.0/hr and	<u>\$0.00</u>
Total Revenue Generated	<u>\$0.00</u>

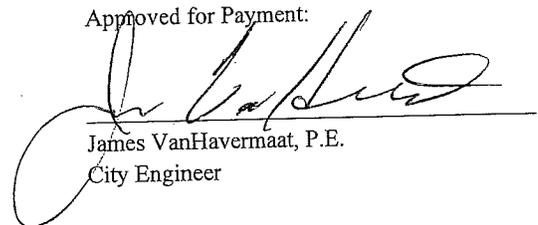
Chargeable to :		<u>\$11,454.26</u>
	Contractual Services	2451-80100
	MDOT PRIP Grant	
	2012 Water & Sewer Capital Improvement Bond	592044-21107 <u>\$82,283.26</u>

The total revenue generated should be transferred from the construction account to the City general fund and be credited as revenue generated by the Division of Engineering.

Prepared by:

  
\_\_\_\_\_  
Danuta Dordeski, P.E.  
Environmental Compliance Engineer

Approved for Payment:

  
\_\_\_\_\_  
James VanHavermaat, P.E.  
City Engineer

cc: Payee



Chicago Road (Dequindre to Mound)  
HMA Resurfacing  
City Project No. P-14-590  
Pay Estimate No. 4

Contractor: Cadillac Asphalt, LLC  
Address: 12345 23 Mile Road  
City: Shelby Twp., MI 48315

DESCRIPTION	ORIGINAL CONTRACT AMOUNT	AMENDED CONTRACT AMOUNT	AMOUNT PAID TO DATE	AMOUNT THIS PAYMENT
Total Work Performed as of:	\$ 902,650.90	\$ 961,255.87	\$ 960,030.59	\$ 58,604.97
Less Retainage			\$ 10,000.00	(35,132.55)
Net Amount Earned			\$ 950,030.59	\$ 93,737.52
Less Previous Payments			\$ 856,293.07	-
<b>Total Amount Due this Estimate</b>			\$ 93,737.52	\$ 93,737.52
Total Road Rehabilitation (PRIP) Work Performed as of:	\$ 795,674.90	\$ 780,547.09	\$ 803,533.62	\$ 4,000.00
Funding Correction for Sewer Related Work (Pay #4)			\$ (24,211.81)	(24,211.81)
Less Retainage			\$ 8,117.68	(31,666.07)
Net Amount Earned			\$ 771,204.13	\$ 11,454.26
Less Previous Payments			\$ 759,749.87	-
<b>Total 2011 Local Street Repairs Amount Due this Estimate</b>			\$ 11,454.26	\$ 11,454.26
Total 2012 W&S Capital Improvement Funds Work Performed as of:	\$ 106,976.00	\$ 180,708.78	\$ 156,496.97	\$ 54,604.97
Funding Correction for Sewer Related Work (Pay #4)			\$ 24,211.81	\$ 24,211.81
Less Retainage			\$ 1,882.32	(3,466.48)
Net Amount Earned			\$ 178,826.46	\$ 82,283.26
Less Previous Payments			\$ 96,543.20	-
<b>Total Water Budget Amount Due this Estimate</b>			\$ 82,283.26	\$ 82,283.26

I certify that I have checked this periodic estimate; that to the best of my knowledge and belief it is true and correct statement of work performed by the contractor; that all work included in this periodic estimate has been inspected by me or my duly authorized representative or assistants and it has been performed in full accordance with the requirements of the contract.

For the City of Warren, James VanHaven, P.E.  
City Engineer

According to the best of my knowledge and belief, I certify that all items and amounts shown on this periodic estimate are correct; that all work has been performed in full accordance with the requirements of the Contract, that the foregoing is a true and correct statement of the contract account up to and including the last day of the period covered by the periodic estimate; that no part of the "balance due this estimate" has been received. That payment of same due herewith, is without collusion and fraud in any respect.

for Cadillac Asphalt, LLC  
Contractor

CONTRACTOR NAME : Cadillac Asphalt LLC  
 ADDRESS : 12345 23 Mile Road  
 CITY, STATE, ZIP : Shelby Township, MI 48315

DATE : October 29, 2015  
 IMPROVEMENT : Paving

City of Warren  
 Chicago Road Resurfacing  
 Pavement Resurfacing  
 P-14-590  
 Pay Estimate No. 4

No.	Item	Original Contract Quantity	Unit	Unit Price	Original Contract Amount	Quantity Paid to Date	Amount Paid to Date	Quantity This Payment	Amount This Payment
	<b>Division I - Chicago Road Resurfacing</b>								
1.	Mobilization, Max 3%	1	LS	\$20,000.00	\$20,000.00	100%	\$20,000.00	0.00%	\$0.00
2.	Erosion Control, Inlet Protection, Fabric Drop	50	ea	\$115.00	\$5,750.00	53.00	\$6,095.00	0.00	\$0.00
3.	Erosion Control, Inlet Protection, Silt Fence (as directed)	100	lft	\$3.00	\$300.00	0.00	\$0.00	0.00	\$0.00
4.	Pavement, Rem (Mainline)	1,942	syd	\$14.50	\$28,159.00	1842.40	\$26,714.80	0.00	\$0.00
5.	Pavement, Rem (Driveways and Sidewalks)	2,880	sft	\$2.00	\$5,760.00	3561.00	\$7,122.00	0.00	\$0.00
6.	Curb, Rem	435	lft	\$12.00	\$5,220.00	653.00	\$7,836.00	0.00	\$0.00
7.	Cold Milling Surface	27,526	syd	\$1.68	\$46,243.68	29447.20	\$49,471.30	0.00	\$0.00
8.	Maintenance Aggregate	240	tons	\$24.00	\$5,760.00	837.69	\$20,104.56	0.00	\$0.00
9.	Storm Manhole, 48" Dia, Over Existing Sewer	1	ea	\$3,200.00	\$3,200.00	1.00	\$3,200.00	0.00	\$0.00
10.	Catch Basin, Type "B"	4	ea	\$2,700.00	\$10,800.00	6.00	\$16,200.00	0.00	\$0.00
11.	Drainage Structure Tap, 12"	2	ea	\$950.00	\$1,900.00	4.00	\$3,800.00	0.00	\$0.00
12.	Sewer, 12", C76, Cl IV w/Sand Backfill	54	lft	\$69.00	\$3,726.00	43.00	\$2,967.00	0.00	\$0.00
13.	Culv, CMP, 12" w/Flared End Section (as directed)	100	lft	\$65.00	\$6,500.00	83.00	\$5,395.00	0.00	\$0.00
14.	Ditch/Swale Cleanout (as directed)	100	lft	\$15.00	\$1,500.00	0.00	\$0.00	0.00	\$0.00
15.	Rebuild 2' Dia. Structure Complete	2	vft	\$570.00	\$1,140.00	0.00	\$0.00	0.00	\$0.00
16.	Rebuild 4' Dia. Structure Complete	6	vft	\$750.00	\$4,500.00	6.00	\$4,500.00	0.00	\$0.00
17.	Rebuild 5' Dia. Structure Complete	2	vft	\$960.00	\$1,920.00	0.00	\$0.00	0.00	\$0.00
18.	Adjust 2' Dia. Structure Complete	4	ea	\$600.00	\$2,400.00	6.00	\$3,600.00	0.00	\$0.00
19.	Adjust 4' Dia. Structure Complete	12	ea	\$780.00	\$9,360.00	2.00	\$1,560.00	0.00	\$0.00
20.	Adjust 5' Dia. Structure Complete	2	ea	\$990.00	\$1,980.00	0.00	\$0.00	0.00	\$0.00
21.	Structure Frame & Cover	1,540	lb	\$1.80	\$2,772.00	1656.00	\$2,980.80	0.00	\$0.00
22.	Subgrade Undercutting Install 1" x 3" Crushed Concrete (CIP) for Filling Undercut	200	cyd	\$43.00	\$8,600.00	12.26	\$527.18	0.00	\$0.00
23.	Shoulder, CL II	1,380	syd	\$7.25	\$10,005.00	895.82	\$6,494.70	0.00	\$0.00
24.	Aggregate Base, 6", CIP, 21AA Crushed Limestone	590	cyd	\$50.00	\$29,500.00	24.70	\$1,235.00	0.00	\$0.00
25.	HMA, 5E3, 1 1/2 inch (Leveling)	2,788	tons	\$65.00	\$181,220.00	2550.62	\$165,790.30	0.00	\$0.00
26.	HMA, 5E3, 1 1/2 inch (Wearing)	2,788	tons	\$69.00	\$192,372.00	3016.16	\$208,115.04	0.00	\$0.00
27.	HMA, 3C, (Deep Strength Patches)	542	tons	\$108.00	\$58,536.00	1081.21	\$116,770.68	0.00	\$0.00
28.	Driveway, HMA, Butt Joint	134	syd	\$55.00	\$7,370.00	117.10	\$6,440.50	0.00	\$0.00
29.	Driveway, HMA, Wedging	105	syd	\$55.00	\$5,775.00	15.56	\$855.80	0.00	\$0.00

\* (\$24, 211.81 is Sewer Related Funding)

CONTRACTOR NAME : Cadillac Asphalt LLC  
 ADDRESS : 12345 23 Mile Road  
 CITY, STATE, ZIP : Shelby Township, MI 48315

DATE : October 29, 2015  
 IMPROVEMENT : Paving

City of Warren  
 Chicago Road Resurfacing  
 Pavement Resurfacing  
 P-14-590  
 Pay Estimate No. 4

No.	Item	Original Contract Quantity	Unit	Unit Price	Original Contract Amount	Quantity Paid to Date	Amount Paid to Date	Quantity This Payment	Amount This Payment
30.	Concrete Driveway, 6", MDOT Grade P1 6.0 Sack, Nonreinf	721	sft	\$5.00	\$3,605.00	695.75	\$3,478.75	0.00	\$0.00
31.	Sidewalk, Concrete, 4", MDOT Grade P1 6.0 Sack	512	sft	\$4.00	\$2,048.00	2194.50	\$8,778.00	0.00	\$0.00
32.	Sidewalk, Concrete, 4", w/Integral Curb (0" to 6" high) MDOT Grade P1 6.0 Sack	426	sft	\$10.00	\$4,260.00	0.00	\$0.00	0.00	\$0.00
33.	Concrete Sidewalk Ramp, 7", ADA, MDOT Grade P1 6.0 Sack	725	sft	\$14.00	\$10,150.00	595.38	\$8,335.32	0.00	\$0.00
34.	Curb and Gutter, Conc, Det E	420	lft	\$25.00	\$10,500.00	754.00	\$18,850.00	0.00	\$0.00
35.	Pavt, Mrkg, Ovly Cold Plastic, 12 inch, Crosswalk	77	lft	\$4.65	\$358.05	0.00	\$0.00	0.00	\$0.00
36.	Sign, R1-5 (24"x30")	2	ea	\$100.00	\$200.00	0.00	\$0.00	0.00	\$0.00
37.	Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	19,210	lft	\$0.29	\$5,570.90	10050.00	\$2,914.50	0.00	\$0.00
38.	Pavt Mrkg, Sprayable Thermopl, 4 inch, White	19,228	lft	\$0.29	\$5,576.12	9825.00	\$2,849.25	0.00	\$0.00
39.	Sign, Rem, Salv and Erect	5	ea	\$100.00	\$500.00	0.00	\$0.00	0.00	\$0.00
40.	Class "A" Sod w/3" Topsoil	150	syd	\$13.00	\$1,950.00	0.00	\$0.00	0.00	\$0.00
41.	Seed & Mulch w/3" Topsoil	150	syd	\$10.00	\$1,500.00	0.00	\$0.00	0.00	\$0.00
42.	Minor Traffic Control Devices	1	LS	\$66,284.00	\$66,284.00	75%	\$49,713.00	0.00%	\$0.00
43.	MDOT Plastic Drum, High Int, Furn & Oper	50	ea	\$14.95	\$747.50	56.00	\$837.20	0.00	\$0.00
44.	MDOT Type III Barricade w/Type C Lights, 8' Min. Width, Furn & Oper	4	ea	\$59.95	\$239.80	6.00	\$359.70	0.00	\$0.00
45.	MDOT R11-3a "Road Closed Local Traffic Only" Sign, w/Support, Furnished & Operated	9	ea	\$54.95	\$494.55	4.00	\$219.80	0.00	\$0.00
46.	MDOT SP-1 Special Sign, "Chicago Road Closed To Thru Traffic" w/Support, Furn & Oper	9	ea	\$149.95	\$1,349.55	9.00	\$1,349.55	0.00	\$0.00
47.	MDOT G20-2 "End Construction" Sign, w/Support, Furnished & Operated	8	ea	\$54.95	\$439.60	9.00	\$494.55	0.00	\$0.00
48.	MDOT R5-18aLA "...Fines Doubled in Work Zone" Sign, w/Support, Furnished & Operated	9	ea	\$59.95	\$539.55	9.00	\$539.55	0.00	\$0.00
49.	MDOT R5-18bLA "Injure/Kill a Worker..." Sign, w/Support, Furnished & Operated	9	ea	\$59.95	\$539.55	9.00	\$539.55	0.00	\$0.00
50.	MDOT W21-4 "Road Work Ahead" Sign, w/Support, Furn & Oper	19	ea	\$54.95	\$1,044.05	15.00	\$824.25	0.00	\$0.00
51.	Repair Mis-Marked Water Service (up to 2" diameter)	1	ea	\$1,800.00	\$1,800.00	1.00	\$1,800.00	0.00	\$0.00

CONTRACTOR NAME : Cadillac Asphalt LLC  
 ADDRESS : 12345 23 Mile Road  
 CITY, STATE, ZIP : Shelby Township, MI 48315

DATE : October 29, 2015  
 IMPROVEMENT : Paving

**City of Warren**  
**Chicago Road Resurfacing**  
**Pavement Resurfacing**  
**P-14-590**  
**Pay Estimate No. 4**

No.	Item	Original Contract Quantity	Unit	Unit Price	Original Contract Amount	Quantity Paid to Date	Amount Paid to Date	Quantity This Payment	Amount This Payment
52.	Crew Downtime for locating Mis-Marked Services or for other unforeseen field conditions	8	hr	\$720.00	\$5,760.00	1.00	\$720.00	0.00	\$0.00
53.	Prefabricated Portable Sanitary Facility	1	LS	\$1,000.00	\$1,000.00	100%	\$1,000.00	0.00%	\$0.00
54.	Audio-Visual Record of Construction Area	1	LS	\$2,950.00	\$2,950.00	100%	\$2,950.00	0.00%	\$0.00
55.	Soil Erosion and Sedimentation Control	1	LS	\$1,500.00	\$1,500.00	75%	\$1,125.00	0.00%	\$0.00
56.	MCPWC Soil Erosion Permit Fee Allowance	1	LS	\$1,000.00	\$1,000.00	83%	\$830.00	0.00%	\$0.00
57.	MCDR Soil Erosion Permit Fee Allowance	1	LS	\$1,500.00	\$1,500.00	217%	\$3,250.00	0.00%	\$0.00
58.	Joint Cleanout and Repairs in the Existing Pavement	0	LS	\$4,000.00	\$0.00	0%	\$0.00	100.00%	\$4,000.00

Total Amount - Division I: \$795,674.90

<b>Division II - Chicago Road Sanitary Sewer</b>									
1.	Sewer, 8" A.B.S. Truss Pipe w/8" Sand Backfill	730	lft	\$94.00	\$68,620.00	726.00	\$68,244.00	0.00	\$0.00
2.	Sanitary Lead, 6", SDR 23.5	426	lft	\$61.00	\$25,986.00	368.00	\$22,448.00	0.00	\$0.00
3.	Sanitary Manhole, 4' Dia.	3	ea	\$2,900.00	\$8,700.00	3.00	\$8,700.00	0.00	\$0.00
4.	Sanitary Manhole Tap, 8"	1	ea	\$2,500.00	\$2,500.00	1.00	\$2,500.00	0.00	\$0.00

CONTRACTOR NAME : Cadillac Asphalt LLC  
 ADDRESS : 12345 23 Mile Road  
 CITY, STATE, ZIP : Shelby Township, MI 48315

DATE : October 29, 2015  
 IMPROVEMENT : Paving

City of Warren  
 Chicago Road Resurfacing  
 Pavement Resurfacing  
 P-14-590  
 Pay Estimate No. 4

No.	Item	Original Contract Quantity	Unit	Unit Price	Original Contract Amount	Quantity Paid to Date	Amount Paid to Date	Quantity This Payment	Amount This Payment
5.	Erosion Control, Silt Fence	650	lft	\$1.80	\$1,170.00	0.00	\$0.00	0.00	\$0.00
6.	Additional work due to conflict of the proposed sanitary sewer main with an unknown sewer pipe near 4771 Chicago Road	0	LS	\$21,927.45	\$0.00	0.00%	\$0.00	100.00%	\$21,927.45
7.	Additional work due to repair of pipe and void below pavement resulting from poor condition of sewer joints near 4896 Chicago Road	0	LS	\$32,677.52	\$0.00	0.00%	\$0.00	100.00%	\$32,677.52

Total Amount - Division II: \$106,976.00

Total Amount of Contract \$902,650.90  
 Total Amount prior to 6/26/2015 \$901,425.62  
 Total Amount from 6/27/2015 to 10/29/2015 \$58,604.97  
 Total Amount to Date \$960,030.59  
 Less Retainage - 1.04% \$10,000.00  
 Less Prior Payments \$856,293.07  
**Total Amount Due - Pay Estimate No. 4 - Cadillac Asphalt LLC \$93,737.52**

**Road Resurfacing**

Total Amount prior to 6/26/2015 \$799,533.62  
 Total Amount from 6/27/2015 to 9/30/2015 \$4,000.00  
 Correction for Sewer Related Work (Pay Item #4) (\$24,211.81)  
 Total Amount to Date \$779,321.81  
 Less Retainage - 1.04% \$8,117.68  
 Less Prior Payments \$759,749.87  
**Total Road Resurfacing Amount Due Estimate No. 4 \$11,454.26**

**Sanitary Sewer Construction**

Total Amount prior to 6/26/2015 \$101,892.00  
 Total Amount from 6/27/2015 to 9/30/2015 \$54,604.97  
 Correction for Sewer Related Work (Pay Item #4) \$24,211.81  
 Total Amount to Date \$180,708.78  
 Less Retainage - 1.04% \$1,882.32  
 Less Prior Payments \$96,543.20  
**Total Sanitary Sewer Construction Amount Due Estimate No. 4 \$82,283.26**

I certify that I have checked this periodic estimate; that to the best of my knowledge and belief it is a true and correct statement of work performed by the contractor; that all work included in this periodic estimate has been inspected by me or my duly authorized representative or assistants and it has been performed in full accordance with the requirements of the contract.



Hubbell, Roth & Clark, Inc.  
 Michael MacDonald, P.E.



**PUBLIC SERVICE DEPARTMENT  
ENGINEERING DIVISION**  
One City Square, Suite 300  
Warren, MI 48093-2390  
(586) 759-9300  
Fax (586) 759-9318  
www.cityofwarren.org

October 28, 2015

Mr. Scott C. Stevens  
City Council Secretary

**RE: CONSIDERATION AND ADOPTION OF RESOLUTION to approve Amendment to the Contract No. 2014-0963 with the Michigan Department of Transportation (MDOT) for extension of Contract term through December 31, 2015 for completion of Chicago Road Improvements (Dequindre to Mound).**

Attached please find an amendment to the Contract No. 2014-0963 with the Michigan Department of Transportation (MDOT) for retroactive extension of Contract term through December 31, 2015 to provide sufficient time for completion of improvements to Chicago Road between Dequindre Road and Mound Road.

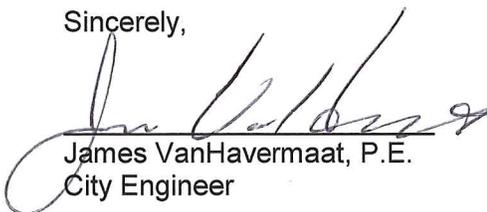
The original contract was approved by the City Council on September 9, 2014, executed by MDOT on September 23, 2014 and stipulated project completion before June 15, 2015. Due to numerous unforeseen conflicts with the existing deteriorated utilities encountered during construction of this project, the completion of this project has been delayed.

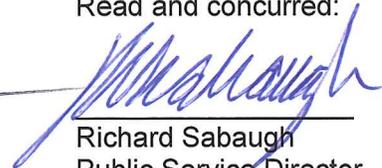
The Engineering Division recommends approval of the attached amendment to the existing Contract No. 2014-0963 with the Michigan Department of Transportation for retroactive extension of the Contract term to provide sufficient time for completion of improvements to Chicago Road. The amended contract expiration date is December 31, 2015.

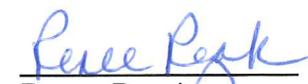
Please place this item on the November 10, 2015 City Council agenda for consideration.

If you have any questions regarding this request, please call me at 759-9302.

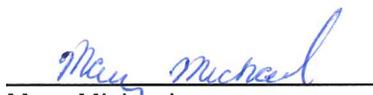
Sincerely,

  
James VanHavermaat, P.E.  
City Engineer

Read and concurred:  
  
Richard Sabaugh  
Public Service Director

Read and concurred:  
  
Renee Rezak  
Budget Director

Form approval:

  
Mary Michaels  
Acting City Attorney

Recommended to Council:

  
James R. Fouts  
Mayor

attachments: contract amendment, council resolution

**RESOLUTION APPROVING AMENDMENT TO THE CONTRACT NO. 2014-0963  
BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND  
THE CITY OF WARREN FOR RETROACTIVE EXTENSION OF CONTRACT TERM  
THROUGH DECEMBER 31, 2015 FOR THE PRIORITY ROADS INVESTMENT  
PROGRAM (PRIP) FUND PROJECT - CHICAGO ROAD RESURFACING**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, 2015, at 7:00 p.m. Eastern \_\_\_\_\_ Time, in Council Chambers located at Warren Community Center Auditorium, 5460 Arden Ave., Warren, Michigan.

PRESENT: Councilmembers \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmembers \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_, and supported by Councilmember \_\_\_\_\_.

On September 23, 2014 City of Warren and the Michigan Department of Transportation (MDOT) entered into a Contract No. 2014-0963 for the purpose of resurfacing of Chicago Road between Dequindre Road and Mound Road funded with the Priority Roads and Investment Program (PRIP) grant from MDOT to the City of Warren.

Due to numerous unforeseen conflicts with the existing deteriorated utilities encountered during construction of the project, the completion of project has been delayed.

The City of Warren and the Michigan Department of Transportation desire to retroactively extend the Contract term through December 31, 2015 to provide sufficient amount of time for the City of Warren to complete the contract work.

The City Engineer recommends approval of the Amendment to the Contract No. 2014-0963 between the City of Warren and the Michigan Department of Transportation for retroactive extension of Contract term through December 31, 2015 for completion of improvements to Chicago



**MICHIGAN DEPARTMENT OF TRANSPORTATION**  
**CITY OF WARREN**  
**AMENDMENT**

THIS AMENDATORY CONTRACT is made and entered into this date of \_\_\_\_\_ by and between the Michigan Department of Transportation (MDOT) and the City of Warren (AGENCY) for the purpose of retroactively amending Contract No. 2014-0963 (CONTRACT), dated September 23, 2014.

**RECITALS:**

The CONTRACT expired on its own terms on June 15, 2015; and

The CONTRACT provides a Priority Roads and Investment Program (PRIP) grant from MDOT to the AGENCY for the completion of improvements to Chicago Road; and

The parties desire to retroactively extend the CONTRACT term to provide sufficient time for the AGENCY to perform the services;

The parties agree that the CONTRACT be and that the same is retroactively amended as follows:

1. In order to retroactively extend the term of the CONTRACT by approximately six (6) months, Section 15 of the CONTRACT is amended to read as follows:  

“15. This Contract will be in effect from the date of award through December 31, 2015. All documented costs associated with this project are eligible for reimbursement, not to exceed the amount shown in Section 2 of this Contract.”
2. All other provisions of the CONTRACT, except as herein amended, remain in full force and effect as originally set forth.
3. The AGENCY waives any and all claims it has or may have against MDOT that arise out of the need to amend and/or extend the CONTRACT.

4. This Amendatory Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the AGENCY and MDOT and upon adoption of a resolution approving said Amendatory Contract and authorizing the signature(s) thereto of the respective representative(s) of the AGENCY, a certified copy of which resolution will be sent to MDOT with this Amendatory Contract, as applicable.

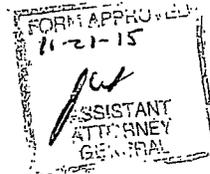
CITY OF WARREN

By: \_\_\_\_\_  
Title: James R. Fouts, Mayor

\_\_\_\_\_  
Title: Paul Wojno, City Clerk

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Title: MDOT Director





**CITY CONTROLLER'S OFFICE**

ONE CITY SQUARE, SUITE 425  
WARREN, MI 48093-5289  
(586) 574-4600  
FAX (586) 574-4614  
www.cityofwarren.org

OCTOBER 17, 2015

TO: MR. SCOTT C. STEVENS, SECRETARY, WARREN CITY COUNCIL

SUBJECT: PARTICIPATION IN THE MIDWESTERN HIGHER EDUCATION COMMISSION (MHEC) CONTRACT WITH DELL MARKETING, L.P. FOR DELL COMPUTER EQUIPMENT AND SUPPLIES; TRI-W-9271

The Purchasing Division, in conjunction with the Police Department, recommends that City Council authorize the participation of the Police Department in the Midwestern Higher Education Commission (MHEC) Contract (MHEC-07012015) for the purchase of Dell Computer Equipment and Supplies through Dell Marketing, L.P., One Dell Way, Round Rock TX, 78682 in an amount not to exceed \$25,000.00 for the period covering May 1, 2015 through December 31, 2016.

The Police Department utilizes Dell Marketing, L.P. to purchase its Dell computer supplies, including monitors, printers, toner, etc.

Funds are available in the Police Contractual Account: 1301-72700.

Respectfully submitted,

Craig Treppa  
Purchasing Agent

Captain Dan Beck  
Police Department

Approved By:	Signature	Date
Budget Director:		11/2/15
Controller:		11/2/15
MAYOR:		11/4/15

MASTER PRICE AGREEMENT  
BETWEEN  
MIDWESTERN HIGHER EDUCATION COMMISSION  
AND  
DELL MARKERING L.P.  
EFFECTIVE JULY 1, 2015 through JUNE 30, 2018

THIS AGREEMENT, and amendments and supplements thereto, is made between the Midwestern Higher Education Commission (hereinafter MHEC) located at 105 Fifth Avenue South, Suite 450 Minneapolis, MN 55401, on behalf of the Eligible Organizations located in the MHEC member states, and Dell Marketing L.P., (hereinafter Dell) One Dell Way, Round Rock TX, 78682. For purposes of this Master Agreement MHEC and Dell are referred to collectively as the "Parties" or individually as "Party".

**Whereas**, the Midwestern Higher Education Compact (Compact) is an interstate compact of twelve Midwestern states, such states being Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin (Member States); and MHEC, a nonprofit 501(c) (3), is a statutorily created governing body of the Compact established for the purposes, in part, of determining, negotiating and providing quality and affordable services for the Member States, the entities in those Member States, and the citizens residing in those Member States; and

**Whereas**, MHEC has established a Technology Initiative for the purpose of which is to determine, negotiate and make available quality and affordable technology products and services to the not-for-profit and public education related entities in the MHEC Member States; and

**Whereas**, MHEC has entered into separate agreements with the Southern Regional Education Board (SREB) and the Western Interstate Commission for Higher Education (WICHE) respectively to allow entities in the SREB Member States and the WICHE Member States access MHEC's Technology Initiative contracts, including this Master Agreement; and

**Whereas**, SREB Member States refers to any state that is a member or an affiliate member of SREB. Current SREB Member States are: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia; and

**Whereas**, WICHE Member States refers to any state that is a member or an affiliate member of SREB. Current WICHE Member States are: Alaska, Arizona, California, Colorado, Hawai'i, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming and U.S. Pacific Territories and Freely Associated States; and

**Whereas**, Dell offers certain quality technology related products and services; and

**Whereas**, MHEC conducted a competitive sourcing event for Network Hardware and Related Services in April 2014 and upon completion of the competitive process awarded Dell: Category 1: Network Equipment; and Category 2: Wireless Equipment; and

**Whereas**, MHEC conducted a competitive sourcing event for Computing Hardware and Related Services in August 2014 and upon completion of the competitive process awarded to Dell: Category 1: Desktop Hardware; Category 2: Laptop Hardware; Category 3: Tablet Devices; and Category 4: Server and Storage Hardware; and

**MHEC/Dell  
Master Price Agreement  
Addendum #5**

This Addendum ("Addendum") amends the Master Price Agreement between The Midwestern Higher Education Commission ("MHEC") and Dell Marketing, L.P., contract number MHEC-090701.02, which was effective August 1, 2009 ("Master Agreement").

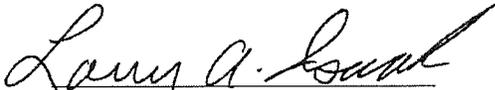
The parties agree to amend the Master Agreement as follows:

**Section 5. Master Agreement Term** shall be deleted in its entirety and replaced with the following:

This Master Agreement will be formed upon execution of the Parties, and shall remain in effect, unless otherwise terminated pursuant to the terms of the Master Agreement, until June 30, 2015. The Master Agreement may be mutually renewed for one (1) additional one-year term, upon written agreement of the Parties, unless terminated pursuant to the terms of this Agreement.

Except as set forth above, the Master Price Agreement shall remain as stated. In the event of a conflict between the terms found elsewhere in the Master Agreement and this Addendum #5, this Addendum #5 shall control.

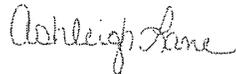
**Midwestern Higher Education  
Commission**

  
Signature

Larry A. Isaak, President  
Name and Title

6/16/14  
Date

**Dell Marketing L.P.**



\_\_\_\_\_  
Signature

Ashleigh Lane, Program & Contract Manager  
Name and Title

6/13/2014  
Date

**RESOLUTION**

Document No: TRI-W-9271

Product or Service: Dell Computer Equipment and Supplies

Requesting Department: Police

At a Regular Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, 2015 at 7 p.m. Eastern Daylight Saving Time, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan.

PRESENT: Councilmembers: \_\_\_\_\_

ABSENT: Councilmembers: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_.

Pursuant to Section 2-344 of the Code of Ordinances, the City may either participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, goods or services with one (1) or more public procurement units.

Upon performing a diligent inquiry, the Captain of Police has determined that it is necessary in the interests of the Police Department and the City, to acquire Dell Office Equipment and Supplies through the Midwestern Higher Education Commission (MHEC) (Contract #: MHEC-07012015), from Dell Marketing, L.P., One Dell Way, Round Rock, TX 78682 for the period covering May 1, 2015 through December 31, 2016.

Dell Marketing, L.P. has been selected for the cooperative purchase. The purchasing agent has conducted a review and concurs with the cooperative purchasing.

Funds are available in account number: 1301-72700.

IT IS RESOLVED, that the cooperative purchase though Dell Marketing, L.P. is hereby accepted by City Council for a period covering May 1, 2015 through December 31, 2016 in a total amount not to exceed \$25,000.00.

IT IS FURTHER RESOLVED, that the Purchasing Agent and/or Mayor and City Clerk are authorized to execute any such documents that are necessary for this approval consistent with the terms of the:

- Cooperative Bid Document
- Contract
- Resolution

and in such form that meets with the satisfaction of the City Attorney if review is required.

AYES: Councilmembers: \_\_\_\_\_

NAYS: Councilmembers: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
SCOTT C. STEVENS  
Secretary of the Council  
Mayor Pro Tem





**CITY CONTROLLER'S OFFICE**

ONE CITY SQUARE, SUITE 425  
WARREN, MI 48093-5289  
(586) 574-4600  
FAX (586) 574-4614  
www.cityofwarren.org

NOVEMBER 2, 2015

TO: MR. SCOTT C. STEVENS, SECRETARY, WARREN CITY COUNCIL  
SUBJECT: AWARD TO PURCHASE A 2015 JOHN DEERE 544K HIGHLIFT WHEEL LOADER THROUGH THE STATE OF MICHIGAN CONTRACT #071B1300116; STA-W-9317.

The Purchasing Division concurs with the Water Division and recommends that City Council award the purchase of one (1) 2015 John Deere 544K Highlift Wheel Loader to AIS Construction Equipment/JDE Equipment Company, 651 AIS Drive SE, Grand Rapids, MI 49548, utilizing the State of Michigan (MiDeal) contract (#071B1300116), in the total amount of \$168,109.00.

The Water Division currently has a 1991 Michigan L90 Wheel loader. This vehicle has served the Water Division with its needs for loading trucks and moving bulk materials around the yard. It is also used on job sites.

In recent years this wheel loader has been down for maintenance numerous times and parts have been very difficult to find due to the age of the equipment. The Water Division has been forced to either borrow a loader from the City's DPW or attempt to load trucks with short reaching backhoes, which becomes a safety issue during load time.

In an effort to standardize its fleet (the City currently has four John Deere backhoes) the Water Division is seeking to purchase a John Deere wheel loader. AIS Construction/JDE Equipment is the sole source provider of John Deere construction equipment through the State of Michigan contract. AIS/JDE has serviced the City's heavy equipment in the past and has completed repair work and warranty work in a timely manner.

This Capital Equipment was not listed in the 2015/16 Water and Sewer System Budget, so the Water Division has eliminated the majority of equipment requests in order to have available funds for this purchase.

Funds for these purchases are available in the Capital Equipment Account: 9047-98040 of the 2015/16 Water and Sewer Budget.

Respectfully Submitted,

  
Craig Treppa  
Purchasing Agent

Approved By:	Signature	Date
Budget Director:		11/2/15
Controller:		11/2/2015
MAYOR:		11/2/15

STATE OF MICHIGAN  
 DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET  
 PROCUREMENT  
 P.O. BOX 30026, LANSING, MI 48909  
 OR  
 530 W. ALLEGAN, LANSING, MI 48933

April 22, 2014

**CHANGE NOTICE NO. 4**  
 to  
**CONTRACT NO. 071B1300116**  
 between  
**THE STATE OF MICHIGAN**  
 and

NAME & ADDRESS OF CONTRACTOR:	PRIMARY CONTACT	EMAIL
JDE Equipment 651 AIS Drive SE Grand Rapids, MI 49548	Chris Robinson	crobinson@aisequip.com
	TELEPHONE	CONTRACTOR #, MAIL CODE
	616-530-2000	

STATE CONTACTS	AGENCY	NAME	PHONE	EMAIL
CONTRACT COMPLIANCE INSPECTOR	DTMB	Dan Smith	517-334-7767	Smithd4@michigan.gov
BUYER	DTMB	Steve Rigg	517-284-7043	riggs@michigan.gov

CONTRACT SUMMARY:			
DESCRIPTION: Equipment Rental and Purchases, Roadside Maintenance and Earth Moving – Statewide, NASPO and MiDeal			
INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE CHANGE(S) NOTED BELOW
November 1, 2010	October 31, 2013	2, 1 Year	October 31, 2014
PAYMENT TERMS	F.O.B	SHIPPED	SHIPPED FROM
N/A	N/A	N/A	N/A
ALTERNATE PAYMENT OPTIONS:			AVAILABLE TO MiDEAL PARTICIPANTS
<input type="checkbox"/> P-card <input type="checkbox"/> Direct Voucher (DV) <input type="checkbox"/> Other			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MINIMUM DELIVERY REQUIREMENTS:			
N/A			

DESCRIPTION OF CHANGE NOTICE:				
EXTEND CONTRACT EXPIRATION DATE	EXERCISE CONTRACT OPTION YEAR(S)	EXTENSION BEYOND CONTRACT OPTION YEARS	LENGTH OF OPTION/EXTENSION	EXPIRATION DATE AFTER CHANGE
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 year	October 31, 2015
VALUE/COST OF CHANGE NOTICE:		ESTIMATED AGGREGATE CONTRACT VALUE REMAINS:		
\$1,000,000.00		\$2,621,196.04		
Effective May 21, 2014, this contract hereby utilizes a contract option year. New contract end date is October 31, 2015. Contract is also increased by \$1,000,000.00. Please also note, the buyer has been changed to Steve Rigg. All other pricing, terms, conditions and specifications remain unchanged. Per vendor, agency, DTMB Procurement approval and the approval of the State Administrative Board on May 20, 2014.				

STATE OF MICHIGAN  
 DEPARTMENT OF TECHNOLOGY, MANAGEMENT AND BUDGET  
 PROCUREMENT  
 P.O. BOX 30026, LANSING, MI 4890  
 OR  
 525 W. ALLEGAN, LANSING, MI 48933

**CHANGE NOTICE NO. 5**  
 to  
**CONTRACT NO. 071B1300116**  
 between  
**THE STATE OF MICHIGAN**  
 and

NAME & ADDRESS OF CONTRACTOR	PRIMARY CONTACT	EMAIL
JDE EQUIPMENT 651 AIS Drive SE Grand Rapids Michigan 49548	Chris Robinson	crobinson@jdeequip.com
	PHONE	CONTRACTOR'S TAX ID NO. (LAST FOUR DIGITS ONLY)
	616-530-2000	7005

STATE CONTACTS	AGENCY	NAME	PHONE	EMAIL
PROGRAM MANAGER / CCI	MDOT	Dan Smith	(517) 334-7767	smithd4@michigan.gov
CONTRACT ADMINISTRATOR	DTMB	Yvon Dufour	(517) 284-6996	dufoury@michigan.gov

CONTRACT SUMMARY			
DESCRIPTION: ROAD MAINT. EQUIPMENT RENTAL AND PURCHASE			
INITIAL EFFECTIVE DATE	INITIAL EXPIRATION DATE	INITIAL AVAILABLE OPTIONS	EXPIRATION DATE BEFORE CHANGE (S) NOTED BELOW
November 01, 2010	October 31, 2013	2, 1 year	October 31, 2015
PAYMENT TERMS		DELIVERY TIMEFRAME	
45 days		N/A	
ALTERNATE PAYMENT OPTIONS			EXTENDED PURCHASING
<input type="checkbox"/> P Card: <input type="checkbox"/> Direct Voucher (DV) <input type="checkbox"/> Other			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
MINIMUM DELIVERY REQUIREMENTS			
F.O.B.			

DESCRIPTION OF CHANGE NOTICE				
EXERCISE OPTION?	LENGTH OF OPTION	EXERCISE EXTENSION?	LENGTH OF EXTENSION	REVISED EXPIRATION DATE
<input type="checkbox"/>		<input type="checkbox"/>	6 Months	April 30, 2016
CURRENT VALUE		VALUE OF CHANGE NOTICE	ESTIMATED AGGREGATE CONTRACT VALUE	
\$2,621,196.04		\$600,000.00	\$3,221,196.04	

**DESCRIPTION:**  
 Effective 9/16/2015, this contract is extended 6 months; and is increased by \$600,000. The revised contract expiration date is April 30, 2016 . Please note the Contract Administrator has been changed to Yvon Dufour. All other terms, conditions, specifications and pricing remain the same. Per DTMB request and agency agreement, and DTMB Procurement approval.



JAMES R. FOUTS, MAYOR

**Water Division**  
12821 Stephens Road  
Warren, MI 48089  
(586) 759-9200

**Thomas C. Pawelkowski**  
Superintendent

October 29, 2015

Craig Treppa, Buyer  
Purchasing Division of the City of Warren

Re: Purchase of a John Deere 544K Highlift Wheel Loader through the State of Michigan Cooperative Purchasing Program Contract #071B1300116.

Dear Mr. Treppa:

The Water Division is recommending the purchase of John Deere 544K Highlift Wheel Loader and warranty from AIS Construction Equipment in the amount of \$168,109.00. This purchase is through the State of Michigan Cooperative Purchasing Program (Contract #071B1300116).

The contract applies a 34% discount of the current manufacturers published list prices. This discount is applied to the wheel loader and the necessary optional equipment. Additionally, this purchase includes a 5 year/4000hr extended warranty for power train and hydraulics.

Included in the purchase package are two lease options including interest for your viewing. At this time, we are not recommending the lease option, for funds are available in an effort to save costly leasing interest. In recapping the (2) two leasing options as submitted, the City would save between \$10,000 to \$28,000 dollars over the (5) five year purchase agreements in interest. Details of the lease programs are provided on the subsequent pages.

To provide reason for this request, the Water Division currently has a 1991 Michigan L90 Wheel loader. This 24-year-old piece of equipment has served the Water Division with its needs for loading trucks and moving bulk material around the yard. Occasionally, it may be needed on a job site. As of the last couple of years, we have not practiced this due to the instability of the aged equipment. Over the last several years, this machine has been down for maintenance from time to time due to parts availability. This forces us to either borrow a loader from DPW or attempt to load trucks with short reached backhoes, which becomes a safety issue during load time. Include is Superintendent

Pawelkowski's letter to Controller Rob Maleszyk dated October 15, 2015 to further provide information as to the reason for the equipment request and replacement.

As you know, City Council has approved prior purchases of John Deere equipment. In particular, (2) John Deere 410J Backhoes in 2008 and again (2) John Deere 410J Backhoes in 2011 which replaced the outdated JCB backhoes. For the record, the JCB equipment provided the City with high cost maintenance repairs and extensive downtime. We are pleased to inform City Council that the John Deere backhoes are all front line machines and have accumulated substantial hours with minimal repairs and/or downtime.

In an effort to standardize our construction equipment, I am recommending the John Deere manufacture for our wheel loader purchase. This would eliminate additional stocking of other name brand parts and accessories.

Although this Capital Equipment request was not listed in account #9047-98040 of the 2015/16 Water and Sewer System Budget, we have eliminated the majority of the equipment requests to a future budget. In eliminating these line items, funds would be available for the wheel loader purchase.

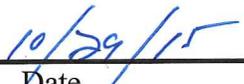
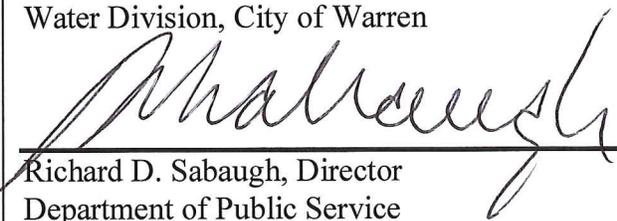
Finally, AIS Construction Equipment/JDE Equipment is the sole providers of the John Deere construction equipment through the State of Michigan Contract No. 071B1300116. The State of Michigan contract provides substantial savings for construction equipment. AIS/JDE has serviced the City of Warren with equipment repair, parts and warranty needs in a timely manner. The Water Division is requesting the City Council to consider the John Deere Wheel loader equipment purchase.

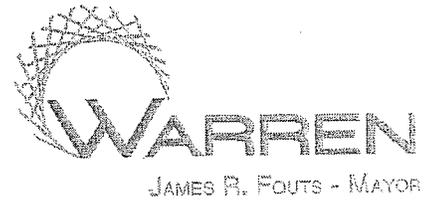
If you concur with my recommendations, please forward to the Mayor and City Council for approval.

Sincerely,

David Koss, Deputy Superintendent  
City of Warren Water Division

cc: Richard Sabaugh  
Gus Ghanam  
Tom Pawelkowski

Read & Concur:	
	
Tom Pawelkowski, Superintendent Water Division, City of Warren	Date
	
Richard D. Sabaugh, Director Department of Public Service	Date



October 15, 2015

To: Rob Maleszyk  
Controller

WATER DIVISION  
ONE CITY SQUARE, SUITE 420  
WARREN, MI 48093-5288  
(586) 759-9200  
[www.cityofwarren.org](http://www.cityofwarren.org)  
Thomas C. Pawelkowski  
Superintendent

**Re: Release Capital Funds for Replacement of 1991 Michigan L90 Wheel Loader**

We are requesting Capital funding of \$168,109.00 be made available so the Water Division can purchase a 2015 John Deere 544K replacement High-Lift Loader for the subject worn out loader ASAP.

The Water Division Operations have delayed as long as possible replacing their 24 year old 1991 Michigan L90 Wheel loader. We did not anticipate replacing this machine when we prepared our 2015/2016 Water and Sewer Budget Capital Request. However a major component, the Injection Pump, is failing and is in need of immediate replacement at a **minimum Cost of \$34,315.00**. The Michigan Loader was built in 1991 and the equipment manufacturer is no longer in business. Replacement parts availability is rare if you can find them. We have located the only one that is available in the country. However we have no assurance from AIS Construction that once they start the repair and if they find other areas related to the repair that were not quoted, there may be added billing.

Our Michigan L90 Loader is in very poor condition. Attached is a punch list of 31 problem items along with pictures that show what should have been repaired and will need to be done. Major items such as the engine or transmission could fail at any time with minimum estimated repair cost exceeding \$20,000 each.

This machine is the "work horse" of our yard work. We depend on this loader on a daily basis to perform many tasks in loading our dump trucks with bulk materials such as sand and aggregates and other related yard work consolidating spoils and moving CP- 7 asphalt.

Use of our backhoes in place of the loader is a poor option to load our 15 cubic yard dump trucks for a several reasons.

1. The back hoe bucket is 1.5 cubic yards versus 3 .0 cubic yards for the loader. Therefore the back hoe will take at least twice as long to load dump truck.
2. The back hoe does not have the elevation (Reach) capability to get the materials to the middle of the dump truck which means more difficulty positioning the backhoe to load the dump truck.
3. Backhoe loaded dumps means lighter loads and in some cases more trips have to be made to and from the work site.

Attached is correspondence from Chris Robinson of AIS Construction about the repairs, The AIS Injection Pump Replacement Repair Quote, and the price for the new John Deere 544K High lift Wheel Loader. The replacement Wheel Loader price is from the State of Michigan Contract.

We are not recommending the repair of our loader due to its age and poor condition. Spending \$34,315.00 to repair the injection pump on a piece of equipment that is past its use-full life would be a poor use of our ratepayers monies.

Please take the appropriate action to provide the necessary funding so the Water Division can proceed quickly with the purchase of the replacement loader. Should you have any questions do not hesitate to let me know.

Sincerely,



Thomas Pawelkowski  
Water Division Superintendent

Attachments: 4 plus Photos

CC: Richard Sabaugh  
Koss  
Richards

## Additional Repair Estimates for Michigan L90 Wheel Loader

Robinson, Chris <CRobinson@AISEQUIP.COM>

Fri 10/9/2015 2:28 PM

Inbox

To: Thomas Pawelkowski <tpawelkowski@cityofwarren.org>;

Cc: Michael Richards <mrichards@cityofwarren.org>; David Koss <dkoss@cityofwarren.org>;

Tom,

Your 24 year old Michigan L90 Wheel Loader, based on age and hours is well beyond the point that you could expect to see major component failures that are far beyond their life expectancy. The repair you are considering now on the Injection Pump has an estimated cost of \$34,315. Other key major components that could be expected to become problems at any time are the engine and transmission. I have reviewed this machine with our Reconditioning Shop in Lansing and they gave me the following feedback:

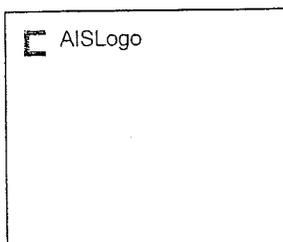
Engine – engine repair/replacement estimate for a loader of this size is normally in the \$20,000 area but keep in mind that this loader which is no longer in production and in fact the manufacturer is no longer in business - could result in higher than normal repair/replacement cost due to either having to fit another engine type into the loader or having to manufacture parts that are no longer available.

Transmission – repair/replacement for a transmission in this size loader is also normally in the \$18,000-\$20,000 range but the same factors listed above could result in even higher additional costs than the engine since there will be no current replacement models that will fit and any parts not available will definitely have to be manufactured individually.

Any one of these repairs (Injection Pump, Engine, Transmission) represent many times the machines value and you should give careful consideration as to the investment you make in repairing this machine in lieu of replacement.

Please let me know if you have any additional questions.

Chris Robinson  
Governmental Sales Manager  
Cell: 248-866-3168 Ofc: 248-437-8121  
Fax: 248-437-9750





<input type="checkbox"/> LANSING 3600 N. Grand River Ave. Lansing, MI 48906 Telephone: (517) 321-8000	<input type="checkbox"/> SAGINAW 4618 Manufactures Drive Bridgeport, MI 48722 Telephone: (517) 777-0090	<input type="checkbox"/> RICHMOND 65809 Gratiot Ave. Lenox, MI 48050 Telephone: (810) 727-7500
<input type="checkbox"/> GRAND RAPIDS 600 44 <sup>th</sup> Street, S.W. Grand Rapids, MI 49548 Telephone: (616) 538-2400	<input type="checkbox"/> DETROIT 5655 Pontiac Trail New Hudson, MI 48165 Telephone: (810) 437-8121	<input type="checkbox"/> TRAVERSE CITY 8300 M-72 East Williamsburg, MI 49690 Telephone: (616) 267-506

CUSTOMER:	MACHINE MODEL & S.N.				DATE
City of warren	L90 Michigan s/n L90V60914				9/22/2015
COMMENTS	PART DESCRIPTION	QTY	PRICE	PRICE	Labor
				\$0.00	
R & R Fuel injection pump		1	\$9,800.00	\$9,800.00	\$1,450.00
				\$0.00	
Repack right hand boom cyl		1	\$420.00	\$420.00	\$780.00
				\$0.00	
Replace all loader pins & bushings		1	\$6,500.00	\$6,500.00	\$2,080.00
				\$0.00	
if needed line boring of the holes \$400.00 each		1		\$0.00	\$4,000.00
				\$0.00	
2000 hr service		1	\$1,850.00	\$1,850.00	\$2,150.00
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
travel				\$0.00	\$1,053.00
				\$0.00	
freight		1	\$1,300.00	\$1,300.00	
				\$0.00	
				\$0.00	
TOTAL PARTS/TOTAL LABOR				\$19,870.00	\$11,513.00
other issues broken glass, lights broken and missing , and other little reapiers not quoted				REPAIR TOTAL	\$31,383.00
parts very hard to find ,on this older loader .				PARTS	\$19,870.00
				LABOR	\$11,513.00
				SHOP SUPPLIES	\$300.00
				WASTE	\$300.00
				TAX	\$1,192.20
				MILEAGE	\$1,440.00
Estimate valid for 30 Days				TOTAL	\$34,315.20



**GRAND RAPIDS**  
600 AIS Drive Southwest  
Grand Rapids, MI 49548  
Telephone: (616) 538-2400

**LANSING**  
3600 North Grand River Avenue  
Lansing, MI 48906  
Telephone: (517) 321-8000

**SAGINAW**  
4600 AIS Drive  
Bridgeport, MI 48722  
Telephone: (989) 777-0090

**RICHMOND**  
65809 Gratiot Avenue  
Lenox, MI 48050  
Telephone: (586) 727-7311

**TRAVERSE CITY**  
8300 M-72 East  
Williamsburg, MI 49690  
Telephone: (231) 267-9513

**WEST DETROIT**  
56555 Pontiac Trail  
New Hudson, MI 48165  
Telephone: (248) 437-8121

Mr. Dave Koss  
City of Warren  
Water Division  
12821 Stephens  
Warren, MI 48089

September 2, 2015

Re: State of Michigan MiDeal Pricing for New In Stock 544K Highlift Wheel Loader

Dear Mr. Koss:

AIS Construction Equipment/JDE Equipment Company is pleased to provide you with the following pricing for a new John Deere 544K Highlift Wheel Loader to meet your needs. The pricing shown is current MiDeal State Contract Pricing which will be firm until such time as there is a manufacturer list price increase.

New in stock 2015 John Deere 544K with approx. 45 hours and with all standard features and the following options

- 544K 4WD Loader
- John Deere PowerTech P/VX6068 IT4 Engine
- 100 Amp Alternator
- Muffler w/Chrome Exhaust
- Air Intake w/Precleaner
- Reverse Fan Drive
- High Lift Boom
- Ride Control
- Full Coverage Front Fenders
- Cast Hitch
- Cab w/Air Conditioning
- Engine Block Heater
- Axle Coolers
- AM/FM/WB Radio
- 8 Amp Converter
- Transmission Guards
- 20.5R25 Radial Tires
- Hydraulic Quick Coupler
- 3.0 Cu Yd Coupler GP Bucket w/Bolt on Edge
- Coupler Fork Set w/60 Inch Tines

List Price:	\$251,756.00
Less State Contract 34% Discount:	(\$ 85,597.00)

Sub Total for Loader :	\$166,159.00
Plus Additional Items provided by AIS/JDE:	
5 Year 4,000 Hour PT & Hydraulic Extended Warranty:	\$ 1,950.00
Total Price with Ext. Warranty:	\$168,109.00

Copies of the pertinent pages of State of Michigan Contract No. 071B1300116 are attached with this quote.

Lease Options:

John Deere Financial can offer 5 Year Municipal (Full Payout) and 5 Year Governmental Operating (with option to return or purchase at end) Leases as shown below based on the total price with Ext. Warranty shown above:

5 Year Municipal Lease: 5 Annual Payments of \$35,757.20 then final payment of \$1  
(Nominal Annual Rate of 3.00% - Total Interest Cost of \$10,248.00)

5 Year Governmental Operating Lease: 5 Annual Payments of \$18,213.82 then either  
return machine or purchase for \$104,749.00  
(Nominal Annual Rate of 4.25% - Total Interest cost of \$27,279.10)

(Note: Property Tax if due is not included and is customers responsibility)

Please let me know if you have any questions or need any additional information.  
We look forward to continuing to assist you with your heavy construction equipment needs.

Sincerely,



Chris Robinson  
Governmental Sales Manager

# LOADER

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- 1) FRONT LEFT-SIDE TIRE WORN AND IN NEED OF REPLACEMENT.
- 2) FRONT BUCKET HAS BEEN WELDED ONCE WITH A NEW STRIP OF METAL TO COVER HOLES, AND A NEW WEAR STRIP INSTALLED TO STOP FRONT BUCKET FROM BEING WORN DOWN.
- 3) HOUR METER; NOT SURE IF IT'S WORKING OR NOT, HAZ 7,610.
- 4) 4 PICS OF THE LOADER AS IT SITS.
- 5) LEFT-SIDE BOTTOM OF BUCKET RUSTING OUT AND IN NEED OF REPAIR.
- 6) RIGHT-SIDE BOTTOM OF BUCKET RUSTING OUT AND IN NEED OF REPAIR.
- 7) FUEL GAUGE NOT WORKING.
- 8) BROKEN WINDSHIELD AND WIPER DOES NOT WORK.
- 9) DUCT TAPE HOLDING SHIFTER FROM FALLING DOWN, BECAUSE CLAMP IS BROKEN.
- 10) LOADER DOOR SHOCK IS MISSING, AND A CHAIN STOPS THE DOOR FROM OPENING TOO FAR.
- 11) LEFT-SIDE STEERING ARM - THE BUSHINGS NEEDS REPLACEMENT.
- 12) RIGHT-SIDE STEERING ARM - THE BUSHINGS NEEDS REPLACEMENT.
- 13) RIGHT-SIDE LOADER ARM HAS MAKESHIFT BUSHINGS.
- 14) RIGHT-SIDE LOADER ARM HAS ADDITIONAL BUSHINGS THAT NEED REPLACING.
- 15) LOADER HAS BROKEN LIGHTS THAT NEED REPAIR.
- 16) BROKEN WINDSHIELD.
- 17) RIGHT-SIDE FENDER IS BENT AND TIRE IS IN NEED OF REPLACEMENT.
- 18) OIL LEAKING IN ENGINE COMPARTMENT.
- 19) RIGHT REAR ENGINE COMPARTMENT DOOR MISSING, ALONG WITH FUEL CAP.
- 20) OIL LEAKING FROM RIGHT REAR OF LOADER

## LOADER

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- 21) RIGHT REAR TAIL LIGHT IS BROKEN.
- 22) LEFT REAR OF LOADER HAS DAMAGE.
- 23) OIL LEAKING FROM LEFT-SIDE OF LOADER
- 24) LEFT REAR TIRE TREAD GETTING LOW AND WILL NEED REPLACING, AND RIGHT REAR ENGINE COMPARTMENT DOOR IS MISSING. WE HAVE A MUD FLAP COVERING IT.
- 25) ADDITIONAL WINDSHIELD/WIPERS AND LIGHTS NEED TO BE FIXED.
- 26) BOTTOM LEFT SIDE OF FRONT BUCKET IS RUSTING AND NEEDS REPAIRS.
- 27) FRONT FENDER ON LEFT-SIDE IS BENT AND A LIGHT NEEDS REPAIR.
- 28) FRONT LEFT SECTION OF BUCKET THAT IS BROKEN NEEDS WELDING OR REPLACEMENT.
- 29) BUSHING ON THE LEFT-SIDE ARM OF LOADER HAS MAKESHIFT BUSHING ON IT.
- 30) RIGHT-SIDE BUSHINGS ON FRONT BUCKET ARE WORN AND NEED TO BE REPLACED.
- 31) OIL IS ON THE FLOOR DAILY-- FROM THE LOADER.

**RESOLUTION**

Document No: STA-W-9317

Product or Service: 2015 JOHN DEERE 544K Highlift Wheel Loader

Requesting Department: Water

At a Regular Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, 2015 at 7 p.m. Eastern Standard Time, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan.

PRESENT: Councilmembers: \_\_\_\_\_

ABSENT: Councilmembers: \_\_\_\_\_

The following preamble and resolution were offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_.

Pursuant to Section 2-344 of the Code of Ordinances, the City may either participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, goods or services with one (1) or more public procurement units.

Upon performing a diligent inquiry, the Water Division Superintendent and the Public Service Director has determined that is it necessary in the interests of the City, to acquire a wheel loader pursuant to cooperative purchasing.

AIS Construction Equipment/JDE Equipment Company, 651 AIS Drive SE, Grand Rapids, MI 49548, was awarded a State of Michigan Contract (# 071B1300116) to supply John Deere Highlift Wheel Loaders (see attached MiDeal Contract #071B1300116).

AIS Construction Equipment/JDE Equipment Company has been selected for the purchase of a 2015 John Deere Highlift Wheel Loader.

The purchasing agent has conducted a review and concurs with the cooperative purchasing.

Funds are available in Account: 9047-98040.

IT IS RESOLVED, that the purchase of a 2015 John Deere Highlift Wheel Loader from AIS Construction Equipment/JDE Equipment Company, through the State of Michigan Contract #071B1300116 in an amount of \$168,109.00 is hereby accepted by City Council.

IT IS FURTHER RESOLVED, that the Purchasing Agent and/or Mayor and City Clerk are authorized to execute any such documents that are necessary for this approval consistent with the terms of the:

- Cooperative Bid Document
- Contract (State Contract)
- Resolution

and in such form that meets with the satisfaction of the City Attorney if review is required.

AYES: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
NAYS: Councilmembers: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
SCOTT C. STEVENS  
Secretary of the Council  
Mayor Pro Tem



October 6, 2015



DEPARTMENT OF  
HUMAN RESOURCES  
ONE CITY SQUARE, SUITE 410  
WARREN, MI 48093-5286  
(586) 574-4670  
FAX (586) 582-9999  
[www.cityofwarren.org](http://www.cityofwarren.org)

Mr. Scott C. Stevens  
Council Secretary

**RE: Request to add agenda item to NOVEMBER 10, 2015 regular city council meeting for approval of ACH payment of Affordable Care Act Transitional Reinsurance Program Annual Enrollment Fee.**

Dear Council Secretary Stevens:

As we have previously discussed, Section 1341 of the Affordable Care Act established a transitional reinsurance program to stabilize premiums in the individual market inside and outside of the Marketplaces. The transitional reinsurance program will collect contributions from contributing entities to fund reinsurance payments to issuers of non-grandfathered reinsurance-eligible individual market plans, the administrative costs of operating the reinsurance program, and the General Fund of the U.S. Treasury for the 2014, 2015 and 2016 benefit years.

#### **Who Makes Contributions?**

Self-insured group health plans offering major medical coverage that is part of a commercial book of business are contributing entities. For the purpose of reinsurance contributions, "major medical coverage" is defined in 45 CFR 153.20 as a catastrophic plan, an individual or a small group market plan subject to the actuarial value requirements under 45 CFR 156.140, or health coverage for a broad range of services and treatments provided in various settings that provides minimum value as defined in 45 CFR 156.145. A contributing entity must make reinsurance contributions on behalf of its enrollees in plans that provide "major medical coverage," as defined under 45 CFR 153.20, unless one of the exceptions provided under 45 CFR 153.400 applies to such coverage.

Although a contributing entity is responsible for the reinsurance contributions, it may elect to use a third party administrator or administrative services-only contractor for submission of enrollment data and the transfer of the reinsurance contributions.

## How Does a Contributing Entity Make Reinsurance Contributions?

HHS is implementing a “streamlined approach” to complete the contributions process through Pay.gov. To successfully complete the reinsurance contribution process, contributing entities, or third party administrators or administrative services-only contractors on their behalf, must register on Pay.gov.

Using Pay.gov, the contributing entity (or third party administrators or administrative services-only contractors on their behalf) will access the “ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form” to enter the annual enrollment count. The ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form will auto-calculate the annual contribution amount to be remitted based on the annual enrollment count and the contributing entity will then schedule payment for the calculated reinsurance contributions on the payment page.

HHS will offer contributing entities the option to pay: (1) the entire 2015 benefit year contribution in one payment no later than January 15, 2016 reflecting \$44.00 per covered life; or (2) in two separate payments for the 2014 benefit year, with the first remittance due by January 15, 2016 reflecting \$33.00 per covered life, and the second remittance due by November 15, 2016 reflecting \$11.00 per covered life.

The Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form must be filed by November 15, 2015, and a payment in the amount of \$178,596.00 (\$44.00 times 4,059 insured lives) must be made by ACH withdrawal from the City’s general checking account through a website titled [www.pay.gov](http://www.pay.gov) on January 15, 2016

Attached is a resolution which accomplishes the foregoing. The Administration requests and recommends that the attached resolution be approved by the City Council.

Respectfully



Phil Easter

Human Resources and Insurance Risk Management

Read and Concur:



James R. Fouts, Mayor

**RESOLUTION APPROVING ACH PAYMENT OF “ACA TRANSITIONAL REINSURANCE PROGRAM FEE”**

A meeting of the City Council of the City of Warren, County of Macomb, Michigan held on Tuesday, November 10, 2015, at 7:00 o'clock, p.m., eastern standard time, in the Council Chamber at the Warren Community Center, 5460 Arden Road, Warren, Michigan.

PRESENT: Councilmember \_\_\_\_\_

ABSENT: Councilmember \_\_\_\_\_

The following resolution was offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_.

(1.) Section 1341 of the Affordable Care Act established a transitional reinsurance program to stabilize premiums in the individual market inside and outside of the Marketplaces. The transitional reinsurance program will collect contributions from contributing entities to fund reinsurance payments to issuers of non-grandfathered reinsurance-eligible individual market plans, the administrative costs of operating the reinsurance program, and the General Fund of the U.S. Treasury for the 2014, 2015 and 2016 benefit years.

(2.) Self-insured group health plans offering major medical coverage that is part of a commercial book of business are contributing entities who are required to pay the transitional reinsurance fee in the amount of \$44.00 per insured times the number of insureds in the applicable period, which is 3714 lives in our case, for 2015. For the purpose of reinsurance contributions, “major medical coverage” is defined in 45 CFR 153.20 as a catastrophic plan, an individual or a small group market plan subject to the actuarial value requirements under 45 CFR 156.140, or health coverage for a broad range of services and treatments provided in various settings that provides minimum value as defined in 45 CFR 156.145. A contributing entity must make reinsurance contributions on behalf of its enrollees in plans that provide “major medical coverage,” as defined under 45 CFR 153.20, unless one of the exceptions provided under 45 CFR 153.400 applies to such coverage.

(3.) HHS has implemented a streamlined approach to complete the contributions process through Pay.gov. To successfully complete the reinsurance contribution process, contributing entities, or third party administrators or administrative services-only contractors on their behalf, must register on Pay.gov.

Using Pay.gov, the contributing entity (or third party administrators or administrative services-only contractors on their behalf) will access the "ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form" to enter the annual enrollment count. The ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form will auto-calculate the annual contribution amount to be remitted based on the annual enrollment count and the contributing entity will then schedule payment for the calculated reinsurance contributions on the payment page.

The Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form must be filed by November 16, 2015, and a payment in the amount of **\$178,596.00 (\$44.00 times 4,059 insured lives)** must be made by ACH withdrawal from the City's general checking account through a website titled [www.pay.gov](http://www.pay.gov) on January 15, 2016

(4.) The administration having presented information to the City Council in support of the request to approve the ACH payment from the City's general business checking account, as indicated in the attached documents, in the total amount of \$178,596.00 for the Transitional Reinsurance fee required by Section 1341 of the Affordable Care Act, NOW THEREFORE:

***IT IS RESOLVED, that City Council does hereby adopt and approve this resolution, and does hereby approve the request for an ACH payment from the City's general business checking account, (Routing Number 072\*\*\*\*96; Account Number (18\*\*\*\*15) as indicated in the above referenced "Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form" in the total amount of \$178,596.00 for the Transitional Reinsurance fee required by Section 1341 of the Affordable Care Act, and that the ACH Debit block, if any, be amended to allow the ALC+2 number 7505008015 - company name USDEPTHHSCMS to make the foregoing ACH debit.***

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

\_\_\_\_\_  
SCOTT C. STEVENS  
Secretary of the Council



ACA Transitional Reinsurance Program  
Annual Enrollment and Contributions Submission Form



\* Required Fields

Current Date: 10/01/2015

\* Legal Business Name (LBN): City of Warren

\* Federal Tax ID Number: 38-6006931

Billing Contact

\* First Name: Rob \* Last Name: Maleszyk \* Job Title: Controller

\* Email Address: rmaleszyk@cityofwarren.org \* Telephone: (586) 574-4588 Ext:

Billing Address

\* Line 1: One City Square, Suite 425 Line 2:

\* City: Warren \* State: Michigan \* Zip Code: 48093-5286

Contact for Submission

\* First Name: Alvis \* Last Name: Easter \* Job Title: Risk Manager

\* Email Address: peaster@cityofwarren.org \* Telephone: (586) 574-4654 Ext:

\* Are you reporting for more than three (3) Contributing Entities?  Yes  No

\* Are you both the Reporting Entity and Contributing Entity?  Yes  No

ACA Transitional Reinsurance Program  
Annual Enrollment and Contributions Submission Form



Contributing Entity 1:

\* Legal Business Name (LBN): City of Warren

\* Federal Tax ID Number: 38-6006931 \* Organization Type: Nonprofit

Billing Address

\* Line 1: One City Square, Suite 425 Line 2: \_\_\_\_\_

\* City: Warren \* State: Michigan \* Zip Code: 48093-5286

\* Domiciliary State: Michigan

\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: 4,059.00

\* Indicate Type of Contributing Entity: Self Insured Group Health Plan

Other Type: \_\_\_\_\_

Contributing Entity 2:

\* Legal Business Name (LBN): \_\_\_\_\_

\* Federal Tax ID Number: \_\_\_\_\_ \* Organization Type: \_\_\_\_\_

Billing Address

\* Line 1: \_\_\_\_\_ Line 2: \_\_\_\_\_

\* City: \_\_\_\_\_ \* State: \_\_\_\_\_ \* Zip Code: \_\_\_\_\_

\* Domiciliary State: \_\_\_\_\_

\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: \_\_\_\_\_

\* Indicate Type of Contributing Entity: \_\_\_\_\_

Other Type: \_\_\_\_\_

Contributing Entity 3:

\* Legal Business Name (LBN): \_\_\_\_\_

\* Federal Tax ID Number: \_\_\_\_\_ \* Organization Type: \_\_\_\_\_

Billing Address

\* Line 1: \_\_\_\_\_ Line 2: \_\_\_\_\_

\* City: \_\_\_\_\_ \* State: \_\_\_\_\_ \* Zip Code: \_\_\_\_\_

\* Domiciliary State: \_\_\_\_\_

\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: \_\_\_\_\_

\* Indicate Type of Contributing Entity: \_\_\_\_\_

Other Type: \_\_\_\_\_

# ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form



\* Type of Filing

- New     
  Re-Filing     
  Resubmission     
  Invoice

\* Type of Payment (All payment types must be filed and scheduled by November 15th of the Benefit Year)

- First Collection - Contribution for Program Payments and Program Administration Funds  
 (Regulatory Payment Due Date - January 15, 2016)  
 Second Collection - Contribution for General Fund of the US Treasury  
 (Regulatory Payment Due Date - November 15, 2016)  
 Combined Collection - First Collection + Second Collection (as described above)  
 (Regulatory Payment Due Date - January 15, 2016)

* Benefit Year for Reporting Gross Annual Enrollment Count	2015
Total Applicable Benefit Year Contribution Rate	44.00
* Annual Enrollment Count	4,059.00
* Verify Annual Enrollment Count	4,059.00
Contribution Rate for Program Payments and Program Administration Funds	33.00
Contribution Amount Due for Program Payments and Program Administration Funds	133,947.00
Contribution Rate for General Fund of the US Treasury	11.00
Contribution Amount Due for General Fund of the US Treasury	44,649.00
Total Contributions Due for the Applicable Benefit Year	178,596.00
Previous Pay.gov Tracking ID	
Invoice Number	
Verify Invoice Number	
Invoice Payment Amount	
Annual Enrollment Count	
Verify Annual Enrollment Count	

- The Annual enrollment count entered in this Form is accurate and matches the aggregate enrollment count by entity in the Supporting Documentation, if applicable.
- Acknowledgment: My acknowledgment is on behalf of my organization and the contributing entity or entities for which the data and accompanying payment(s) are being submitted. My acknowledgment legally and financially binds my organization and each contributing entity to the applicable laws, regulations and program instructions of the Affordable Care Act (ACA). By my submission, I certify that the data are true, correct and complete. If my organization or any contributing entity becomes aware that data are untrue, incorrect or incomplete, CMS shall be promptly informed. If CMS identifies a discrepancy or has questions about the data being submitted, I agree to be the contact for responding to such questions. I acknowledge that the provisions of the Affordable Care Act specifically make payments made by or in connection with an Exchange subject to the False Claims Act if those payments include any Federal funds. This includes, but is not limited to, the transitional reinsurance program established under Section 1341 of the Affordable Care Act.

Authorizing Official for Reporting Entity's Acknowledgment

\* First Name: Alvis      \* Last Name: Easter      \* Job Title: Risk Manager  
 \* Email Address: peaster@cityofwarren.org      \* Telephone: (586) 574-4654      Ext: \_\_\_\_\_



## Receipt

**Your payment is complete**

Pay.gov Tracking ID: 25NLOHUN

Agency Tracking ID: 74882903487

Form Name: 2015 ACA Transitional Reinsurance Program Annual Enrollment Contributions

Application Name: Transitional Reinsurance Contributions

### Payment Information

Payment Type: Bank account (ACH)

Payment Amount: \$178,596.00

Transaction Date: 10/01/2015 10:37:16 AM EDT

Payment Date: 01/15/2016

### Account Information

Account Holder Name: City of Warren

Routing Number: 072000096

Account Number: \*\*\*\*\*3015

### Email Confirmation Receipt

Confirmation Receipts have been emailed to:

peaster@cityofwarren.org

rmaleszyk@cityofwarren.org

rrezak@cityofwarren.org

# Key Deadlines for 2015

Date	Activity	Contribution Amount
<b>To Make a Full Contribution in One (1) Payment (Combined Collection):</b>		
No later than November 16, 2015	Submit the 2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form and <b>schedule payment</b>	
No later than January 15, 2016	Pay full contribution amount due (single payment)	\$44.00 per c life
<b>TOTAL</b>		<b>\$44.00</b>

OR

<b>To Make a Two-part Contribution (First and Second Collection):</b>		
No later than November 16, 2015	Submit the 2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form and <b>schedule payment</b> of the first collection, then duplicate the Form <b>and schedule payment</b> of the second collection	
No later than January 15, 2016	Pay first contribution amount due	\$33.00 per c life
No later than November 15, 2016	Pay second contribution amount due	\$11.00 per c life
<b>TOTAL</b>		<b>\$44.00</b>

**Module 3:  
2015 Reinsurance Contributions Program  
Form Completion, Submission and Payment**

**September 23, 28 and 30, 2015**

**Payment Policy & Financial Management Group,  
Division of Reinsurance Operations Training Series**



# Session Guidelines

- This is a ninety-minute webinar session
- For questions regarding content, please submit inquiries to: [reinsurancecontributions@cms.hhs.gov](mailto:reinsurancecontributions@cms.hhs.gov)
- For questions regarding logistics and registration, please contact the Registrar at: (800) 257-9520

# Objectives

- How to register on Pay.gov
- How to locate and complete the “2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form” (Form)
- How to determine if Supporting Documentation is required for a submission
- How to schedule a reinsurance contribution payment

# Agenda

- Overview of the Transitional Reinsurance Program
- Reinsurance Contributions Submission Process
- Notable Updates for the 2015 Benefit Year
- Data needed to complete the Form for the 2015 Benefit Year
- Registering on Pay.gov
- 2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form
- Key Deadlines for the 2015 Benefit Year
- Next Steps

# Intended Audience

- Health insurance issuers
- Self-insured group health plans
- Third Party Administrators (TPAs)
- Administrative Services-Only (ASO) Contractors

# Transitional Reinsurance Program Overview

The Transitional Reinsurance Program is:

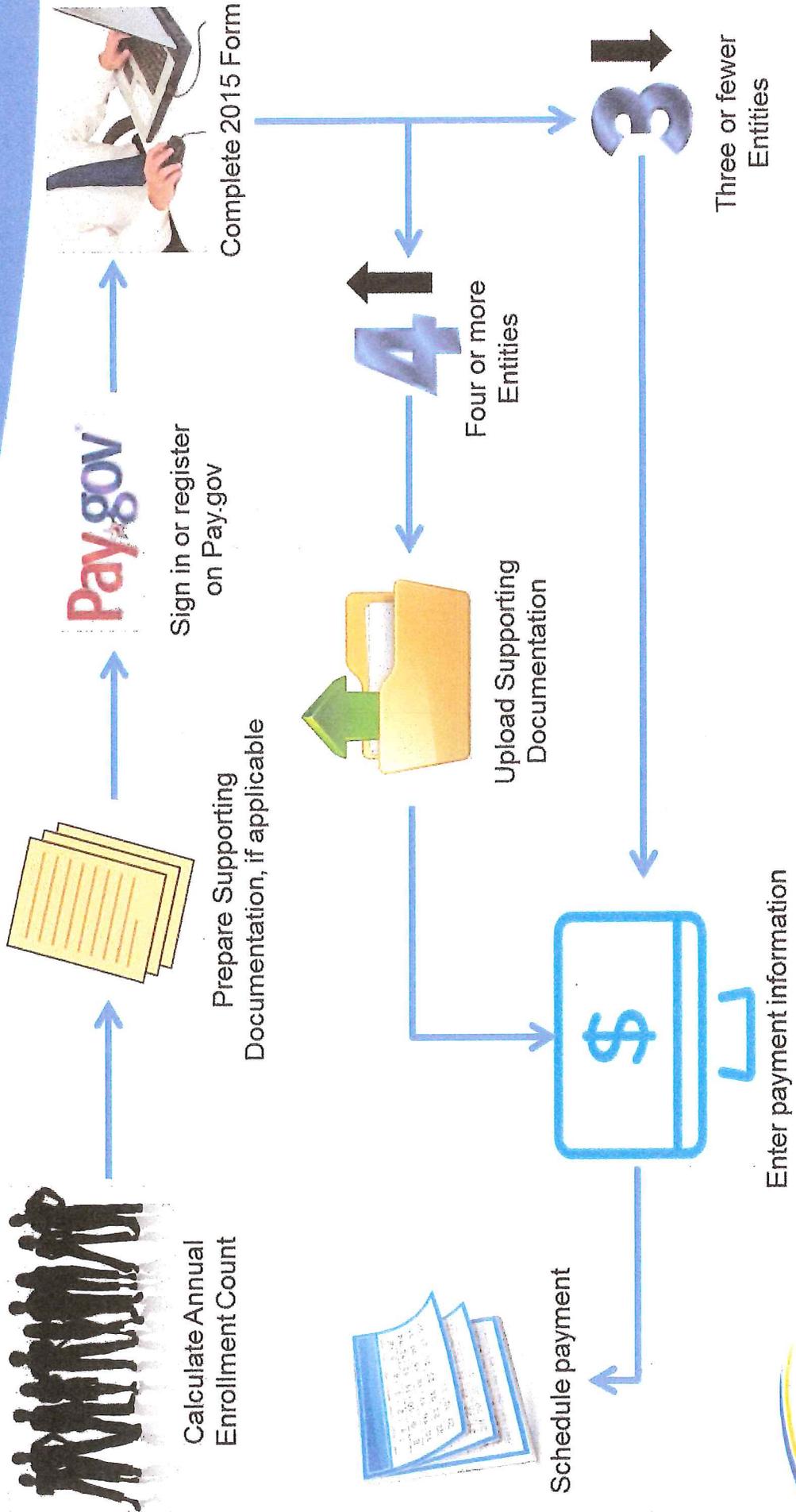
- A temporary program established by Section 1341 of the Affordable Care Act (ACA) to help stabilize premiums in the individual market
- Contributions are required for the 2014, 2015, and 2016 benefit years
- Contributions are used for reinsurance payments to issuers of non-grandfathered reinsurance-eligible individual market plans, the administrative costs of operating the reinsurance program, and the General Fund of the U.S. Treasury

# Reinsurance Contribution Submission Process

The Department of Health and Human Services (HHS) implemented a streamlined approach, through Pay.gov, to complete the reinsurance contribution submission process which offers:

- A simplified method for Contributing (or Reporting) Entities to register and submit their annual enrollment count, be notified of the contribution amount owed, and remit contributions
- A secure, web-based application owned by the Federal Government
- A platform for external parties to submit forms online and make online payments to government agencies

# Contributions Submission Process



# 2015 Benefit Year Updates

## Updates

### Definition of Contributing Entity

Self-insured, self-administered group health plans that do *not* use a TPA in connection with claims processing or claims adjudication or plan enrollment are **NOT** required to make contributions.\*

\*Exceptions permit the use of TPAs for: (a) pharmacy benefits and/or excepted benefits; (b) de minimis administrative services for medical benefits; and/or (c) leasing of provider networks and related services

### 2015 Uniform Contribution Amount

The uniform contribution amount for the 2015 benefit year is \$44.00 per reinsurance covered life.

### Supporting Documentation

Only required for Form submissions with four or more Contributing Entities.

# Information Needed Before Completing the Form

## The Form Requires:

Reporting Entity Legal Business Name (LBN)

Reporting Entity Federal Tax Identification Number (TIN)

Reporting Entity Billing Contact Name, Title, Email Address, and Phone Number

Reporting Entity Billing Address

Reporting Entity Contact for Submission Name, Title, Email Address, and Phone Number

Contributing Entity 2015 Annual Enrollment Count

Authorizing Official Name, Title, Email Address, and Phone Number

# Information Needed Before Completing the Form (Continued)

## Payment Scheduling Requires:

Account Holder Name

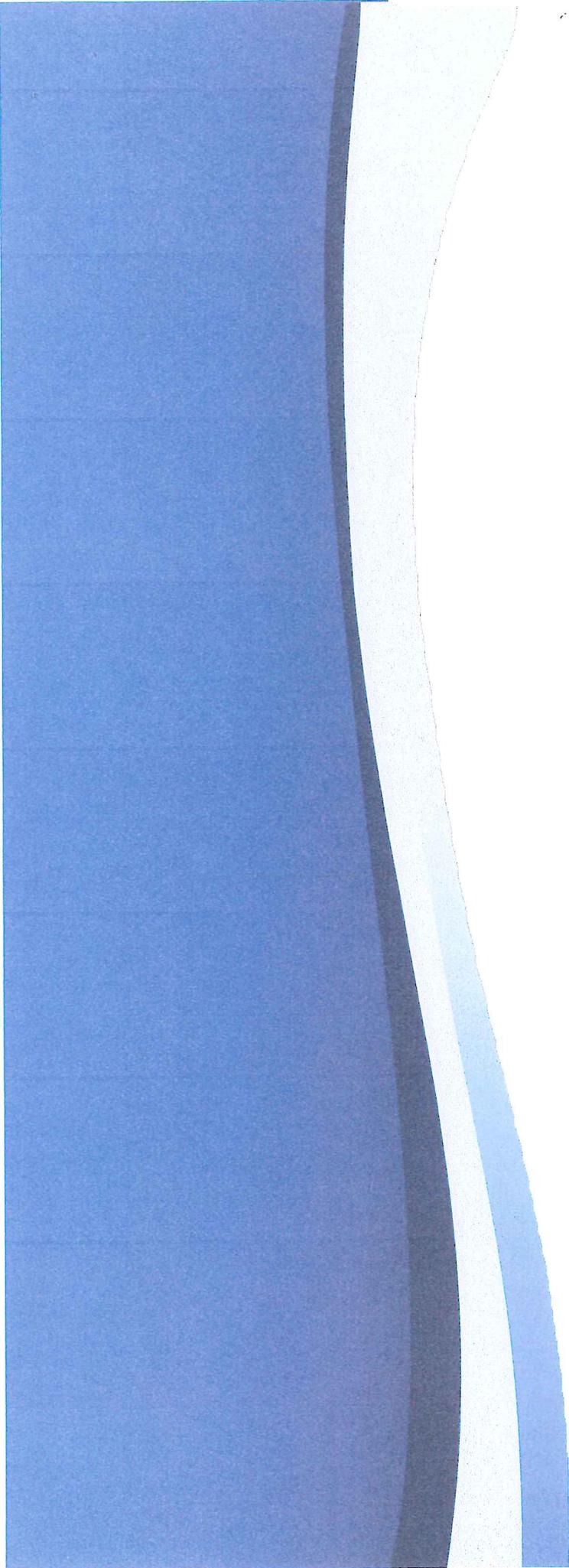
Account Type (checking or savings)

Bank Routing Number

Bank Account Number



Payment of contributions may only be made on Pay.gov using an Automated Clearing House (ACH) debit. You may need to contact your bank to add the ALC+2 value for the ACH debit transaction.



# Registering on Pay.gov



# Pay.gov Home Page – Log In

## Log In to Pay.gov

If you previously registered in Pay.gov and have not logged in since 2014, you will be required to update your password.



Find Forms - Agencies

Search

MAKE A PAYMENT

FIND AN AGENCY

ONLINE HELP

### Welcome to Pay.gov

Pay.gov is the convenient and fast way to make secure electronic payments to Federal Government Agencies. Many common forms of payment are accepted, including credit cards, debit cards, and direct debit.

Click on a link below or use the search box above to get started.

Make a Payment

[I NEED TO PAY](#)

[COMMON PAYMENTS](#)



# Pay.gov Home Page - Register

## Create a Pay.gov Account:

The screenshot shows the Pay.gov home page. At the top left is the Pay.gov logo. Below it is a search bar with the text "Find Forms, Agencies" and a "Search" button. To the right of the search bar are navigation links: "MAKE A PAYMENT", "FIND AN AGENCY", and "ONLINE HELP". In the top right corner, there are "Log in" and "Register" links, with a blue circle around "Register" and an arrow pointing to it. The main content area features a "Welcome to Pay.gov" heading, a paragraph describing the service, and a "Make a Payment" button. A blue callout box on the right side of the page contains the text: "If your organization does not have a Pay.gov account, you will need to register." Below this callout is a link that says "I NEED TO PAY".

Pay.gov

Find Forms, Agencies Search

MAKE A PAYMENT FIND AN AGENCY ONLINE HELP

Log in Register

**Welcome to Pay.gov**

Pay.gov is the convenient and fast way to make secure electronic payments to Federal Government Agencies. Many common forms of payment are accepted, including credit cards, debit cards, and direct debit.

Click on a link below or use the search box above to get started

Make a Payment

**If your organization does not have a Pay.gov account, you will need to register.**

[I NEED TO PAY](#)

# Pay.gov Registration Page

## Register for a Pay.gov Account:



Find Family Agencies...

[MAKE A PAYMENT](#)

[FIND AN AGENCY](#)

[ONLINE HELP](#)

### Register for a Pay.gov Account

Please enter the following information to create your account. After you have provided all the necessary data, please click the Register Account button. You will then be redirected to the Log in page where you will log in to gain access to Pay.gov. Required fields are marked with an \*.

* <b>First Name</b> <input type="text"/>	* <b>Address</b> <input type="text"/>
* <b>Last Name</b> <input type="text"/>	* <b>Address 2</b> <input type="text"/>
* <b>Username</b> <input type="text"/>	* <b>City</b> <input type="text"/>
* <b>Email Address</b> <input type="text"/>	* <b>Country</b> Select Country
* <b>Confirm Email Address</b> <input type="text"/>	* <b>State/Province</b> <input type="text"/>
* <b>Password</b> <input type="text"/>	* <b>ZIP/Postal Code</b> <input type="text"/>
* <b>Confirm Password</b> <input type="text"/>	* <b>Phone Number</b> <input type="text"/>

**Need Help?**  
Customer Service



Contact: Pay.gov Customer Service  
Email: [Click to email](#)  
Phone: 800-824-1373 or 215-579-2112

# Pay.gov Registration Page (Continued)



Contact: Pay.gov Customer Service  
 Email: [Click to email](mailto:Click to email)  
 Phone: 800-624-1075 or 216-579-2112

<p>* <b>First Name</b> Linda</p> <p>* <b>Last Name</b> Jenkins</p> <p>* <b>Username</b> LJenkins</p> <p>* <b>Email Address</b> LJenkins@insurance.com</p> <p>* <b>Confirm Email Address</b> LJenkins@insurance.com</p> <p>* <b>Password</b> *****</p> <p>* <b>Confirm Password</b> *****</p> <p><small>The secret question and answer below will allow you to reset your account if you forget your password. Please choose a question and answer that only you know. Only letters, numbers, and spaces are allowed. No one else will be able to see the answer to your question.</small></p> <p>* <b>Secret Question</b> What is your favorite sports team?</p> <p>* <b>Secret Answer</b> *****</p> <p>* <b>Confirm Secret Answer</b> *****</p> <p><small>The shared challenge question and answer below will allow Customer Service to verify your identity. Only letters, numbers, and spaces are allowed.</small></p> <p>* <b>Shared Challenge Question</b> What was the model of your first car?</p>	<p>* <b>Address</b> 6270 Corporate Road</p> <p>* <b>Address 2</b> Ste. 200</p> <p>* <b>City</b> Vaupar</p> <p>* <b>Country</b> United States</p> <p>* <b>State/Province</b> Virginia</p> <p>* <b>ZIP/Postal Code</b> 22941</p> <p>* <b>Phone Number</b> 703-284-5517</p> <div style="border: 2px solid red; padding: 5px; margin-top: 10px;"> <p>* <b>Company Name</b> Great Farms Insurance</p> <p>* <b>Company Address</b> 6270 Corporate Road</p> <p>* <b>Company Address 2</b> Ste. 200</p> <p>* <b>Company City</b> Vaupar</p> <p>* <b>Company Country</b> United States</p> <p>* <b>Company State/Province</b> Virginia</p> </div>
---	--

- Once the required fields of the registration page are complete, the company name and company address information can be entered.
- This information will pre-populate in the Form if completed during registration.

# Pay.gov: Important Notes

## Pay.gov Notes:

Only create one (1) Pay.gov account for your organization to complete the Contributions Submission process.

- For example, the TPA or ASO contractor creates **ONLY** one (1) Pay.gov account to submit the Annual Enrollment Count and contribution on behalf of one (1) or more Contributing Entities.
- Multiple Pay.gov accounts per Legal Business Name (LBN) or Tax Identification Number (TIN) should **NOT** be created.

Pay.gov does not limit the number of Forms filed or bank accounts used under one (1) Pay.gov account.

- However, each Form submission is limited to one (1) bank account per Contribution payment

Submit inquiries to [reinsurancecontributions@cms.hhs.gov](mailto:reinsurancecontributions@cms.hhs.gov).



If your inquiry is specific to your Pay.gov user account, contact Pay.gov directly.

# The Form: Tips and Help Options

## Form Tips and Help Options



Select any of the blue question mark icons throughout the Form to open a description of a field and its options, if applicable.

### Roll-over Tool Tips

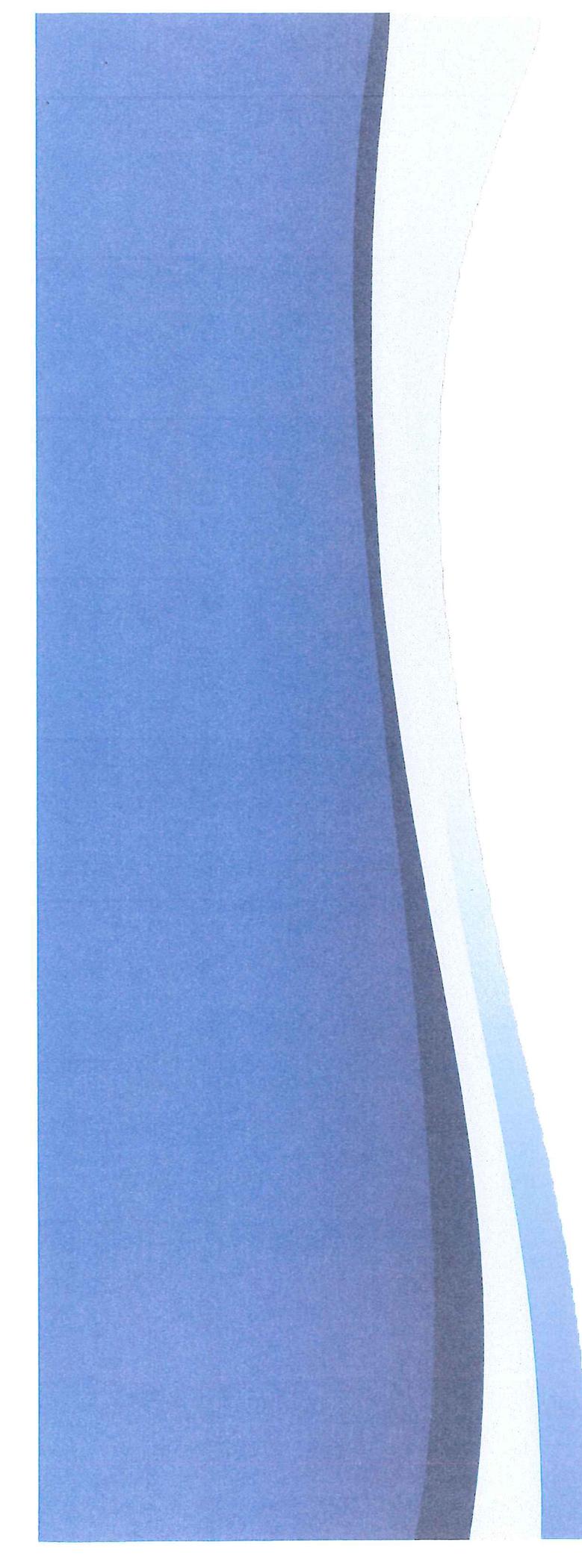
Example:

Enter the Billing Address Zip Code of Contributing Entity 1

Use your mouse to point to a field within the Form to reveal roll-over tool tips that provide brief explanations of the field requirements.

[Need Help?](#)

Selecting “Need Help?” opens a document with links to the Transitional Reinsurance Program Resources and FAQs for the Form.



# **2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form**

# How to Locate the Form

## Find the 2015 Form:

Once logged into Pay.gov, use the search terms “2015 ACA Transitional Reinsurance” to access the Form to file the Annual Enrollment Count and schedule the contribution payment(s).



2015 ACA Transitional Reinsurance  Search

### Search Results for "2015 ACA Transitional Reinsurance"

Refine Your Results  
Narrow your choices by selecting from the following options.

#### Agency

- Health and Human Services (HHS): Centers for Medicare & Medicaid Services (CMS) (1)

Forms (1)  
Sort by Relevance

#### 2015 ACA Transitional Reinsurance Program Annual Enrollment Contributions

Form Number: ACA-2015 | OMB Number: 0938-1156, 0938-1187  
Agency: Health and Human Services (HHS): Centers for Medicare & Medicaid Services (CMS)

[View all forms for this agency](#)

[Continue to the Form](#)

# The Form: Initial Page

If the Company Information was completed within the Pay.gov profile, the 'Legal Business Name (LBN)', 'Billing Address' and 'Contact for Submission' will pre-populate the Form.

If not, complete the Form with the respective Reporting Entity information.

## 2015 ACA Transitional Reinsurance Program Annual Enrollment Contributions

Before You Begin    Complete Agency Form    2    Enter Payment Info    3    Review & Submit    4    Confirmation

### ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form

[Need Help?](#)



\* Required Fields

Current Date: 07/23/2015

\* Legal Business Name (LBN): Raven Health

\* Federal Tax ID Number:

Billing Contact

\* First Name:

\* Email Address:

\* Last Name:

\* Telephone:

\* Job Title:

Ext:

Billing Address

\* Line 1: 5221 Champion Dr.    Line 2: Suite 100

\* City: Baltimore    \* State: Maryland    \* Zip Code: 21244

Contact for Submission

\* First Name: Janice

\* Email Address: jabbott@ravenhealth.com

\* Last Name: Abbott

\* Telephone: (410) 555-5555

\* Job Title:

Ext:

\* Are you reporting for more than three (3) Contributing Entities?  Yes  No

\* Are you both the Reporting Entity and Contributing Entity?  Yes  No



# 2015 Form Questions

## 2015 Form Questions:

On the 2015 Form, the following new questions will appear to help determine if Supporting Documentation is required for a submission.

\* Are you reporting for more than three (3) Contributing Entities?  Yes  No

\* Are you both the Reporting Entity and Contributing Entity?  Yes  No

If you are reporting for:

**3 ↓**

Three or fewer Entities

The Supporting Documentation (.CSV) file is **NOT** required.

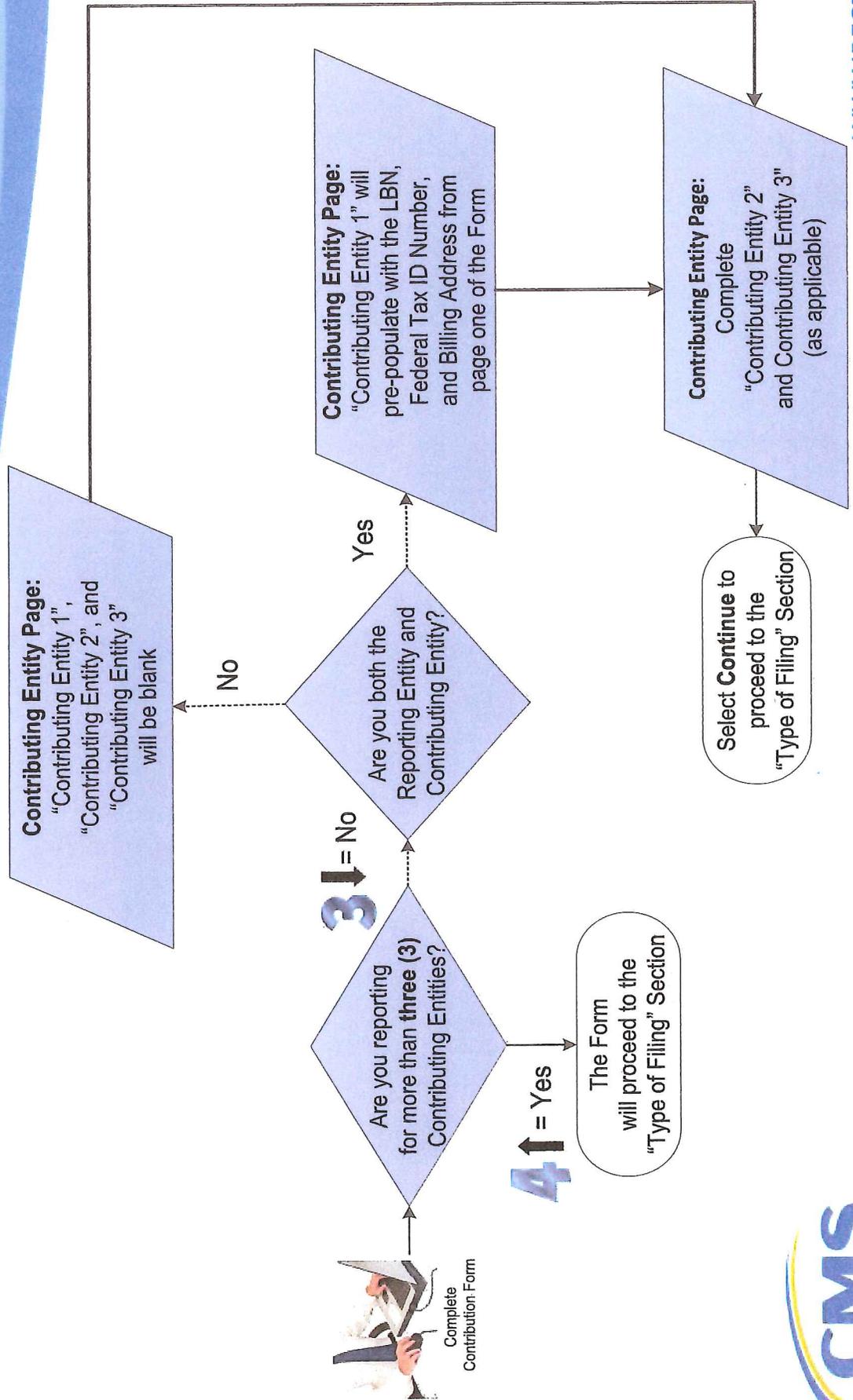
**4 ↑**

Four or more Entities

The Supporting Documentation (.CSV) file **IS** required.



# 2015 Form Questions Flowchart



# 2015 Form Questions Response Options

If you are reporting for four or more Contributing Entities, select **Yes** for the first question.

\* Are you reporting for more than three (3) Contributing Entities?  Yes  No

Are you both the Reporting Entity and Contributing Entity?  Yes  No

- The second question does not apply if you are reporting for four or more Contributing Entities.
- Select **Continue** to advance to the “Type of Filing” section of the Form.

# 2015 Form Questions Response Options

(Continued)

If you are reporting for three or fewer Contributing Entities, select **No** for the first question.

\* Are you reporting for more than three (3) Contributing Entities?    ?     Yes     No

\* Are you both the Reporting Entity and Contributing Entity?    ?     Yes     No

If you are the Reporting Entity and the Contributing Entity, select **Yes** for the second question.

- Select **Continue** to advance the Form to the “Contributing Entity” page.
  - On the “Contributing Entity” page “Contributing Entity 1” will pre-populate with the Legal Business Name (LBN), Federal Tax ID Number, and Billing Address from the Pay.gov profile – this field is editable.
  - “Contributing Entity 2” and “Contributing Entity 3” will be blank.

# The Form: Pre-populated Contributing Entity Page

Contributing Entity 1 is pre-populated.

Contributing Entity 2 and Contributing Entity 3 are available for completion.

**Contributing Entity 1:**

\* Legal Business Name: Raven Health  
\* (LEIN):  
\* Federal Tax ID Number: 12-3456789 \* Organization Type: [v]  
Billing Address: Line 1: 455 Desert Bloom Court Line 2:  
\* City: Jersey City \* State: New Jersey \* Zip Code: 73050  
\* Domiciliary State:  
\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year:  
\* Indicate Type of Contributing Entity: [v] ?  
\* Other Type:

**Contributing Entity 2:**

Legal Business Name:  
(LEIN):  
Federal Tax ID Number: Organization Type: [v]  
Billing Address: Line 1: Line 2:  
City: State: [v] Zip Code:  
Domiciliary State: [v]  
Benefit Year: 2015 Annual Enrollment Count for the applicable benefit year:  
Indicate Type of Contributing Entity: [v] ?  
\* Other Type:

**Contributing Entity 3:**

Legal Business Name:  
(LEIN):  
Federal Tax ID Number: Organization Type: [v]  
Billing Address: Line 1: Line 2:  
City: State: [v] Zip Code:  
Domiciliary State: [v]  
Benefit Year: 2015 Annual Enrollment Count for the applicable benefit year:  
Indicate Type of Contributing Entity: [v] ?  
\* Other Type:

Back Save PDF Preview Continue

# 2015 Form Questions Response Options

(Continued)

If you are reporting for three or fewer Contributing Entities, select **No** for the first question.

\* Are you reporting for more than three (3) Contributing Entities? ?  Yes  No

\* Are you both the Reporting Entity and Contributing Entity? ?  Yes  No

If you are not the Reporting Entity and the Contributing Entity, select **No** for the second question.

- Select **Continue** to advance the Form to the “Contributing Entity” page.
- Contributing Entity 1, Contributing Entity 2, and Contributing Entity 3 will be blank for completion.

# The Form: Blank Contributing Entity Page

Contributing Entity 1,  
Contributing Entity 2,  
and  
Contributing Entity 3  
are available for  
completion.

**Contributing Entity 1:**  
\* Legal Business Name (LBN): \_\_\_\_\_ \* Organization Type: \_\_\_\_\_  
\* Federal Tax ID Number: \_\_\_\_\_  
Billing Address  
\* Line 1: \_\_\_\_\_ Line 2: \_\_\_\_\_  
\* City: \_\_\_\_\_ \* State: \_\_\_\_\_ \* Zip Code: \_\_\_\_\_  
\* Domiciliary State: \_\_\_\_\_  
\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: \_\_\_\_\_  
\* Indicate Type of Contributing Entity: \_\_\_\_\_ ?  
Other Type: \_\_\_\_\_

**Contributing Entity 2:**  
Legal Business Name (LBN): \_\_\_\_\_ Organization Type: \_\_\_\_\_  
Federal Tax ID Number: \_\_\_\_\_  
Billing Address  
\* Line 1: \_\_\_\_\_ Line 2: \_\_\_\_\_  
\* City: \_\_\_\_\_ \* State: \_\_\_\_\_ \* Zip Code: \_\_\_\_\_  
\* Domiciliary State: \_\_\_\_\_  
\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: \_\_\_\_\_  
\* Indicate Type of Contributing Entity: \_\_\_\_\_ ?  
Other Type: \_\_\_\_\_

**Contributing Entity 3:**  
Legal Business Name (LBN): \_\_\_\_\_ Organization Type: \_\_\_\_\_  
Federal Tax ID Number: \_\_\_\_\_  
Billing Address  
\* Line 1: \_\_\_\_\_ Line 2: \_\_\_\_\_  
\* City: \_\_\_\_\_ \* State: \_\_\_\_\_ \* Zip Code: \_\_\_\_\_  
\* Domiciliary State: \_\_\_\_\_  
\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: \_\_\_\_\_  
\* Indicate Type of Contributing Entity: \_\_\_\_\_ ?  
Other Type: \_\_\_\_\_

Back Save PDF Preview Continue

# The Form Contributing Entity Page (Continued)

## The Contributing Entity Page Requires:

Contributing Entity Legal Business Name (LBN)

Contributing Entity Tax Identification Number (TIN)

Organization Type (For-Profit or Non-Profit)

Contributing Entity Billing Address

Contributing Entity Domiciliary State

Benefit Year (this field pre-populates with '2015')

Annual Enrollment Count

Contributing Entity Type

# The Form: Contributing Entity Page (Continued)



Calculate Annual  
Enrollment Count

## Annual Enrollment Count:

- Calculate the Annual Enrollment Count using one (1) of the permissible counting methods set forth in 45 CFR 153.405.
  - The Annual Enrollment Count includes all non-exempted reinsurance covered lives subject to reinsurance contributions for the 2015 Benefit Year.
- Enter the Annual Enrollment Count for each Contributing Entity.

2015 contribution amount = (2015 Annual Enrollment Count) x (\$44.00)

# The Form: Contributing Entity Page (Continued)

Contributing Entity 1:  
\* Legal Business Name: Raven Health  
\* (LEIN):  
\* Federal Tax ID Number: 12-3456789 \* Organization Type: For Profit  
Billing Address  
\* Line 1: 5221 Champaign Dr. Line 2: Suite 100  
\* City: Baltimore \* State: Maryland \* Zip Code: 21244  
\* Domiciliary State: Maryland  
\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: 525.25  
\* Indicate Type of Contributing Entity: Health Insurance Issuer

Annual Enrollment Counts are entered for each Contributing Entity.

Billing Address  
\* Line 1: 4500 West Highway Line 2: Suite 210  
\* City: Philadelphia \* State: Pennsylvania \* Zip Code: 23456  
\* Domiciliary State: Pennsylvania  
\* Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year: 650.50  
\* Indicate Type of Contributing Entity:  
Other Type:

Contributing Entity 3:  
Legal Business Name  
\* (LEIN):  
\* Federal Tax ID Number:  
Billing Address  
Line 1:  
City: State: Zip Code:  
Domiciliary State:  
Benefit Year: 2015 \* Annual Enrollment Count for the applicable benefit year:  
\* Indicate Type of Contributing Entity:  
Other Type:

The Benefit Year pre-populates to "2015" and cannot be changed.



# The Form: Type of Filing Page

\* Type of Filing ?

New  Re-Filing  Resubmission  Invoice

Type of Payment ? (All payment types must be filed and scheduled by November 15th of the Benefit Year)

First Collection - Contribution for Program Payments and Program Administration Funds (Regulatory Payment Due Date - January 15, 2015)

Second Collection - Contribution for General Fund of the US Treasury (Regulatory Payment Due Date - November 15, 2015)

Combined Collection - First Collection + Second Collection (as described above) (Regulatory Payment Due Date - January 15, 2015)

Benefit Year for Reporting Gross Annual Enrollment Count ..... 2015

Total Applicable Benefit Year Contribution Rate .....

Annual Enrollment Count .....

Verify Annual Enrollment Count .....

Contribution Rate for Program Payments and Program Administration Funds .....

Contribution Amount Due for Program Payments and Program Administration Funds .....

Contribution Rate for General Fund of the US Treasury .....

Contribution Amount Due for General Fund of the US Treasury .....

Total Contributions Due for the Applicable Benefit Year .....

Previous Payroll Tracking ID .....

Invoice Number .....

Verify Invoice Number .....

Invoice Payment Amount .....

Annual Enrollment Count .....

Verify Annual Enrollment Count .....

The Annual enrollment count entered in this Form is accurate and matches the aggregate enrollment count by entity in the ?

Supporting Documentation, if applicable. ?

Acknowledgment: My acknowledgment is on behalf of my organization and the contributing entity or entities for which the data and accompanying payment(s) are being submitted. My acknowledgment legally and financially binds my organization and each contributing entity to the applicable laws, regulations and program instructions of the Affordable Care Act (ACA). By my submission, I certify that the data are true, correct and complete. If my organization or any contributing entity becomes aware that data are untrue, incorrect or incomplete, CMS shall be promptly informed. If CMS identifies a discrepancy or has questions about the data being submitted, I agree to be the contact for responding to such questions. I acknowledge that the provisions of the Affordable Care Act specifically make payments made by or in connection with an Exchange subject to the False Claims Act if those payments include any Federal funds. This includes, but is not limited to, the transitional reinsurance program established under Section 1341 of the Affordable Care Act.

Authorizing Official for Reporting Entity's Acknowledgment

\* First Name: \_\_\_\_\_ \* Last Name: \_\_\_\_\_ \* Job Title: \_\_\_\_\_

\* Email Address: \_\_\_\_\_ \* Telephone: \_\_\_\_\_ Ext: \_\_\_\_\_

This page of the Form opens:

After...

Completing the Contributing Entity Page and selecting **Continue.**

or

Choosing to report for more than **three (3)** Contributing Entities and selecting **Continue.**



# The Form: Type of Filing Section

Select **New** for a new 2015 filing.

- \* Type of Filing ?
- New
  - Re-Filing
  - Resubmission
  - Invoice



Even if you filed a Form in 2014, you will need to select **New** for the 2015 Form.

# The Form: Type of Payment Section

## Payment Options:

- **Two-Part Contribution**
  - First Collection – Contribution for Program Payments and Administration Funds (\$33.00)
  - Second Collection – Contribution for General Fund of the US Treasury (requires a second Form filing) (\$11.00)
- **Combined Collection** – First Collection + Second Collection = Combined Collection (full contribution in one payment) (\$44.00)

### Type of Payment ?



# The Form: Type of Payment

## Payment Option 1: Two-part Contribution

A two-part contribution:

- Duplication of the Form used for the First Collection on Pay.gov allows for ease of filing the second Form submission as the Second Collection.
- Both the First Collection and Second Collection **must be filed** no later than the November 16, 2015.



NOTE

The First Collection payment is due by January 15, 2016 and the Second Collection payment is due by November 15, 2016.

# The Form: Type of Payment (Continued)

## **Payment Option 2: Combined Collection**

Select Combined Collection to file for the full contribution no later than the November 16, 2015, with payment due by January 15, 2016 reflecting \$44.00 per covered life.

**Combined Collection = First Collection + Second Collection**

# The Form: Annual Enrollment Count

## Annual Enrollment Count:

- If reporting for **three (3) or fewer** Contributing Entities, this field is populated with the sum of the Annual Enrollment Counts entered on the Contributing Entity Page.
- If reporting for **four (4) or more** Contributing Entities, this field will be blank.
- Enter the sum of the Annual Enrollment Counts for all Contributing Entities included in the Supporting Documentation .
- For example, if the Supporting Documentation includes information for 12 Contributing Entities that totals 650 covered lives – 650 should be entered as the Annual Enrollment Count.

\* Annual Enrollment Count

\* Verify Annual Enrollment Count



?

# The Form: Annual Enrollment Count

## Verify Annual Enrollment Count:

- Enter the annual enrollment count for all Contributing Entities generated from using one (1) of the permitted counting methods.
- Ensure that this number matches the annual enrollment count in the field above.
- After this number is entered, the Contribution fields will auto-calculate.

\* Annual Enrollment Count

\* Verify Annual Enrollment Count

?

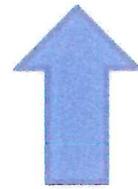
?

# The Form: Contribution Fields

## Contributions Amount Fields:

After completing the Verify Annual Enrollment Count field, the Contribution Amount fields will pre-populate.

* Benefit Year for Reporting Gross Annual Enrollment Count	2015
Total Applicable Benefit Year Contribution Rate	44.00
* Annual Enrollment Count	100.00
* Verify Annual Enrollment Count	
Contribution Rate for Program Payments and Program Administration Funds	33.00
Contribution Amount Due for Program Payments and Program Administration Funds	
Contribution Rate for General Fund of the US Treasury	11.00
Contribution Amount Due for General Fund of the US Treasury	
Total Contributions Due for the Applicable Benefit Year	

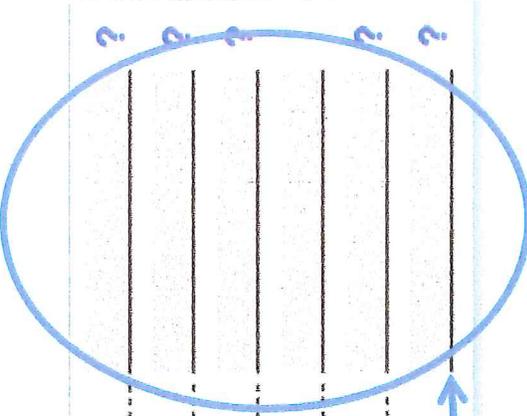


2015	
	44.00
	100.00
	100.00
	33.00
	3,300.00
	11.00
	1,100.00
	4,400.00

# The Form: Shaded Fields

## Shaded Form Fields:

Previous Pay.gov Tracking ID	.....
Invoice Number	.....
Verify Invoice Number	.....
Invoice Payment Amount	.....
Annual Enrollment	.....
Verify Annual Enrollment	.....



Shaded fields indicate that no content is required in this part of the Form.

# The Form: Checkboxes

After you enter the Annual Enrollment Count, you are required to read the statement and check the box next to the statement: “The Annual enrollment count entered in this Form is accurate and matches the aggregate enrollment count by entity in the Supporting Documentation, if applicable.”

The Annual enrollment count entered in this Form is accurate and matches the aggregate enrollment count by entity in the Supporting Documentation, if applicable.

Acknowledgment: My acknowledgment is on behalf of my organization and the contributing entity or entities for which the data and accompanying payment(s) are being submitted. My acknowledgment legally and financially binds my organization and each contributing entity to the applicable laws, regulations and program instructions of the Affordable Care Act (ACA). By my submission, I certify that the data are true, correct and complete. If my organization or any contributing entity becomes aware that data are untrue, incorrect or incomplete, CMS shall be promptly informed. If CMS identifies a discrepancy or has questions about the data being submitted, I agree to be the contact for responding to such questions. I acknowledge that the provisions of the Affordable Care Act specifically make payments made by or in connection with an Exchange subject to the False Claims Act if those payments include any Federal funds. This includes, but is not limited to, the transitional reinsurance program established under Section 1341 of the Affordable Care Act.

You must also read the Acknowledgment and check the box next to the Acknowledgement statement.

# The Form: Authorizing Official

## Authorizing Official for Reporting Entity's Acknowledgment:

- The Authorizing Official identifies the individual with the authority to authorize the contribution transaction and certify that the data is true and correct.
- The Authorizing Official is whom CMS will contact if CMS identifies a discrepancy or has questions about the data being submitted.

Authorizing Official for Reporting Entity's Acknowledgment

\* First Name:  \* Last Name:  \* Job Title:

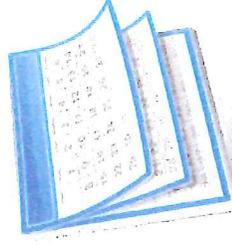
\* Email Address:  \* Telephone:  Ext:

# The Form: Payment Date Reminder

## Payment Date Reminder:



- After selecting **Continue** on at the bottom of the Type of Filing page, a message window opens to remind you that the payment date will default to the next business day unless another date is selected .



Schedule payment

# The Form: Supporting Documentation Page

## Upload Supporting Documentation

- The Supporting Documentation upload page opens only when reporting for **four (4) or more** Contributing Entities and after selecting **Continue** on Type of Filing page of the Form.



Upload  
Supporting  
Documentation

- Supporting Documentation will be used by CMS to verify the Annual Enrollment Count inputted on the Form.
- Supporting Documentation must be a .CSV file format and must not exceed 2MB.
- Details on creating the Supporting Documentation will be provided in Special Topic: Completing the 2015 Reinsurance Contribution Supporting Documentation (.CSV File) training.
- You may register for this training via REGTAP.

# The Form: Supporting Documentation (Continued)

## Supporting Documentation Upload Page:

**Add Attachment**

This form is configured to allow one file attachment. Please browse and attach a file. The file must have a file extension of CSV and cannot exceed a size of 15MB.

**Attach File:**

[Cancel](#)

4

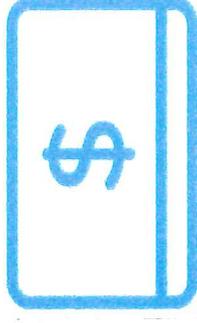
Four or more  
Entities

 **NOTE**  
This page opens only when reporting for four or more  
Contributing Entities.

# The Form: Payment Info Page

On the Payment Information Page you will:

- Select the Payment Date
- Enter the Account Holder Name
- Select Checking or Savings Account Type
- Enter Bank Routing Number
- Enter Bank Account Number



Enter payment information



If you previously made a payment through Pay.gov, the banking information you previously entered may pre-populate, and you will have the option to change it.

# The Form: Payment Info Page (Continued)

Pay.gov  
Payment  
Info Page

Please provide the payment information below. Required fields are marked with an \*.

\* Payment Amount

\$440.00

\* Payment Date (mm/dd/yyyy)

08/04/2015

\* Account Holder Name

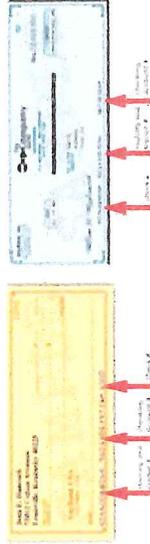
Please select a payment account.

I want to enter a new account

I would like to save this payment account to my profile

\* Select Account Type

Select Account Type



\* Routing Number

Routing Number

\* Account Number

Account Number

\* Confirm Account Number

Confirm Account Number

Previous

Return to Form

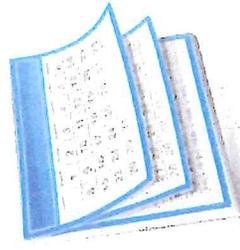
Cancel

Review and Submit Payment

# The Form: Payment Date

## Schedule Payment :

- On the Payment Page, the Payment Date pre-populates with the next business day .
- **If you do not wish to pay on the next business day, update to another day prior to the remittance deadline.**
- The First Collection or Combined Collection payment due date is January 15, 2016.
- The Second Collection payment due date is November 15, 2016.



Schedule payment



If you select **Back** from this page, all data will be lost — including a change to selected payment date.

# The Form: Schedule Contribution Payments

## Schedule the Contributions Payment(s):

### Payment Option 1: Two-part Contribution

- If you selected First Collection for the “Type of Payment,” a second Form submission is required to complete the reinsurance contributions submission process for 2015.
- **Duplicate the submitted First Collection Form and complete a second submission to schedule payment for the Second Collection.**

### Payment Option 2: Combined Collection

- If you select a Combined Collection, you will only have to submit the Form one (1) time.

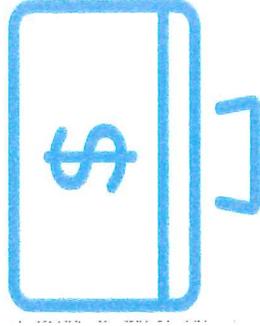


A First Collection payment requires a second Form submission to schedule the Second Collection payment

# The Form: Payment Info Page (Continued)

## Payment Information:

- Contribution payments are made on Pay.gov using only an Automated Clearing House (ACH) debit.
- Only one bank account may be entered per Form.
  - If you wish to submit contributions using a different bank account for each entity's contribution, you must submit a separate Form for each Contributing Entity.
- Ensure that sufficient funds are available in the account for the scheduled payment date to avoid charges related to insufficient funds and discrepancy notifications from CMS.



Enter payment information

# The Form: Review and Submit

## Review and Submit:

Review the Payment and Account Information; then, check the box to receive email confirmation of the transaction; Then, select **Submit Payment**.

Please review the payment information below. Required fields are marked with an \*

### Payment Information

Payment Type: Bank account (ACH)

Payment Amount: \$440.00

Payment Date: 08/04/2015

### Account Information

Account Holder Name: Daifene Chavez

Routing Number: 052001633

Account Number: \*\*\*\*\*0004

I would like to receive an email confirmation of this transaction.

\* Enter Email Address:

{Email address}

\* Confirm Email Address:

{Email address}

CC:

{Additional Email addresses}

You may enter multiple email addresses in this field. Separate email addresses with a comma

### Authorization and Disclosure Statement

[Printable version](#)

Department's Bureau of the Fiscal Service. As used in this document, we or us refers to the Bureau of the Fiscal Service and its agents and contractors operating Pay.gov. "You" refers to the end-user reading this document and agreeing to it prior to engaging in a debit transaction.

I, Consumers

A. Authorization

\*  I agree to the Pay.gov authorization and disclosure statement

[Previous](#)

[Return to Form](#)

[Cancel](#)

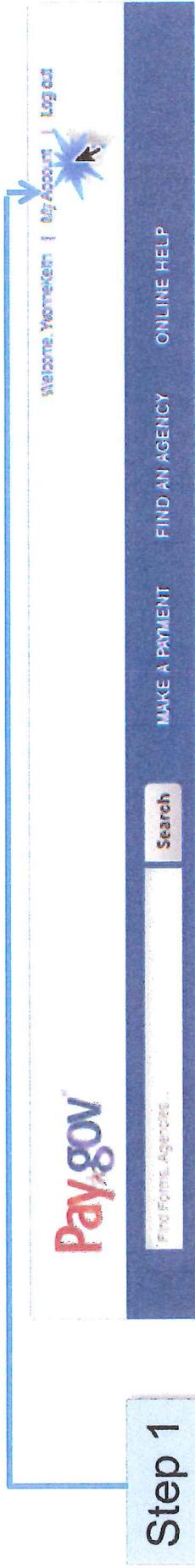
[Submit Payment](#)

# The Form: Duplicate the Form

## Payment Option 1: Schedule the Second Collection

- Follow these Steps to duplicate your Form submitted for the First Collection

**Step 1**



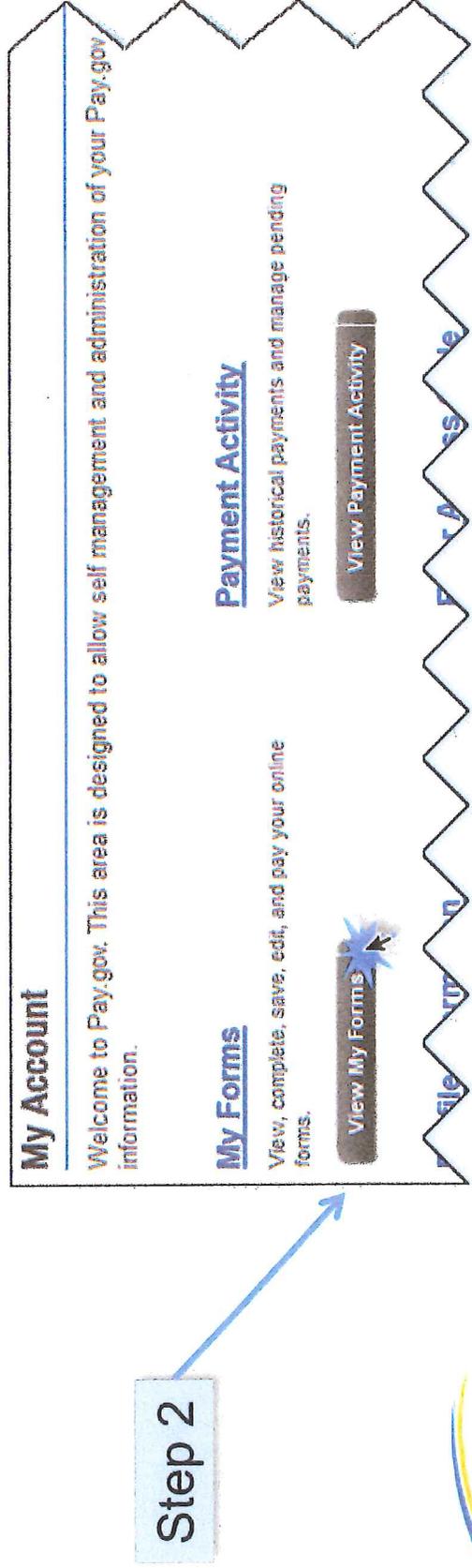
Pay.gov

Welcome, Yerrakem | [My Account](#) | [Logout](#)

Find Forms, Agencies...

[MAKE A PAYMENT](#) [FIND AN AGENCY](#) [ONLINE HELP](#)

**Step 2**



**My Account**

Welcome to Pay.gov. This area is designed to allow self management and administration of your Pay.gov information.

**My Forms**  
View, complete, save, edit, and pay your online forms.

**Payment Activity**  
View historical payments and manage pending payments.

# Submitting Multiple Forms

## When would multiple Forms be required?

- If filing for more enrollees than the 2015 Form permits for a single transaction on Pay.gov
  - For the Two-part Collection option, the maximum reportable Annual Enrollment Count for the First Collection or Second Collection is 3,030,303.00.
  - For the Combined Collection option, the maximum reportable Annual Enrollment Count is 2,272,727.27.
- Use of multiple bank accounts for more than one (1) Contributing Entity
- Business need or reason for wanting to complete multiple Forms

# Key Deadlines for the 2015 Benefit Year

Date	Activity	Contribution Amount
<b>To Make a Full Contribution in One Payment (Combined Collection):</b>		
No later than November 16, 2015	Submit the Form and schedule payment	
No later than January 15, 2016	Pay full contribution amount due (single payment)	\$44.00 per covered life
<b>TOTAL</b>		<b>\$44.00</b>
<b>OR</b>		
<b>To Make a Two-part Contribution (First and Second Collection):</b>		
No later than November 16, 2015	Submit the Form and schedule payment of first collection contribution and duplicate the Form and schedule payment of second collection	
No later than January 15, 2016	Pay first contribution amount due	\$33.00 per covered life
No later than November 15, 2016	Pay second contribution amount due	\$11.00 per covered life
<b>TOTAL</b>		<b>\$44.00</b>

# ACH Debit Block

- Automatic debits to your business account may be blocked by the bank.
  - This security feature is called an ACH Debit Block, ACH Positive Pay or ACH Fraud Prevention Filter .
- ACH Debit Block works by having an allowed list of ACH company IDs.
  - The list enables allowable automatic debits.
- When working with the U.S. Government, these company IDs are referred to as the Agency Location Code or the ALC+2.
- **Contact your bank to have the ALC+2 added to the approved list.**
  - The reinsurance contribution ALC+2 number is **7505008015.**
  - The Company Name is **USDEPTHHSCMS.**

# Contributions Submission Process Overview

To successfully complete the Contributions Submission process, Contributing Entities or Reporting Entities must do the following:

Step	Action
1	Calculate the Annual Enrollment Count
2	Register on Pay.gov or confirm your password if you registered for the previous benefit year of the program (2014)
3	Access the <b>2015 ACA Transitional Reinsurance Program Annual Enrollment and Contributions Submission Form</b> , when available
4	Complete the Form (which includes providing Contributing Entity information when reporting for <b>three or fewer</b> Contributing Entities and entering your Annual Enrollment Count). Be sure to review and attest to the accuracy of the annual enrollment count(s), the Attestation and Acknowledgement Statements
5	Upload Supporting Documentation only when reporting for <b>four (4) or more</b> Contributing Entities
6	Schedule payment for calculated contributions on the payment page (Note: The payment date will default to the next business day, unless another date is selected)



DEPARTMENT OF HUMAN RESOURCES  
One City Square, Suite 410  
Warren, MI 48093-5286  
(586) 574-4670  
[www.cityofwarren.org](http://www.cityofwarren.org)

**TO: SCOTT STEVENS, SECRETARY, WARREN CITY COUNCIL**

**FROM: PHIL EASTER, INSURANCE RISK MANAGER**

**SUBJECT: RESOLUTION FOR APPROVAL OF ADOPTION OF MEDICARE  
ADVANTAGE ADDENDUM TO GROUP ENROLLMENT AND PRESCRIPTION  
COVERAGE FOR POST-65, MEDICARE ELIGIBLE, ENROLLEES. -**

**REQUEST FOR COMMITTEE OF WHOLE MEETING FOR MONDAY,  
OCTOBER 26, 2015.**

**DATE: OCTOBER 16 , 2015**

Dear Council Secretary Stevens:

Attached is a resolution, requesting approval of the adoption of a Medicare Advantage addendum to the City's group enrollment **prescription** insurance "post 65 year old, Medicare eligible, subscriber" coverage agreement with Blue Cross and Blue Shield of Michigan for an eleven month period beginning on February 1, 2016 and continuing through December 31, 2016.

I am including three documents from Blue Cross/Blue Shield of Michigan through TMR and Associates relative to, and in support of this request, including the enclosed fee cost comparison related to implementation of this request. Mr. Mueller will be present at City Council's meetings and will discuss the analysis of current coverage.

The administration is recommending adoption of a Medicare Advantage addendum to the City's group enrollment **prescription** insurance "post 65 year old, Medicare eligible, subscriber" coverage agreement with Blue Cross and Blue Shield of Michigan for an eleven month period beginning on February 1, 2016 and continuing through December 31, 2016.

The administration requests a committee of the whole meeting to be scheduled on Monday, October 26, 2015 so that the within recommendation can be presented in greater detail, and so that the matter can be brought on for consideration at the regular City Council meeting on October 27, 2015.

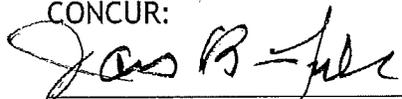
The attached resolution meets the current needs of the City in terms of implementing this request, and the Administration requests and recommends that it be adopted and approved by City Council.

Respectfully Submitted,



Phil Easter  
Human Resources

CONCUR:



---

James R. Fouts, Mayor

**RESOLUTION APPROVING MEDICARE ADVANTAGE POST-65 PRESCRIPTION  
COVERAGE ADDENDUM**

A meeting of the City Council on Tuesday, October 27, 2015, at 7:00 o'clock, p.m., eastern standard time, in the Council Chamber at the Warren Community Center, 5460 Arden Road, Warren, Michigan.

PRESENT: Councilmember \_\_\_\_\_

ABSENT: Councilmember \_\_\_\_\_

The following resolution was offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_.

1. The Administration has provided the City Council with a resolution requesting approval of the adoption of a Medicare Advantage addendum to the City's group enrollment **prescription** insurance "post 65 year old, Medicare eligible, subscriber" coverage agreement with Blue Cross and Blue Shield of Michigan for an eleven month period beginning on February 1, 2016 and continuing through December 31, 2016.
2. Documentation and information from Blue Cross/Blue Shield of Michigan has also been provided through TMR and Associates and the administration relative to, and in support of this request, including the enclosed fee cost comparison related to implementation of this request.
3. City Council is advised and believes that based on an analysis of current coverage, it has been determined that implementation of this proposal will have essentially no adverse impact on subscribers, and the cost savings are substantial.
4. The administration is recommending adoption of a Medicare Advantage addendum to the City's group enrollment **prescription** insurance "post 65 year old, Medicare eligible, subscriber" coverage agreement with Blue Cross and Blue Shield of Michigan for an eleven month period beginning on February 1, 2016 and continuing through December 31, 2016.
5. The administration requested a committee of the whole meeting to be scheduled on Monday, October 26, 2015 so that the within recommendation could be presented in greater detail, which meeting has been held.



# City of Warren

## Post 65 RX Options

Rx Plan	Number of Lives BCN	Number of Lives BCBSM	Rate	Monthly Premium	Annual Premium
\$2	Current Illustrative Rate 2015	614	\$554.15	\$340,248.10	\$4,082,977.20
	*Med Advatnage 2016	0	\$343.55	\$210,939.70	\$2,531,276.40
	Projected Savings		\$210.60	\$129,308.40	\$1,551,700.80
\$5	Current Illustrative Rate 2015	66	\$530.81	\$35,033.46	\$420,401.52
	*Med Advatnage 2016	0	\$318.98	\$21,052.68	\$252,632.16
	Projected Savings		\$211.83	\$13,980.78	\$167,769.36
\$5/\$10	Current Illustrative Rate 2015	1	\$502.33	\$502.33	\$6,027.96
	*Med Advatnage 2016	0	\$290.13	\$290.13	\$3,481.56
	Projected Savings		\$212.20	\$212.20	\$2,546.40
\$5/20	Current Illustrative Rate 2015	34	\$384.47	\$13,071.98	\$156,863.76
	*Med Advatnage 2016	0	\$241.64	\$8,215.76	\$98,589.12
	Projected Savings		\$142.83	\$4,856.22	\$58,274.64
\$5/\$25/\$50	Current Illustrative Rate 2015	1	\$237.90	\$237.90	\$2,854.80
	*Med Advatnage 2016	0	\$204.76	\$204.76	\$2,457.12
	Projected Savings		\$33.14	\$33.14	\$397.68

RDS Subsidy 2014	\$442,989.96
Projected Annual Savings	\$1,337,698.92

\*Rate comparison prepared by TMR & Associates actual rates may vary  
10/6/2015



City of Warren  
Group #: 71407  
Package #: 010

Rx #2

MA Formulary Disruption Report

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims	Comments
1	1	6,889	38.91%	
1	2	6,670	37.67%	
1	3	10	0.06%	
1	5	2	0.01%	
1	Not Covered	35	0.20%	27 claims likely Part B covered.
2	1	81	0.46%	
2	3	1,659	9.37%	
2	4	923	5.21%	
2	5	28	0.16%	
2	Not Covered	2	0.01%	
3	3	27	0.15%	
3	4	1,369	7.73%	
3	5	8	0.05%	
3	Not Covered	2	0.01%	
<b>TOTAL</b>		<b>17,705</b>	<b>100.0%</b>	

THE INFORMATION IN THIS REPORT IS CONFIDENTIAL AND IS SUBJECT TO AN AGREEMENT THAT REQUIRES ITS CONFIDENTIALITY BE MAINTAINED. THE UNAUTHORIZED DISTRIBUTION OR USE OF ANY PORTION OF THE INFORMATION MAY RESULT IN A CLAIM FOR DAMAGES OR EQUITABLE RELIEF AGAINST A PERSON INVOLVED IN SUCH UNAUTHORIZED DISTRIBUTION OR USE.

Drugs Reported as Not Covered



City of Warren  
Group #: 71407  
Package: 010

MA Formulary Disruption Report

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
1	Not Covered	CAPECITABINE	1	May be Medicare Part B covered.**
1	Not Covered	CYANOCOBALAMIN INJECTION	25	May be Medicare Part B covered.**
1	Not Covered	DIPHENHYDRAMINE HCL	1	Not covered per CMS guidance.
1	Not Covered	IBUPROFEN	5	NDC not on file: Ibuprofen 400mg, 600mg, and 800mg strengths are covered at Tier 2.
1	Not Covered	LEVALBUTEROL HCL	1	May be Medicare Part B covered.**
1	Not Covered	TRIPHROCAPS	1	Not covered per CMS guidance.
1	Not Covered	VASOLEX	1	Non-Formulary. Alternative: Santyl (Tier 3).
				Not covered; most other syringes for diabetic use are covered under Tier 1. Alternatives include (but are not limited to) Monoject Insulin Syringe, Bd Syringe/needle.
2	Not Covered	INTEGRA SYRINGE	2	
3	Not Covered	VSL#3	2	Not covered per CMS guidance.

\*\*NOTE: Our area specializes in Part D coverage. We cannot confirm coverage of these items. However, it is our understanding that these items may be covered by Medicare Part B.



City of Warren  
Group #: 71407  
Package #: 030

Rx #5

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims	Comments
1	1	1,011	34.31%	
1	2	1,238	42.01%	
1	Not Covered	1	0.03%	1 claim likely Part B covered.
2	1	13	0.44%	
2	3	336	11.40%	
2	4	194	6.58%	
2	5	6	0.20%	
2	Not Covered	0	0.00%	
3	3	7	0.24%	
3	4	130	4.41%	
3	5	10	0.34%	
3	Not Covered	1	0.03%	
<b>TOTAL</b>		<b>2,947</b>	<b>100.0%</b>	

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**Drugs Reported as Not Covered**



City of Warren  
Group #: 71407  
Package #: 030

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
1	Not Covered	IPRATROPIUM-ALBUTEROL	1	May be Medicare Part B covered.**
3	Not Covered	BELVIQ	1	Not covered per CMS guidance.

**\*\*NOTE:** Our area specializes in Part D coverage. We cannot confirm coverage of these items. However, it is our understanding that these items *may* be covered by Medicare Part B.



City of Warren  
 Group #: 71407  
 Package #: 040

Rx #5/#10

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims
1	1	40	22.35%
1	2	83	46.37%
2	1	2	1.12%
2	3	25	13.97%
2	4	17	9.50%
2	Not Covered	0	0.00%
3	4	12	6.70%
<b>TOTAL</b>		<b>179</b>	<b>100.0%</b>

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City of Warren  
 Group #: 71407  
 Package #: 060

Rx #5/#20

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims
1	1	450	42.74%
1	2	379	35.99%
2	1	7	0.66%
2	3	82	7.79%
2	4	77	7.31%
2	Not Covered	0	0.00%
3	3	4	0.38%
3	4	54	5.13%
<b>TOTAL</b>		<b>1,053</b>	<b>100.0%</b>

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City of Warren  
Group #: 71407  
Package #: 063

*Rx \$5 / \$25 / \$50*

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims
1	1	69	58.97%
1	2	27	23.08%
2	1	1	0.85%
2	3	13	11.11%
2	4	5	4.27%
2	Not Covered	0	0.00%
3	4	2	1.71%
<b>TOTAL</b>		<b>117</b>	<b>100.0%</b>

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City of Warren  
Group #: 71407  
Package #: 011

Rx #2

MA Formulary Disruption Report

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims	Comments
1	1	932	37.01%	
1	2	894	35.50%	
1	Not Covered	6	0.24%	6 claims likely Part B covered.
2	1	14	0.56%	
2	3	240	9.53%	
2	4	168	6.67%	
2	5	2	0.08%	
2	Not Covered	0	0.00%	
3	3	15	0.60%	
3	4	238	9.45%	
3	5	9	0.36%	
3	Not Covered	0	0.00%	
<b>TOTAL</b>		<b>2,518</b>	<b>100.0%</b>	

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Drugs Reported as Not Covered



City of Warren  
Group #: 71407  
Package: 011

MA Formulary Disruption Report

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
1	Not Covered	CYANOCOBALAMIN INJECTION	6	May be Medicare Part B covered**.

\*\*NOTE: Our area specializes in Part D coverage. We cannot confirm coverage of these items. However, it is our understanding that these items *may* be covered by Medicare Part B.



City of Warren  
Group #: 71407  
Package #: 012

Rx #2

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims	Comments
1	1	755	40.12%	
1	2	710	37.73%	
1	Not Covered	1	0.05%	1 claim likely Part B covered
2	1	13	0.69%	
2	3	167	8.87%	
2	4	86	4.57%	
2	5	4	0.21%	
2	Not Covered	1	0.05%	
3	3	6	0.32%	
3	4	139	7.39%	
3	Not Covered	0	0.00%	
<b>TOTAL</b>		<b>1,882</b>	<b>100.0%</b>	

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**Drugs Reported as Not Covered**



City of Warren  
Group #: 71407  
Package: 012

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
1	Not Covered	CYANOCOBALAMIN INJECTION	1	May be Medicare Part B covered**. Not covered; most other syringes for diabetic use are covered under Tier 1. Alternatives include (but are not limited to) Monoject Insulin Syringe, Bd Syringe/needle.
2	Not Covered	INTEGRA SYRINGE	1	

**\*\*NOTE:** Our area specializes in Part D coverage. We cannot confirm coverage of these items. However, it is our understanding that these items *may* be covered by Medicare Part B.



City of Warren  
Group #: 71407  
Package #: 013

Rx #2

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims	Comments
1	1	470	38.59%	
1	2	491	40.31%	
1	Not Covered	1	0.08%	1 claim likely Part B covered
2	1	3	0.25%	
2	3	93	7.64%	
2	4	97	7.96%	
2	5	17	1.40%	
2	Not Covered	0	0.00%	
3	3	4	0.33%	
3	4	42	3.45%	
<b>TOTAL</b>		<b>1,218</b>	<b>100.0%</b>	

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**Drugs Reported as Not Covered**



City of Warren  
Group #: 71407  
Package #: 013

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
1	Not Covered	CYANOCOBALAMIN INJECTION	1	May be Medicare Part B covered.**

**\*\*NOTE:** Our area specializes in Part D coverage. We cannot confirm coverage of these items. However, it is our understanding that these items *may* be covered by Medicare Part B.



City of Warren  
Group #: 71407  
Package #: 031

Rx #5

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims	Comments
1	1	12	20.00%	
1	2	33	55.00%	
1	Not Covered	3	5.00%	3 claims likely Part B covered
2	4	6	10.00%	
3	4	6	10.00%	
<b>TOTAL</b>		<b>60</b>	<b>100.0%</b>	

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**Drugs Reported as Not Covered**



City of Warren  
Group #: 71407  
Package #: 031

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
1	Not Covered	CYANOCOBALAMIN INJECTION	3	May be Medicare Part B covered.**

**\*\*NOTE:** Our area specializes in Part D coverage. We cannot confirm coverage of these items. However, it is our understanding that these items *may* be covered by Medicare Part B.



**City of Warren**  
**Group #: 71407**  
**Package #: 032**

*Rx #5*

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims
1	1	79	40.72%
1	2	72	37.11%
1	5	1	0.52%
2	1	2	1.03%
2	3	17	8.76%
2	4	10	5.15%
2	Not Covered	0	0.00%
3	3	4	2.06%
3	4	7	3.61%
3	Not Covered	2	1.03%
<b>TOTAL</b>		<b>194</b>	<b>100.0%</b>

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**Drugs Reported as Not Covered**



**City of Warren**  
**Group #: 71407**  
**Package: 032**

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	Tier MA	Drug Name	Total Claim Count	Comments
3	Not Covered	BELVIQ	1	Not covered per CMS guidance.
3	Not Covered	FLUOROPLEX	1	Non-Formulary; alternatives include Fluorouracil 0.5% or 5% Cream



City of Warren  
Group #: 71407  
Package #: 033

Rx #5

**MA Formulary Disruption Report**

Incurred 01/01/2015 - 08/31/2015, Paid thru 09/11/2015

BCBSM Tier	MA Tier	Total Claim Count	% of Claims
1	1	37	53.62%
1	2	17	24.64%
1	Not Covered	0	0.00%
2	3	5	7.25%
2	4	10	14.49%
TOTAL		69	100.0%

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BBBSM Custom Her	Tier/MA	NDC	Trade Name	Unique Patient	Claim Count
1	Not Covered	00093747489	CAECTABINE	1	1
1	Not Covered	00185064901	DIPHENHYDRAMINE HCL	1	1
1	Not Covered	00517003125	CYANOCOBALAMIN INJECTION	2	2
1	Not Covered	00517003225	CYANOCOBALAMIN INJECTION	1	3
1	Not Covered	00591343360	IPRATROPIUM-ALBUTEROL	1	1
1	Not Covered	13811052501	TRIPHROCAPS	1	1
1	Not Covered	63323004401	CYANOCOBALAMIN INJECTION	10	31
1	Not Covered	65162110205	IBUPROFEN	2	2
1	Not Covered	65162110305	IBUPROFEN	3	3
1	Not Covered	76204000324	LEVABUTEROL HCL	1	1
2	Not Covered	08290305270	INTEGRA SYRINGE	1	3
3	Not Covered	16110081230	FLUOROPLEX	1	1
3	Not Covered	45749001781	VSL#3	1	2
3	Not Covered	62856052960	BELVIA	1	2
<b>TOTAL</b>				<b>33</b>	<b>54</b>

Confirmed - Part B Covered  
 OTC (over the counter drug) Non-Covered  
 Vitamin B12 injections (cyanocobalamin) are payable with very specific diagnosis  
 This is not payable for members who would just like to have one for "more  
 Vitamin B12 injections (cyanocobalamin) are payable with very specific diagnosis  
 This is not payable for members who would just like to have one for "more  
 Confirmed - Part B Covered  
 Vitamin - only covered under specific diagnosis  
 Vitamin B12 injections (cyanocobalamin) are payable with very specific diagnosis  
 This is not payable for members who would just like to have one for "more  
 400mg, 600mg, 800 mg strengths are covered at Tier 2  
 Confirmed - Part B Covered  
 Alternatives available  
 Supplement - Non-Covered per CMS  
 Weight loss drug- Non-Covered per CMS

	Trade Name	Unique Patient	Claim Count
489	CAPECITABINE	1	1
301	DIPHENHYDRAMINE HCL	1	1
125	CYANOCOBALAMIN INJECTION	2	2
225	CYANOCOBALAMIN INJECTION	1	3
360	IPRATROPIUM-ALBUTEROL	1	1
301	TRIPHROCAPS	1	1
101	CYANOCOBALAMIN INJECTION	10	31
105	IBUPROFEN	2	2
305	IBUPROFEN	3	3
124	LEVAlBUTEROL HCL	1	1
170	INTEGRA SYRINGE	1	3
130	FLUOROPLEX	1	1
181	VSL#3	1	2
360	BELVIQ	1	2
	<b>TOTAL</b>	<b>33</b>	<b>54</b>

Confirmed - Part B Covered  
 OTC (over the counter drug) Non-Covered  
 Vitamin B12 injections (cyanocobalamin) are payable with very specific diagnosis restrictions.  
 This is not payable for members who would just like to have one for "more energy". There has to be a medical need.  
 Vitamin B12 injections (cyanocobalamin) are payable with very specific diagnosis restrictions.  
 This is not payable for members who would just like to have one for "more energy". There has to be a medical need.  
 Confirmed - Part B Covered  
 Vitamin - only covered under specific diagnosis  
 Vitamin B12 injections (cyanocobalamin) are payable with very specific diagnosis restrictions.  
 This is not payable for members who would just like to have one for "more energy". There has to be a medical need.  
 400mg, 600mg, 800 mg strengths are covered at Tier 2  
 400mg, 600mg and 800 mg strengths are covered at Tier 2  
 Confirmed - Part B Covered  
 Alternatives available  
 Alternatives available  
 Supplement - Non-covered per CMS  
 Weight loss drug- Non-Covered per CMS



DEPARTMENT OF  
HUMAN RESOURCES  
ONE CITY SQUARE, SUITE 410  
WARREN, MI 48093-5286  
(586) 574-4670  
FAX (586) 582-9999  
[www.cityofwarren.org](http://www.cityofwarren.org)

November 4, 2015

Mr. Scott C. Stevens  
Council Secretary

**RE: Request for approval of settlement of pending lawsuit.**

Dear Council Secretary Stevens:

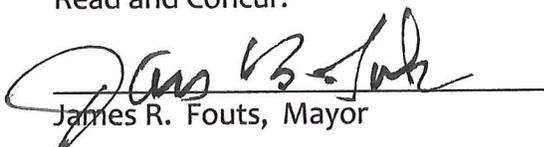
The Administration requests that City Council add the proposed settlement of **Adrian Felton v City of Warren, Macomb County Circuit Court Case No. 14-2309-NI** to the agenda of a "closed session" under Section 8(e) of the Open Meetings Act, which the administration requests be scheduled for Monday, November 9, 2015, or such other date agreeable to City Council, for the purpose of meeting with the City's legal counsel to consider, and approve and ratify the proposed settlement of this case in an agreed upon amount. The administration also requests that, if agreeable to City Council, that the matter be added to the agenda of the Tuesday, November 10, 2015, regular City Council meeting for a decision on the approval and ratification of the settlement, as presented, and to approve a wire transfer in payment of this settlement, as shown in the attached resolution.

Respectfully,



Phil Easter  
Risk Management

Read and Concur:



James R. Fouts, Mayor

**RESOLUTION APPROVING PAYMENT OF WIRE TRANSFER IN SETTLEMENT OF  
LITIGATION PURSUANT TO THE CITY'S POLICIES OF INSURANCE**

A meeting of the City Council of the City of Warren, County of Macomb, Michigan held on Tuesday, November 10, 2015, at 7:00 o'clock, p.m., eastern standard time, in the Council Chamber at the Warren Community Center, 5460 Arden Road, Warren, Michigan.

PRESENT: Councilmember \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilmember \_\_\_\_\_

The following resolution was offered by Councilmember \_\_\_\_\_  
and supported by Councilmember \_\_\_\_\_.

1. The City is currently involved in a lawsuit styled *Adrian Felton v City of Warren, Macomb County Circuit Court Case No. 14-2309-NI*, which litigation has been tentatively resolved at a facilitation conference, which settlement is hereby ratified and approved by City Council, as presented by the City's attorneys and risk manager at a closed session held on Monday, November 9, 2015.

2. That upon receipt of a copy of this resolution, and a request from the Insurance Risk Manager, together with the usual documentation supporting the payment, the City Controller and the City Treasurer are authorized and directed to issue a check or wire transfer, if requested, in the amount indicated in the approved settlement, payable in accordance with the terms thereof.

THEREFORE IT IS RESOLVED, that City Council does hereby adopt and approve this resolution.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

\_\_\_\_\_  
SCOTT C. STEVENS  
Secretary of the Council





DEPARTMENT OF PUBLIC SERVICE  
ONE CITY SQUARE, SUITE 320  
WARREN, MI 48093-5284  
(586) 574-4604  
FAX (586) 574-4517  
[www.cityofwarren.org](http://www.cityofwarren.org)

October 14, 2015

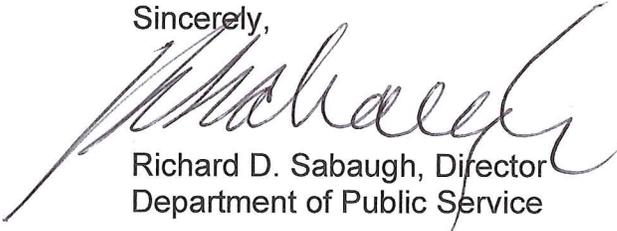
Scott C. Stevens, Secretary  
Warren City Council  
Mayor Pro Tem

RE: **Macomb County Mowing Agreement – 2015 - 2016**

The approval of a resolution for the Macomb County mowing agreement for 2015 -2016 is necessary for reimbursement to the City of Warren in the amount of \$14,510.83 for all grass and weed control services in the median on Mound Road from Eight Mile to Fourteen Mile, and in the right-of-way on Schoenherr Road from Eleven Mile to Fourteen Mile.

Enclosed, please find the Mowing Agreement with the Macomb County Road Commission and the resolution. Please schedule for the **November 10, 2015** city council meeting. Thank you for your cooperation in this matter.

Sincerely,



Richard D. Sabaugh, Director  
Department of Public Service

Read and Concur,



Approved: James R. Fouts, Mayor

RDS/al  
attachments  
cc: D.P.W.  
Controllars

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, 2015, at 7:00 p.m. Eastern \_\_\_\_\_ Time, at the Warren Community Center Auditorium, 5460 Arden Warren, Michigan.

PRESENT: Councilpersons \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilpersons \_\_\_\_\_

The following preamble and resolution were offered by Councilperson \_\_\_\_\_ and supported by Councilperson \_\_\_\_\_:

WHEREAS, the Board of County Road Commissioners of Macomb County wishes to enter into an agreement with the City of Warren relating to grass and weed control maintenance on Mound Road from Eight Mile to Fourteen Mile, and on Schoenherr Road from Eleven Mile to Fourteen Mile for the fiscal year beginning October 1, 2015 and ending September 30, 2016; and

WHEREAS, the City of Warren, Division of Public Works shall provide grass and weed control services in the median of Mound Road and various right-of-ways on Schoenherr Road, to prevent a condition from becoming a nuisance; and

WHEREAS, the work to be performed, will be within the discretion and control of the City as to what services it feels is necessary to maintain the proper weed and grass control; and

WHEREAS, the Board of County Road Commissioners of Macomb County agrees to pay the City the amount of \$14,510.83 for the control of the grass and weeds during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk have the authority to execute an agreement with the above-referenced parties for weed and grass maintenance on Mound Road from Eight Mile to Fourteen Mile and on Schoenherr Road from Eleven Mile to Fourteen Mile.

AYES: \_\_\_\_\_  
\_\_\_\_\_

NAYES: \_\_\_\_\_  
\_\_\_\_\_

RESOLUTION ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Scott C. Stevens  
Secretary of the Council  
Mayor Pro Tem



**MUNICIPAL PRIMARY STREET MAINTENANCE AGREEMENT  
BETWEEN THE  
MACOMB COUNTY DEPARTMENT OF ROADS  
AND THE CITY OF WARREN**

THIS CONTRACT made this \_\_\_\_\_ day of \_\_\_\_\_ 2015, between the MACOMB COUNTY DEPARTMENT OF ROADS (hereinafter referred to as "COUNTY") and the CITY OF WARREN (hereinafter referred to as "CITY"), and serves as an Agreement for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

WHEREAS, the COUNTY has jurisdiction over certain primary roads within the corporate limits of CITY for which it is necessary to provide grass and weed control; and,

WHEREAS, it is deemed both necessary and practical by both parties that Mound Road from Eight Mile Road to Fourteen Mile Road and Schoenherr Road from Eleven Mile Road to Fourteen Mile Road under the jurisdiction of the COUNTY and existing within the corporate limits of CITY be provided grass and weed control maintenance by maintenance personnel of CITY; and,

WHEREAS, it is declared that the work to be performed under this Agreement is a governmental function which is the proper subject of an Intergovernmental Agreement; and,

WHEREAS, the parties further declare that the contractual undertaking of CITY pursuant to this Agreement, is intended to confer contractual rights only upon the COUNTY and CITY, and does not confer third party beneficiary or other contractual rights to any other person to recover damages to person or property from the COUNTY or CITY; and

WHEREAS, COUNTY and CITY wish to set forth the Agreement between the parties with respect to the providing of such services; and

NOW, THEREFORE, the parties agree as follows:

1. For and in consideration of the promises and covenants of the parties hereto, CITY agrees to provide such grass and weed control services upon the median of Mound Road and in the right of way of Schoenherr Road under the jurisdiction of located within the CITY'S corporate limits as CITY determines are necessary.
2. For the services to be performed by CITY in accordance with Paragraph 1 of this Agreement, COUNTY agrees to pay CITY the sum of \$14,510.83.
3. CITY agrees to maintain automobile liability insurance in compliance with the No-Fault automobile insurance laws of the State of Michigan for motor-vehicles used by the CITY for work performed under this Agreement, or to participate in a self insurance program satisfying the requirements of such law.

4. The parties acknowledge that COUNTY does not assume any liability resulting from the negligent actions or negligent operation of any motor vehicles, equipment and tools, or any officer, agent or employee of CITY in connection with the performance of services under their Agreement.
5. In the event CITY elects to subcontract the maintenance tasks outlined in this Agreement, Exhibit A regarding insurance shall apply.
6. This Agreement relates to the services, which have been provided by CITY to COUNTY for the time period set forth in this Agreement.

IN WITNESS WHEREOF, the parties hereto executed this Agreement on the date set forth above.

**WITNESS**

**MACOMB COUNTY**

\_\_\_\_\_

\_\_\_\_\_  
Mark F. Deldin, Deputy County Executive

**WITNESS**

**CITY OF WARREN**

\_\_\_\_\_

\_\_\_\_\_  
Mayor James R. Fouts

\_\_\_\_\_

\_\_\_\_\_  
Paul Wojno, City Clerk

## EXHIBIT A INSURANCE

The contractor shall not commence work under this contract until he has obtained the insurance required under this section. All coverage shall be with insurance companies acceptable to the Macomb County Department of Roads and the City of Warren. If any coverage is written with a deductible, the contractor shall be solely responsible for said deductible. The purchase of insurance and the furnishing of a certificate of insurance shall not be a satisfaction of the contractor's indemnification of the Macomb County Department of Roads and the City of Warren. The contractor shall procure and maintain during the life of this contract the following coverage:

1. Worker's Compensation Insurance Employer's Liability Insurance.
2. Commercial General Liability Insurance on an "occurrence" basis with limits of liability not less than \$500,000 Combined Single Limit Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions:
  - a. Contractual Liability Coverage
  - b. Products and Completed Coverage
  - c. Independent Contractors Coverage
  - d. Broad Form General Liability Extensions
3. Motor Vehicle Liability Coverage for all motor vehicles used by the contractor in the performance of the contract with limits of liability of not less than \$500,000 per occurrence. Coverage must include Michigan No-Fault Coverage.
4. Additional Insured. The Macomb County Department of Roads and the City of Warren shall be named as an additional insured on the Commercial General Liability and the Motor Vehicle Liability Insurance. The following wording shall be used within the insurance contract:

"Additional Insured: The Macomb County Department of Roads and the City of Warren, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers."
5. Cancellation Notice, Worker's Compensation, Commercial General Liability and Motor Vehicle Liability as described above shall include an endorsement stating that thirty (30) days advance written notice of cancellation, non-renewal, reduction and/or material change shall be sent to:

City of Warren  
Paul Wojno, City Clerk  
29500 Van Dyke  
Warren, MI 48093



DEPARTMENT OF PUBLIC SERVICE

ONE CITY SQUARE, SUITE 320

WARREN, MI 48093-5284

(586) 574-4604

FAX (586) 574-4517

[www.cityofwarren.org](http://www.cityofwarren.org)

October 14, 2015

Scott C. Stevens, Secretary  
Warren City Council  
Mayor Pro Tem

RE: Winter Maintenance Agreement 2015 – 2016

The approval of a resolution for the Winter Maintenance Agreement for 2015 – 2016 with Macomb County is necessary in order to provide for reimbursement to the city for snow and ice control on Dequindre Road from Eight Mile to Ten Mile.

Enclosed, please find the Winter Maintenance Agreement with Macomb County as well as the resolution. Please schedule for the **November 10, 2015** city council meeting.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Sabaugh".

Richard D. Sabaugh, Director  
Department of Public Service

Read and Concur,

Approved:

A handwritten signature in black ink, appearing to read "James R. Fouts".

James R. Fouts, Mayor

RDS/al  
Attachments  
cc: D.P.W.  
Controllars

RESOLUTION

A \_\_\_\_\_ Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on \_\_\_\_\_, 2015, at 7:00 p.m. Eastern \_\_\_\_\_ Time, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan.

PRESENT: Councilpersons \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Councilpersons \_\_\_\_\_

The following preamble and resolution were offered by Councilperson \_\_\_\_\_ and supported by Councilperson \_\_\_\_\_:

WHEREAS, the Board of County Road Commissioners of Macomb County wishes to enter into an agreement with the City of Warren relating to the winter maintenance on Dequindre Road from Eight Mile Road to Ten Mile Road during the fiscal year 2015 - 2016 and expires at midnight on September 30, 2016; and

WHEREAS, the City of Warren, Division of Public Works is required to remove snow by blading, plowing, and other similar means, and control the ice by salting, sanding, scraping, and other similar means on Dequindre Road from Eight Mile to Ten Mile; and

WHEREAS, the work to be performed, will be within the discretion and control of the City as to what services it feels is necessary to keep said road in such condition as to be usable by the general public as public highways; and



MAINTENANCE AGREEMENT  
Under Act 51 Public Acts of 1951  
as Amended and Supplemented

This Agreement made this \_\_\_\_ day of \_\_\_\_\_, 2015, between the Macomb County Department of Roads, State of Michigan, a Municipal Body Corporate, hereafter referred to as "COUNTY" and the City of Warren, Macomb County, State of Michigan, a Municipal Body Corporate, hereafter referred to as "CITY", witnesseth as follows to wit:

- A. There is located a County Line road, bordering the counties of Macomb and Oakland, which is a County Road heretofore legally established as a County Road and part of the County Primary System in the County of Macomb under the provisions of Act 51 of the Public Acts of 1951, as amended and supplemented as Act 153 and 262 of 1957, of this State.
- B. The road referred to in the foregoing paragraph is described in Exhibit A attached to this agreement and made part hereof.
- C. CITY desires to be responsible hereafter for the winter maintenance of said road under the terms of this agreement and COUNTY agrees to participate in the cost thereof as provided herein and no more.
- D. The "Winter Maintenance" included in the terms of this agreement shall be such as hereafter defined.
  - I. CITY agrees to provide winter maintenance on said road and to be responsible for the entire cost thereof, subject only to the payment of part of said cost as hereafter set forth by COUNTY.
  - II. "Winter Maintenance" as herein required to be done by CITY shall include the following minimum requirements:
    - SNOW AND ICE CONTROL
    - Snow Removal by blading, plowing and other similar means.
    - Ice control by salting, sanding, scraping and other similar means.
  - III. CITY agrees to keep said road in such condition as to be usable by the general public as public highways.

CITY agrees to hold first party harmless from any and all costs of maintenance (subject only to the provisions of paragraph V (hereof) and to protect and defend COUNTY against any loss or damage whatsoever which can possibly arise out of second CITY'S maintenance and/or failure to maintain as required by this agreement, said road.

- IV. In consideration of the assumption of said "Winter Maintenance" by CITY, COUNTY agrees to pay to CITY the sum of \$4,645.65 per mile per year where it has four or more lanes of through traffic to be used by second party for such maintenance payments to be made on receipt of invoices.

Said cost incurred by the CITY for services which are to be rendered (Winter Maintenance as described in Section II) shall not exceed the sum of \$9,291.30, as set forth in Exhibit A.

- V. The making of said payment shall constitute COUNTY'S entire obligation in reference to said winter maintenance and the usual standards set up by the COUNTY shall control, but should any dispute arise as to the character or extent of said maintenance or to second CITY'S performance hereunder, the controversy maybe referred to an arbitration board consisting of the Director of Roads, the City of Warren Engineer and a third person to be chosen by them for settlement thereof.

- VI. This Agreement shall continue during the fiscal year 2015-2016 and expire on September 30, 2016, at midnight, without notice of termination.

IN WITNESS WHEREOF, the parties hereto executed this Agreement on the date set forth above.

**WITNESS**

**MACOMB COUNTY**

\_\_\_\_\_

\_\_\_\_\_  
Mark F. Deldin, Deputy County Executive

**WITNESS**

**CITY OF WARREN**

\_\_\_\_\_

\_\_\_\_\_  
James R. Fouts, Mayor

\_\_\_\_\_

\_\_\_\_\_  
Paul Wojno, Clerk

EXHIBIT A

1. DEQUINDRE ROAD

Extending from Eight Mile Road to Ten Mile Road a distance of 2.0 miles at \$4,645.65 per mile.



CITY OF WARREN  
Office of Mayor James R. Fouts  
Memorandum

---

To: Scott Stevens, Council Secretary  
From: James R. Fouts, Mayor  
Subject: Senior Health Care Commission Appointment  
Date: October 9, 2015

Pursuant to the provisions of the Warren Commission on Senior Health Care Commission and the authority vested in me, I hereby notify you of the following appointments. Council confirmation is required. Your concurrence in this matter is appreciated.

Karen Ann Oakes is replacing Charlie Pryor who resigned April 15, 2014.

<b>APPOINTED</b>	<b>POSITION</b>	<b>EXPIRATION</b>	<b>REPLACED</b>	<b>EXPIRATION</b>
Karen Ann Oakes	Senior Citizen	July 1, 2016	Charlie Pryor	July 1, 2016

The following members are currently serving on the Warren Commission for Senior Health Care Services:

<b>NAME</b>	<b>POSITION</b>	<b>EXPIRATION</b>
Marian M. Battersby	Professional-Home Instead Senior Care	July 1, 2016
Marilyn Cito	Adm.-St. John Macomb-Oakland Hospital	July 1, 2016
Gemmalyn C. Dixon	Adm.-St. John Macomb-Oakland Hospital	July 1, 2017
Maureen Elliott	Professional-Beaumont Hospital	July 1, 2017
Lou Giacona	Senior Citizen	July 1, 2018
Amy Katz	Professional-PACE	July 1, 2017
Cathy Lawson	Mayor's Office Representative	July 1, 2018
Gary McMenamain	Professional-Firefighter Insp./ Paramedic & Haz-Mat Tech.	July 1, 2017
Helen Shoff	Senior Citizen	July 1, 2018
Yvonne B. Warren	Senior Citizen	July 1, 2016
Pat Wojnarowski	Senior Citizen	July 1, 2017

Respectfully submitted,

James R. Fouts  
Mayor

cc: Paul Wojno, City Clerk  
Senior Health Care Commission

Attachments



**PLANNING DEPARTMENT**  
ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
[www.cityofwarren.org](http://www.cityofwarren.org)

October 27, 2015

TO: Scott C. Stevens, Secretary  
Warren City Council

FROM: Planning Commission

RE: REQUEST TO REZONE PROPERTY; located on the south side of Maxwell Avenue approximately 146 ft. east of Sherwood Avenue; 6732 Maxwell Avenue; from the present zoning classification of C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to M-1, Light Industrial District; Section 33; R.S. G. Industrial Repair (Robert Tobin).

At a public hearing on October 5, 2015, the Planning Commission adopted a resolution pertaining to the above-captioned matter. The resolution, as adopted, is a recommendation to the City Council to APPROVE the rezoning from its present zoning classification C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to M-1, Light Industrial District

You will find attached herewith a copy of the petitioner's letter, location map, staff findings and recommendation, resolution, minutes and concept plans in connection with this matter.

Please schedule this matter for formal action by the City Council. If you have any questions or need additional information, please contact the Planning Director, Ronald Wuerth.

Thank you for your cooperation in this matter.

Respectfully submitted,

Read and Concur:

---

Jason McClanahan  
Commission Secretary

---

James R. Fouts  
Mayor

/jah

Attachments



**PLANNING DEPARTMENT**

ONE CITY SQUARE, SUITE 315  
WARREN, MI 48093-5283  
(586) 574-4687  
FAX (586) 574-4645  
[www.cityofwarren.org](http://www.cityofwarren.org)

October 9, 2015

**FILE COPY**

Robert J. Tobin  
2201 Twelve Mile  
Warren, MI 48092

RE: REQUEST TO REZONE PROPERTY; located on the south side of Maxwell Avenue approximately 146 ft. east of Sherwood Avenue; 6732 Maxwell Avenue; from the present zoning classification of C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to M-1, Light Industrial District; Section 33; R.S. G. Industrial Repair (Robert Tobin).

Dear Mr. Tobin:

At its public hearing of October 5, 2015, the Planning Commission adopted a resolution pertaining to the above captioned matter. The resolution, as adopted, is a recommendation to the City Council that the formal request to rezone property, specifically identified pursuant to a legal description in said resolution, from C-2 and R-1-P, be APPROVED by City Council, and more specifically:

It is recommended that the rezoning request "C-3", Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to "M-1," Light Industrial District be APPROVED.

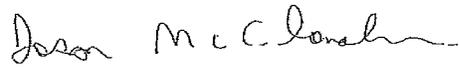
The property in question is adjacent to industrial zoning districts; M-1 to the north and M-2 (Medium Light Industrial District) to the west. Across Sherwood, to the west there is a large M-4, Heavy Industrial District which contains the Chrysler Assembly Plant as well as other manufacturing industries. While there are existing residential dwellings to the east and south, these areas will be protected from negative impacts by the City of Warren's screening and buffering requirements.

The proposed rezoning is consistent with the goals set forth in both the policy plan and the comprehensive master plan of the City of Warren. The policy plan identifies this area within an industrial corridor.

The formal resolution will be forwarded to the City Council, together with the plan, minutes and Finding & Recommendation in connection with said matter, when the Planning Commission approves the minutes from the October 5, 2015 hearing.

Please do not hesitate to contact our office, should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jason McClanahan".

Jason McClanahan  
Commission Secretary

/jah

cc: Ronald F. Wuerth  
City Attorney  
RSG Industrial Repair

## RESOLUTION

The Planning Commission of the City of Warren having published Notice of Public Hearing in accordance with the statutes and ordinances governing the same and having held a public hearing thereon on Monday, the 5th day of October, 2015, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan, and having considered the objections raised thereto, Resolves to recommend and does so recommend to the Council of the City of Warren that the following described property, to-wit:

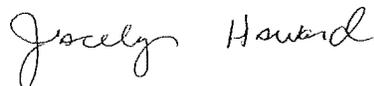
A parcel of land in the City of Warren Macomb County, Michigan, Parcel Identification numbers 13-33-203-004, 13-33-203-005, 13-33-203-006, 13-33-203-007, 13-33-203-008 and 13-33-203-009 (6732 Maxwell Avenue) more particularly described as:

Lots 101 through 108, both inclusive, Liberty Park Subdivision, City of Warren, Macomb County, Michigan, according to the Plat Thereof as recorded in Liber 9, Page 36 of Plats, Macomb County Records.

be rezoned from its present zoning classification C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to zoning classification M-1, Light Industrial District in accordance with the rezoning agreement and map attached hereto and made a part hereof, and in accordance with Ordinance No. 30 of the ordinances of the City of Warren, and further, that said Ordinance No. 30 be amended in accordance herewith.

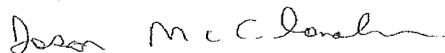
RESOLUTION adopted at the meeting of October 5, 2015.

CITY OF WARREN PLANNING COMMISSION



---

Jocelyn Howard, Chairperson



---

Jason McClanahan, Secretary

- 6.d) REZONING REQUEST "C-3" and "R-1-P" to "M-1"  
6732 Maxwell  
Section 33  
R.S.G. Industrial Repair (Robert Tobin)  
October 5, 2015  
Page 1

## FINDINGS

1. The petitioner is requesting that property located on the south side of Maxwell Avenue approximately 146 ft. east of Sherwood Avenue be rezoned from the present zoning classifications of C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential to M-1, Light Industrial District.

2. **CHARACTERISTICS OF THE PROPERTY IN QUESTION CAN BE SUMMARIZED AS FOLLOWS:**

- a) **SIZE AND DIMENSIONS OF PROPERTY:** A rectangular parcel measuring 280 ft. x 110 ft. and containing .70 acres with 280 ft. of frontage along Maxwell Avenue; lots 101-108 of Liberty Park Subdivision.
- b) **PRESENT USE:** Parking and vacant lot.
- c) **PRESENT ZONING:** C-3, Wholesale and Intensive Business District (Lots 106-108 of Liberty Park Subdivision) and R-1-P, One Family Residential (Lots 101-105 of Liberty Park Subdivision)

The C-3 and R-1-P Districts have existed since the adoption of the Zoning Ordinance on July 21, 1960.

3. **CURRENT STATUS OF APPLICATION**

- a) The Planning Commission, pursuant Article XXIV, Changes and Amendments, Section 24.01, Division 1. Procedure for standard rezoning or Section 24.10, Division 2. Procedure for Rezoning with conditions of the Zoning Ordinance, must provide a report and recommendation to City Council for any rezoning requests that alter or change zoning district boundaries.
- b) The present hearing will be the initial formal review of this application by the Planning Commission.
- c) On September 9, 2015 notice was given in the Warren Weekly for the public hearing before the Planning Commission.
- d) On July 30, 1986, the Board of Appeals DENIED the petitioner permission to allow open storage of pallets, drums, and trucks in a C-3 zone. The Board also denied petitioner to park and store trucks and trailers in an R-1-P zone.

6.d) REZONING REQUEST "C-3" and "R-1-P" to "M-1"  
6732 Maxwell  
Section 33  
R.S.G. Industrial Repair (Robert Tobin)  
October 5, 2015  
Page 2

- e) On July 27, 1979 a complaint and affidavit in the case of City of Warren vs. Sherwood Associates and Aero Grinding was filed in Macomb County Circuit court, file number 79-5477-CE. The owner of the property was using it for manufacturing purposes and was not permitted to obtain a re-occupancy permit. The owner was not permitted to operate the business on the site.
- f) On April 29, 1960 the Building Division issued a building permit no. 37396 for a commercial building measuring 70 ft. x 105 ft.

**4. GENERAL DESCRIPTION OF THE SURROUNDING PROPERTIES IS AS FOLLOWS:**

- a) The properties to the north, across Maxwell Ave., are zoned M-1 and contain industrial buildings and outdoor storage.
- b) The properties to the east are zoned R-1-P and contain single family dwellings.
- c) The properties to the south are zoned R-1-P and R-3 and contain multifamily dwellings.
- d) The property to the west is zoned M-2 and contains an industrial building.

**5. THE CONCEPT PLAN SUBMITTED BY THE PETITIONER INDICATES THAT:**

- a) The existing 70 ft. x 105 ft. commercial building to remain on lots 106 through 108. An outdoor storage area measuring 60 ft. x 54 ft. is proposed to be located on the south half of lots 104 and 105.
- b) Parking spaces for five (5) passenger vehicles would be provided on lots 104 and 105 setback 8 ft. from the front property line.
- c) Access is provided via two existing driveways to Maxwell Avenue and via an eighteen (18 ft.) public alley located to the west of this site.
- d) No walls or greenbelts are indicated at this time; however the site plan indicates a new obscuring chainlink fence along the east property line and the south property line as well as a grass area on all of lot 101 and on the southern portion of lots 102 and 103. There is an existing 4 ft. tall wood fence along the southern property line of lots 104 and 105. An eight (8) ft. wide greenbelt would be required along the east and south property lines abutting the R-1-P and R-3 districts.
- e) Sidewalk exists along Maxwell Avenue.

6.d) REZONING REQUEST "C-3" and "R-1-P" to "M-1"  
6732 Maxwell  
Section 33  
R.S.G. Industrial Repair (Robert Tobin)  
October 5, 2015  
Page 3

f) A trash enclosure is not indicated on the site plan.

g) All other improvements on the site would remain as exists.

6. The petitioner should be apprised of the fact that formal site plan approval before the Planning Commission is required prior to obtaining a building permit, should the City Council grant the rezoning request.

6.d) REZONING REQUEST "C-3" and "R-1-P" to "M-1"  
6732 Maxwell  
Section 33  
R.S.G. Industrial Repair (Robert Tobin)  
October 5, 2015  
Page 4

### RECOMMENDATION

The following recommendation is made regarding the rezoning request for the property in question as described above.

It is recommended that the rezoning from C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential to M-1, Light Industrial District be APPROVED.

The property in question is adjacent to industrial zoning districts; M-1 to the north and M-2 (Medium Light Industrial District) to the west. Across Sherwood, to the west there is a large M-4, Heavy Industrial District which contains the Chrysler Assembly Plant as well as other manufacturing industries. While there are existing residential dwellings to the east and south, these areas will be protected from negative impacts by the City of Warren's screening and buffering requirements.

The proposed rezoning is consistent with the goals set forth in both the policy plan and the comprehensive master plan of the City of Warren. The policy plan identifies this area within an industrial corridor.

And furthermore recommendations were received from the following divisions and departments:

**TAXES:** No Delinquent Taxes

MOTION:

A motion was made by Commissioner Rob to table until 11-16-15, supported by Secretary McClanahan. A voice vote was taken and the motion carried unanimously.

- D. REQUEST TO REZONE PROPERTY: Located on the south side of Maxwell Avenue approximately 146 ft. east of Sherwood Avenue; 6732 Maxwell Avenue; from the present zoning classification of C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to M-1, Light Industrial District; Section 33; R.S.G. Industrial Repair (Robert Tobin).

PETITIONERS PORTION:

Mr. Robert Tobin – Good evening ladies and gentlemen of the Planning Commission. The site that we are discussing tonight is located just off of Sherwood Avenue below Nine Mile Road in an industrial district. The existing building is a 7350 storage warehouse that contains building supplies and equipment. The building is zoned C3, an unusual zoning for a warehouse in an industrial district. There are five adjacent lots on Maxwell Street all zoned R-1-P. The owner requires outside storage next to his building for various construction equipment for his business which is an industrial equipment repair business. However, the building is improperly zoned C3 which does not allow outdoor storage in an R-1-P zoning. By examining the area adjacent to this property we find that the properties on the north side of Maxwell are zoned M-1. The properties all along Sherwood are zoned M-2. The property on the west side of Sherwood is a large Chrysler Facility zoned M-4 so you can see we are surrounded by a lot of M zoning.

The property is zoned R-3 and we will provide proper screening as per Warren's ordinance and requirements. Due to the surrounding M zonings it becomes apparent that the site fits into the existing industrial area. In order to provide the necessary outdoor storage area required by the City we are requesting permission to rezone the existing building and the adjacent five lots to M-1 zoning and this would rezone lots 101 to 108 to M-1. Thank you.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

A motion was made by Secretary McClanahan to approve, supported by Vice Chair Kupiec.

COMMISSIONERS PORTION:

Commissioner Rob – How long have you owned this business?

Mr. Ronald Gerst – I've owned the business 20 years we've been located in Warren for 11.

Commissioner Rob – What type of products will you store outside?

Mr. Ronald Gerst – We are a forklift repair company so we store our delivery trucks outside, some of our service vehicles and equipment that's a little large for inside. It will stay out in the lot while we are working on it or until we can bring it into the facility to be worked on.

Commissioner Rob- I believe something came to the Board it was in 1986 but it was denied for the same things trucks, drums, and pallets.

Mr. Ronald Gerst – We don't have drums and we don't work with pallets, its forklift equipment.

Commissioner Rob – The trailers?

Mr. Ron Gerst – They are my delivery trailers.

Commissioner Rob – Are they going to stay there?

Mr. Ron Gerst – It depends, on a regular basis they do move. We use them through the course of our day for delivery of the forklifts and bringing forklifts in for repair.

Commissioner Rob – Mr. Wuerth, we are just talking about rezoning then there will be a site plan am I right, this is just a rezoning the site plan will come later?

Mr. Ron Wuerth – Yes, anything having to do with particulars of the site that's when they're discussed you will actually see the site plan. I think the site plan that you have seen is a concept plan is pretty close to what you'll see.

Commissioner Rob – Will they have to appear to the Board with the site plan again for the greenbelt and other stuff?

Mr. Ron Wuerth – Yes, you can see it up there right now and I'm going to assume that's pretty close. I'm sure there will be some modifications once the Planning Staff reviews the site plan.

Chair Howard – This is just for a rezoning and what we are proposing today is to change the rezoning from C-3 into M-1.

ROLL CALL:

The motion carried as follows:

Secretary McClanahan.....	Yes
Commissioner Rob.....	Yes
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Chair Howard.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes

E. SITE PLAN FOR BUILDING EXPANSION, GARAGE ADDITION AND PARKING LOT EXPANSION: Located in the southeast corner of Thirteen Mile and Mound Roads; Section 9; 6250 Chicago; GM (Jason Harris).

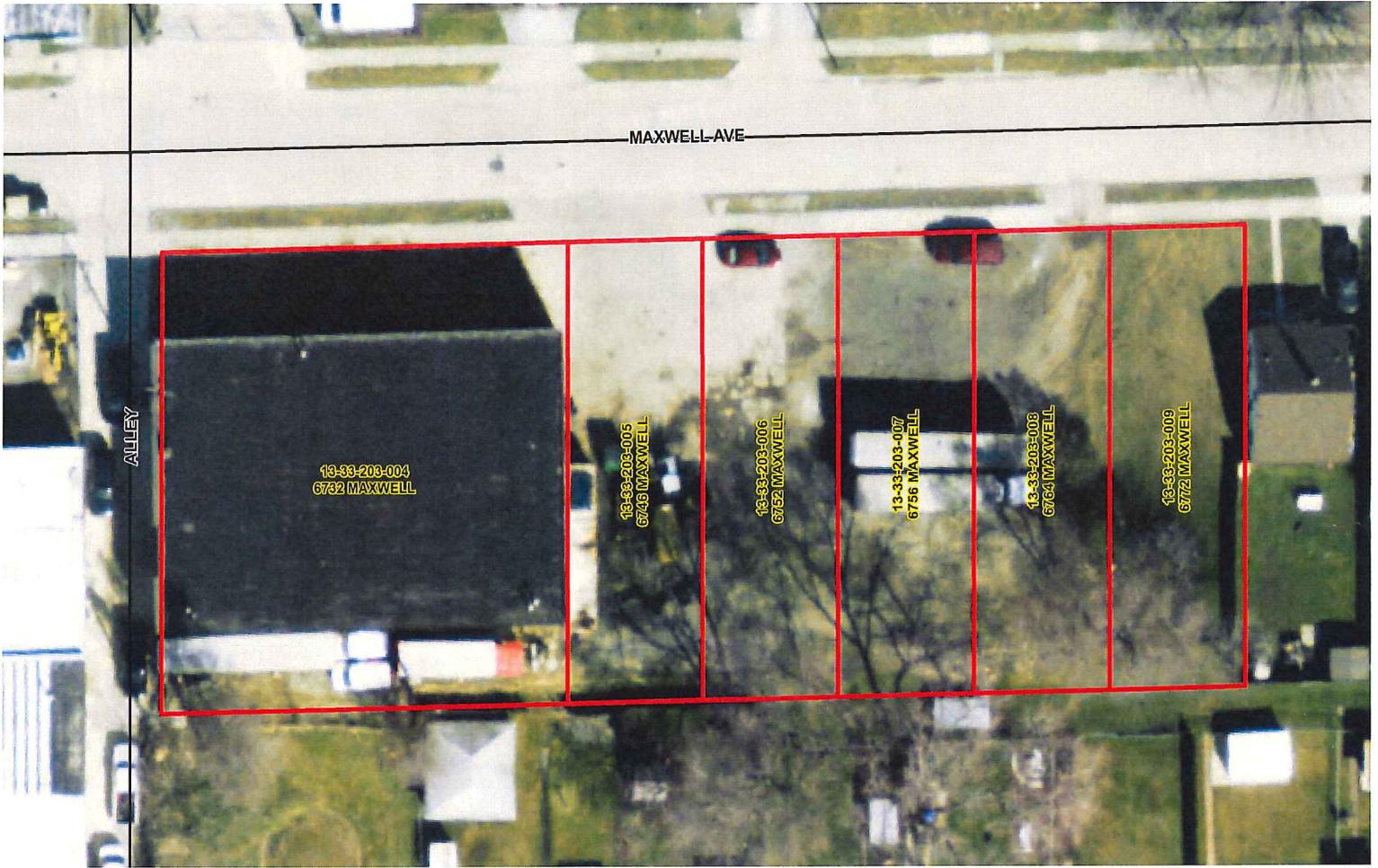
PETITIONERS PORTION:

Mr. Dino Lekas – Good evening, I'm the landscape Architect with Smith Group JJR the Design Consultant for the project. This project is on the General Motor's Global Technical Center Campus and it's at the extreme northwest corner of the campus. The current building is a facilities operation center which houses a lot of maintenance facilities for individual buildings within the campus. If a repair is needed in the building that's coordinated through that building.

They are looking to create a new program there called the vehicle advocate program which sends cars to corporate events to promote the vehicles, to give test drives, to allow prospective customers to test drive General Motor's vehicles. So the proposed project is the renovation of approximately 12,000 square feet of the building. So the south end of the building would be renovated into a clean garage for these vehicles.

And an addition of about 60 feet to the south end of the building creating another garage bay for the storage for those vehicles. So it's a clean garage for new vehicles that we process through the facility detailed, washed and taken out to programs for test driving and promotion of the General Motors product.

**REQUEST TO REZONE PROPERTY;** located on the south side of Maxwell Avenue; approximately 132 ft. east of Sherwood Avenue; from the present zoning classification C-3, Wholesale and Intensive Business District to M-1. Light Industrial District; 6732 Maxwell; Section 33; Robert J. Tobin.



**Warren Planning Department**  
**One City Square, Suite 315**  
**Warren, MI 48093**  
**Office: 586-574-4687**  
**CityofWarren.org**

