



WARREN CITY COUNCIL

5460 ARDEN, COMMUNITY CENTER (586) 258-2060 WARREN, MI 48092

Cecil D. St. Pierre, Jr., President

Patrick Green, Vice President

Kelly Colegio, Secretary (Mayor Pro Tem)

Keith J. Sadowski, Asst. Sec'y

Robert Boccomino

Scott C. Stevens

Steven G. Warner

A Regular Meeting of the City Council – Tuesday, March 22, 2016, 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 March 8, 2016
 - b) Special Meeting of March 1, 2016
- 7 APPROVAL OF THE BILLS
 - a) General Revenue Funds
 - b) Water & Sewer System
- 8 ANNOUNCEMENTS
 - a) SEMCOG Presentation
 - b) Macomb County Treasurer, Derek Miller
- 9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:
 - a) PUBLIC HEARING: CONSIDERATION AND ADOPTION OF A RESOLUTION approving SAR NO. 477 relating to 23051 Bolam, removal of a house, garage and shed. Nuisance Abatement.
 - b) PUBLIC HEARING: Request to rezone property located on the northeast corner of Van Dyke and Vermont Avenue; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; from R-1-P, One Family Residential and P-Parking District to C-1, Local Business District; VD Warren Investors, LLC. Kevin Baker petitioner.

- c) **ADMINISTRATIVE HEARING:** Request to transfer Class C & SDM license with Sunday Sales for Three Brothers Holding, Inc., business located at 4300 14 Mile, Warren, MI 48092. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- d) **ADMINISTRATIVE HEARING:** Request to transfer Class C & SDM license with Sunday Sales for Haytham Jarbou, business located at 13330 10 Mile, Warren, MI 48089. CONSIDERATION AND ADOPTION OF A RESOLUTION.

10 CORRESPONDENCE FROM THE MAYOR:

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve an Amendment to Zoning Ordinance No. 30; Appendix A, Article IV General Provisions, A new section; Article IV-e, Section 4E.01 to 4E.05 entitled Electric Vehicle Infrastructure. Second Reading.
- b) **1. (Tabled to a COW 11/10/15)** Proposed ordinance adding Article 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. (First Reading).
 - 2. Proposed ordinance to amend Appendix A, Article II by adding definitions, amending sections 4.01, 4a.14, 5.01, and 17.02 relating to compliance with laws, signs and uses permitted in R-!-A zones, and Industrial Standards. (First Reading).
- c) Proposed resolution to provide Public Notice of intent to sell vacant tax-reverted property at 11044 Packard, Warren; Parcel ID No. 13-34-252-006. CONSIDERTION AND ADOPTION OF A RESOLUTION.
- d) Proposed resolution authorizing conveyance of tax-reverted property at 13445 Zagaiski, Warren; Parcel ID No. 13-23-430-015. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- e) Request for additional appropriation in the amount of \$5,587.95 for payment to BASIC for preparation and filing of 1773 health coverage information 1094-c and 1095-c returns required by federal healthcare reform. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- f) Request of the WWTP to waive the bidding procedure and authorize one year of Rockwell Automation Hardware and Software Support Services to the sole source provider McNaughton-McKay Electric Company in the amount of \$23,356.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- g) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and approve contract for City Project P-16-611, Regal Drive Pavement Rehabilitation, ITB-W-9240, to the low bidder, Fiore Enterprises, LLC in the total bid amount not to exceed \$431,138.95.
- h) Request of the Engineering Division to award bid and approve contract for City Project JS-16-609, 2016 Joint and Crack Sealing Program, ITB-W-9238 with Scodeller Construction, Inc. in an amount not to exceed \$355,500.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- i) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 1 and final to city contract WP-15-597 with Angelo Iafate Construction Co., increasing the original contract amount by \$222,940.64, resulting in a final contract amount of \$1,637,131.99 and to approve and issue payment No. 5 and final in the amount of \$344,405.02.
- j) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 1 to the City Contract PM-15-601, 2015 pavement marking program, R.S. Contracting, Inc. for extension of contract time from August 3, 2015 to June 30, 2016.

- k) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 2 and final for City Contract S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement, decreasing the contract amount by \$699,280.77, resulting in a final contract amount of \$9,999,056.00 and to approve payment No. 16 and final in the amount of \$51,392.91 to Ric-Man Construction, Inc.
- l) Request of the Public Works Department to award bid ITB-W-9363 to Driveline Performance for automobile and light truck transmission repair for a two (2) year period with the option to extend for one (1) additional year at the same terms and conditions in annual estimated amount of \$37,160.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- m) Request of the Water Division to award bid ITB-W-9369 for furnishing water and sewer supply parts for a one (1) year period be awarded to HD Supply Waterworks in the annual amount not to exceed \$58,310.90. CONSIDERATION AND ADOPTION OF A RESOLUTION.

11 MISCELLANEOUS CORRESPONDENCE:

a) Tow Company License Renewals

- 1. Able Towing, LLC
- 2. Bill's Towing
- 3. M & D Towing
- 4. Official Towing, Inc.
- 5. Service Towing, Inc.

b) Johnson Controls, Inc (JCI), Year One Cost Avoidance Report

c) Proposed resolution to approve settlement of in re: 28805 Walker, Parcel No. 13-17-101-021; MCCC Case No. 15-1646-CZ. Hon. Kathryn A. Viviano.

12 Audience – an opportunity for citizen participation

Members of the audience who would like to address the City Council this evening may do so under the Audience portion by filling out the designated form. You will have three minutes to speak.

13 Council – Calendar of Pending Matters

14 COUNCIL BUSINESS:

- a) Council Secretary/Mayor Pro Tem Kelly Colegio, discussion in re: Council Rules of Procedure Rule 23.1; Charter Section 5.2 and Section 5.3 (g).

15 ADJOURNMENT

**Kelly Colegio
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) Investment Schedule 1/31/16-City Only
- b) Investment Schedule 1/31/16-Water Only
- c) Investment Schedule 1/31/16-City and Water Combined
- d) CONSIDERATION AND ADOPTION OF A RESOLUTION approving SAR NO. 476 relating to 3333 Berkshire, removal of a house, garage. Nuisance Abatement.
- e) CONSIDERATION AND ADOPTION OF A RESOLUTION approving SAR NO. 479 relating to 11412 Cadillac, removal of a house and shed. Nuisance Abatement.
- f) CONSIDERATION AND ADOPTION OF A RESOLUTION approving SAR NO. 478 relating to 23833 Columbus, removal of a house. Nuisance Abatement.

**WARREN CITY COUNCIL
REGULAR MEETING
March 8, 2016**

A Regular Meeting of the Warren City Council was called for Tuesday, March 8, 2016 at 7:00 p.m. in the Warren Community Center Auditorium, at 5460 Arden, Warren, Michigan 48092.

MEMBERS OF THE COUNCIL PRESENT:

Cecil D. St. Pierre, Jr., President
Patrick Green, Vice President
Kelly Colegio, Council Secretary
Keith J. Sadowski, Assistant Council Secretary
Robert Boccomino, Councilman
Scott C. Stevens, Councilman
Steven G. Warner, Councilman

ABSENT:

None

Also Present:

Mary Michaels, Acting City Attorney
James Van Havermaat, Engineer
Sean Clark, Citi Stat Coordinator
Gina Hensley, Community Development
Oksana Urban, Library Director
Dan Fagan, Senior Housing
Skip McAdams, Fire Commission
Rob Maleszyk, City Controller
Jere Green, Police Commissioner
Lori Barnwell, Treasurer
Henry Bowman, Parks and Recreation
Dave Monette, WWTP

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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All Members present.

4. ADOPTION OF THE CONSENT AGENDA

Motion:

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

Voice Vote:

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

5. ADOPTION OF AGENDA

Motion:

Motion to approve made by Councilwoman Colegio and support motion made by Councilman Green with the addition of item 14c re: Citizen Planner Courses and item 14d re: Council rules of procedure and City Charter.

Roll Call:

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

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

6. APPROVAL OF THE MINUTES

a) Minutes of the Regular Meeting of February 23, 2016

Motion:

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

Voice Vote:

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

7. APPROVAL OF THE BILLS

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a) General Revenue Funds

Motion:

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

Roll Call:

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

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

b) Water & Sewer System

Motion:

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

Roll Call:

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

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

1. (Tabled 2/23/16) Check Number 95262 Payable to Dan's Excavating in the amount of \$111,951.025.

Motion:

Motion to remove item from the table was made by Councilman Warner and support motion made by Councilman Boccomino.

Voice Vote:

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

Motion:

Motion to approve check # 95262 was made by Councilman Green and support motion made by Councilman Warner.

Roll Call:

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

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

8 ANNOUNCEMENTS

9 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) **PUBLIC HEARING:** Amendment to Zoning Ordinance No. 30; Appendix A, Article IV General Provisions, A new section; Article IV-e, Section 4E.01 to 4E.05 entitled Electric Vehicle Infrastructure. First Reading. (Item previously died due to a lack of support on August 26, 2014.)

Motion:

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

Roll Call:

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

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

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- b) **(Rescheduled 1/12/16) PUBLIC HEARING:** Request to review and confirm determination of nuisance relating to 2128 Michael for the demolition of a house and garage, Nuisance Abatement.

Motion:

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

Roll Call:

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

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

10 CORRESPONDENCE FROM THE MAYOR:

- a) Request of the Fire Department to award the Fire Records Management System and Maintenance/Support to the sole source provider, Software Systems and Products Corporation for a one (1) year period, with the option to renew for up to five (5) additional one (1) year periods, at an annual cost not to exceed \$100,000.00 . **CONSIDERATION AND ADOPTON OF A RESOLUTION.**

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

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- b) **(Postponed 2/23/16)** 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. (Second Reading)

Motion:

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

Roll Call:

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

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

- c) **(Tabled to a COW 11/10/15)** Proposed ordinance adding Article 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. (First Reading).

Motion:

Motion to remove from the table 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 (6-1).

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

No further action was taken, item died due to lack of support.

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- d) Request of the Library Director for an Additional Appropriation of Funds in the amount of \$702,000.00 to complete the construction of the New Dorothy M. Busch Library. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- e) Request of the Library Commission to award bid ITB-W-9330 to Bernco, Inc. for the construction of the new Dorothy M. Busch, Branch Library, in the amount of \$2,323,874.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- f) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve participation in the Detroit Institute of Arts 2016 Inside/Out Project and Installation Agreement for display of outdoor artwork.

Motion:

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

Voice Vote:

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

- g) Request of the Parks and Recreation Department to award bid ITB-W-9372 to B & B Pools to purchase Chlorinator Briquettes for a one (1) year period in an amount not to exceed \$17,280.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- h) Request of the Beautification Commission to purchase holiday decorations from the sole source provider, Bronner's, in an amount not to exceed \$10,246.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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 Stevens	Yes
Councilman Warner	Yes
Councilman Sadowski	Yes

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Chairman St. Pierre Yes

- i) Request of the Senior Housing Commission to award bid ITB-W-9360 to Apco Supply for furnishing appliances to senior housing apartments as needed, in a total amount not to exceed \$81,503.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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

- j) Request of the WWTP to sell a Komline-Sanderson Gravity Belt Thickener through Aaron Equipment Company, at the cost of 20% consignment, of the agreed upon selling price of \$40,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- k) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve an increase to the current cost sharing and participation agreement between the

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Macomb County Department of Roads and the City of Warren for traffic signal upgrades in the amount of \$539.38. Approval of insurance payments #2 and #3 payable to Macomb County Department of Roads three (3) days after Council approval is also requested.

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

- l) Request of the Engineering Division to approve Contract Modification No. 1 and Final with payment No. 9 and Final to City Contract WP-13-559, Warner Avenue Pavement and Water Main Replacement with DiPonio Contracting, Inc., for a decrease in contract funding of \$39,562.41. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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

- m) Request of the Engineering Division to approve contract modification No. 1 and Final with payment No. 3 and Final to City Contract P-15-595, Lorraine Avenue Pavement Rehabilitation with Zuniga Cement Construction, Inc., for

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a decrease in contract funding of \$69,122.47. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- n) Request of the Engineering Division to award bid and approve contract for City Project P-16-607, 2016 pavement repairs (ITB-W-9236) with Zuniga Cement Construction, Inc., the low bidder, in an amount not to exceed \$853,150.00 and authorizing the Mayor and Clerk to execute a contract. CONSIDERATION AND ADOPTION OF RESOLUTION.

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 (6-1).

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

- o) CONSIDERATION AND ADOPTION OF A RESOLUTION to award bid and contract for City Project SWK-16-608, 2016 Sidewalk Repairs (various locations) to the low bidder Fiore Enterprises, LLC in the total bid amount not to exceed \$1,133,082.50.

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Motion:

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

Roll Call:

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

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

- p) Proposed resolution authorizing conveyance of tax-reverted property at 7591 Toepfer, Warren; Parcel ID No. 13-33-280-025 to the adjacent property owners. CONSIDERATION AND ADOPTION OF A RESOLUTION.

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

- q) Request of Community Development to sell City owned property located at 22001 Panama in the amount of \$85,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

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Roll Call:

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

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

- r) Request of Community Development to publish a 30 day notice of intent to sell city owned property at 22411 Audrey. **CONSIDERATION AND ADOPTION OF A RESOLUTION.**

Motion:

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

Roll Call:

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

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

- s) Request of Community Development to publish a 30 day notice of intent to sell city owned property at 11804 Engleman. **CONSIDERATION AND ADOPTION OF A RESOLUTION.**

Motion:

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

Roll Call:

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

Councilman Boccomino	Yes
Councilman Stevens	Yes
Councilman Green	Yes

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Councilwoman Colegio	No
Councilman Warner	Yes
Councilman Sadowski	Yes
Chairman St. Pierre	Yes

11 MISCELLANEOUS CORRESPONDENCE:

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.

Joseph Hunt appeared and spoke at audience.

Karen Spranger appeared and spoke at audience.

13 Council – Calendar of Pending Matters

Council requested the mapping of M-1 and M-2 Districts as listed on the calendar of pending matters.

14 COUNCIL BUSINESS:

Council voted to amend the agenda to hear agenda item 14b first then return to item 14a.

Motion:

Motion to amend the agenda to hear item 14b first was made by Councilman Green and support motion made by Councilman Stevens.

Voice Vote:

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

- a) (Formerly item 14b)** Council Secretary/Mayor Pro Tem Kelly Colegio, Discussion in re: GPS on snowplows and integrated maps of snow removal on the city website.

Sean Clark appeared on behalf of Gus Ghanam to discuss this item. No vote was taken.

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- b) **(Formerly item 14a)** Councilman Scott Stevens, Discussion in re: March 1, 2016 Special Meeting.

Councilman Stevens discussed his concerns of not having the vote in November. No vote was taken

- c) Council Secretary/Mayor Pro Tem Kelly Colegio, Request:
CONSIDERATION AND ADOPTION OF A RESOLUTION approving the request of various departments to attend the Michigan State University Extension Citizen Planner Program. MSUE is the sole source provider of this program. Based on expected number of participants the requested amount is not to exceed \$3,300.00. Payment to be made within ten (10) business days of approval.

Motion:

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

Roll Call:

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

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

- d) Councilman Scott Stevens, Discussion in re: Discussion in re: Council Rules of Procedures 11.1 resolution to Reconsider and City Charter Sec 5.3h. Meetings of the Council.

Councilman Stevens expressed concerns about the above listed items. No vote was taken.

15 ADJOURNMENT

Motion:

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

Voice Vote:

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A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (7-0). The meeting adjourned at 9:37 p.m.

Kelly Colegio
Secretary of the Council
Mayor Pro Tem

DRAFT

**WARREN CITY COUNCIL
SPECIAL MEETING
March 1, 2016**

A Special Meeting of the Warren City Council was called for Tuesday, March 1, 2016 at 6:00 p.m. in Conference Room A, of the Warren Community Center, at 5460 Arden, Warren, Michigan 48092.

MEMBERS OF THE COUNCIL PRESENT:

Cecil D. St. Pierre, Jr., President
Patrick Green, Vice President
Kelly Colegio, Council Secretary
Keith J. Sadowski, Assistant Council Secretary
Scott C. Stevens, Councilman
Steven G. Warner, Councilman

ABSENT:

Robert Boccomino, Councilman

Also Present:

Mary Michaels, Acting City Attorney
Rob Maleszyk, Controller
Renee Rezak, Budget Director

1. CALL TO ORDER

Chairman St. Pierre called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Motion:

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

Voice Vote:

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

4. Acknowledge Receipt of Notice of Special Meeting

Motion:

WARREN CITY COUNCIL
SPECIAL MEETING
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Motion to acknowledge made by Councilman Warner and support motion made by Councilman Green.

Voice Vote:

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

5. ADOPTION OF AGENDA

Motion:

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

Voice Vote:

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

6. Proposed resolution approving ballot proposal to renew levy of additional 4.9 Mills for Police and Fire Safety Protection. CONSIDERATION AND ADOPTION OF A RESOLUTION.

6:22 p.m. Council Secretary Colegio excused herself from the meeting for a family emergency.

Motion:

Motion to approve made by Councilman Stevens and support motion made by Councilman Green with amendment that the resolution include a not to exceed clause or the amount agreed to by State that reflects the Rollback of mills.

Roll Call:

A roll call vote was taken on the motion. The motion carried (5-0).

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

7. Proposed resolution approving ballot proposal to renew levy of additional 2.1 Mills for Local Street and Road Repairs and Replacement. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

WARREN CITY COUNCIL
SPECIAL MEETING
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Motion to approve made by Councilman Stevens and support motion made by Councilman Green with amendment that the Roads Committee be included in the resolution.

Roll Call:

A roll call vote was taken on the motion. The motion carried (5-0).

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

8. Proposed resolution authorizing ballot proposal to amend Warren City Charter to extend Office of Mayor. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

A roll call vote was taken on the motion. The motion failed (3-2).

Councilman Sadowski	Yes
Councilman Stevens	Yes
Councilman Warner	Yes
Councilman Green	No
Chairman St. Pierre	No

Motion:

Motion to approve made by Councilman Warner and support motion made by Councilman Green with amendment that the third paragraph regarding Council positions be removed from the resolution.

Roll Call:

A roll call vote was taken on the motion. The motion carried (4-1).

Councilman Warner	Yes
Councilman Green	Yes
Councilman Sadowski	Yes
Councilman Stevens	No
Chairman St. Pierre	Yes

WARREN CITY COUNCIL
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9. 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.

Scot Holloway appeared to oppose the extension of term limits
Karen Spranger appeared to oppose the extension of term limits
Lanette Olejniczak appeared to oppose the extension of term limits
Michael Cosby appeared to oppose the extension of term Limits
Paul Kardasz appeared to oppose the extension of term limits

10. ADJOURNMENT

Motion:

A motion to adjourn was made by Councilman Green 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 (5-0). The meeting adjourned at 7:04 p.m.

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

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016
 SUMMARY PAGE

FUND	FUND NAME	TOTAL DISBURSEMENTS
101	GENERAL FUND	\$ 677,940.43
202	MTF ACT 51 MAJOR OPERATNG	6,938.00
203	MTF ACT 51 LOCAL OPERATNG	4,698.34
204	2011 LOCAL STREET R&M	102,954.43
208	RECREATION SPEC REVENUE	43,529.24
226	SANITATION SPECIAL REV	25,907.98
230	RENTAL ORDINANCE REVENUE	177.79
250	COMMUNICATIONS	29,682.97
261	DRUG FORFEITURE FUND	825.02
262	POLICE TRAINING FUND	1,820.00
271	LIBRARY SPECIAL REVENUE	41,516.30
273	CDBG ENTITLEMENT FUND	15,958.45
277	H.O.M.E.	1,343.45
278	HOUSING OPPORTUNITIES	14,769.00
279	NSP - 1	105.04
280	NSP - 3	93.42
410	37TH D.C. BLDG RENOVATION	97,985.20
435	2006 CAPITAL IMPROV BONDS	178.00
494	DDA ADMINISTRATION FUND	113.66
536	SENIOR HOUSING - STILWELL	4,750.38
537	SENIOR HOUSING-JOS. COACH	10,968.15
701	UNALLOCATED TAX FUND	1,155.19
704	FIRE INSURANCE WITHHOLDNG	15,966.27
750	PAYROLL REVOLVING FUND	108,301.53
801	S/A REVOLVING FUND	<u>501.50</u>
	TOTAL CITY DISBURSEMENTS	<u>\$ 1,208,179.74</u>

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	731	AT&T	4482685	93.28
		POLICE DEPARTMENT MONTHLY PHONE SERVICE		
101	12276	AT&T LONG DISTANCE	4482686	19.10
		37TH DISTRICT COURT LONG DISTANCE SERVICE		
101	13470	COMERICA COMML CARD SRVC	4482682	70.00
		CLERK CRIMINAL BACKGROUND CHECK		
101	323	DTE ENERGY	4482680	492.51
		VARIOUS ELECTRIC SERVICE		
101	324	DTE ENERGY	4482681	259,444.40
		VARIOUS ELECTRIC SERVICE		
101	323	DTE ENERGY	4482687	955.57
		VARIOUS ELECTRIC SERVICE		
101	324	DTE ENERGY	4482688	44.19
		HIGHWAY STREET LIGHTING ELECTRIC SERVICE		
101	13015	PAETEC	4482691	50.61
		FIRE DEPARTMENT PHONE SERVICE		
101	12239	VERIZON WIRELESS	4482677	421.16
		VARIOUS CELLULAR SERVICE		
101	12239	VERIZON WIRELESS	4482689	2,270.53
		VARIOUS CELLULAR SERVICE		
101	11094	XO COMMUNICATIONS LLC	4482690	44.13
		ADMIN UNALLOCATED EXPENSE MONTHLY PHONE SERVICE		
101	16278	1ST SOURCE SERVALL	564289	154.64
		ENGINEERING & INSPECTIONS OPERATING SUPPLY		
101	13180	AARON A HILGENDORF	564162	200.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14552	ACCUMED BILLING INC	564213	13,816.32
		FIRE DEPARTMENT EMT FEE COLLECTION SERVICE		
101	16238	ADVANCED ANIMAL EMERGENCY	564287	500.00
		POLICE DEPARTMENT VETERINARY SERVICES		
101	7878	AJAX MATERIALS CORP	564084	11,092.56
		PAVING MATERIALS		
101	10011	ALBERT M SOPHIEA	564112	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	43	ALLIE BROTHERS INC	563985	722.51
		FIRE DEPARTMENT UNIFORMS		
101	7543	ALLIED EAGLE SUPPLY CO	564079	409.14
		BUILDING MAINTENANCE MAINTENANCE SUPPLY		
101	13532	ANDREA C IRONS	564176	425.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14966	ANN PAUTA	564235	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	16720	ANR EVENT SERVICES	564340	2,500.00
		ADMIN UNALLOCATED EXPENSE COURSE FEES		
101	7481	APOLLO FIRE APPARATUS	564077	914.40
		VARIOUS VEHICLE MAINTENANCE		
101	77	APOLLO FIRE EQUIPMENT CO	563986	659.77
		VARIOUS VEHICLE MAINT/OPERATING		

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	15558	APPLIED IMAGING	564257	1,340.84
	VARIOUS	COPY CHARGES		
101	15388	APTEAN INC	564248	740.00
	HUMAN RESOURCES	PROFESSIONAL SERVICES		
101	16195	ARROW INTERNATIONAL	564284	1,112.23
	FIRE DEPARTMENT	OPERATING SUPPLY		
101	2434	ASSOCIATED SALES & BAG CO	564043	384.27
	POLICE DEPARTMENT	EQUIPMENT SUPPLY		
101	15965	AT&T GLOBAL SERVICES INC	564271	455.00
	POLICE DEPARTMENT	SERVICE CALL		
101	99998	AUTHER BOOZER	564349	38.30
	37TH DISTRICT COURT	JURY DUTY		
101	13199	AVIS CHOULAGH LAW PLLC	564163	500.00
	37TH DISTRICT COURT	COURT APPOINTED ATTORNEY		
101	13908	B & L TRUCK EQUIPMENT	564189	352.41
	D P W GARAGE	VEHICLE MAINTENANCE		
101	7317	BARBARA E TERC	564074	11.88
	POLICE DEPARTMENT	MILEAGE		
101	2734	BCSEM TREASURER	564046	20.00
	BEAUTIFICATION	DUES		
101	13221	BECKY HETCHLER	564164	31.05
	HISTORICAL COMMISSION	REIMBURSEMENT		
101	126	BELL EQUIPMENT CO	563989	5,927.74
	D P W GARAGE	EQUIPMENT SUPPLY		
101	806	BELLE TIRE	564013	633.00
	D P W GARAGE	VEHICLE MAINTENANCE		
101	16339	BENTLEY SYSTEMS INC	564293	2,989.00
	ENGINEERING & INSPECTIONS	SOFTWARE LICENSES		
101	15187	BOBS SPECIALTY COMPANY	564242	402.60
	POLICE DEPARTMENT	OPERATING SUPPLY		
101	2717	BORIS MUCHNIJ	564045	150.00
	HUMAN RESOURCES	CIVIL SERVICE COMMISSION		
101	70428	BRENT CHISOLM	564341	1,151.70
	POLICE DEPARTMENT	PLAINCLOTHES		
101	9234	BROADSPIRE SERVICES INC	564099	547.13
	ADMIN UNALLOCATED EXPENSE	CONVERSION FEES		
101	13339	BROADSPIRE-A CRAWFORD CO	564169	57,490.54
	VARIOUS	LOSS FUND REIMBURSEMENT		
101	3521	BRONNERS CHRISTMAS	564055	10,246.00
	BEAUTIFICATION	DECORATIONS		
101	171	BURWOOD BUSINESS MACHINES	563990	165.00
	ENGINEERING & INSPECTIONS	COPIER SERVICE/SUPPLY		
101	184	C & G PUBLISHING INC	563991	306.00
	VARIOUS	PUBLIC NOTICE		
101	11621	C & J PARKING LOT	564136	450.00
	BUILDING MAINTENANCE	PARKING LOT SWEEPING		
101	99998	CAITLYN LAREDO	564351	80.50
	37TH DISTRICT COURT	JURY DUTY		

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	16380	CANDACE DROMOWICZ	564300	375.00
		37TH DISTRICT COURT RECORDING SERVICES		
101	11646	CARL HAUSWIRTH	564137	25.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	99998	CATHERINE MILKE	564352	79.00
		37TH DISTRICT COURT JURY DUTY		
101	16199	CCP INDUSTRIES	564285	214.14
		D P W GARAGE OPERATING SUPPLY		
101	99998	CHRISTINA LUTOSTANSKI	564353	25.80
		37TH DISTRICT COURT JURY DUTY		
101	11296	CHRISTOPHER PRESS DDS PC	564130	357.00
		37TH DISTRICT COURT DRUG COURT DENTAL SERVICE		
101	11219	CINTAS FIRST AID & SAFETY	564129	1,512.23
		BUILDING MAINTENANCE FIRST AID SUPPLY		
101	99998	CITY OF WARREN	564354	2,388.41
		ADMIN UNALLOCATED EXPENSE 2015 SPECIAL ASSESSMENTS		
101	1203	CITY OF WARREN	564026	5,998.56
		VARIOUS WATER SERVICE		
101	1945	CITY OF WARREN	564038	46.95
		CLERK PETTY CASH		
101	14530	CLAUDETTE ROBINSON	564211	50.00
		PLANNING PLANNING COMMISSION		
101	12310	COMCAST COMMERCIAL ONLINE	564148	102.85
		37TH DISTRICT COURT INTERNET SERVICE		
101	12207	COMPLETION HOUSE INC	564145	12,095.00
		37TH DISTRICT COURT DRUG COURT REHABILITATION		
101	3158	CRAIN'S DETROIT BUSINESS	564050	59.00
		FIRE DEPARTMENT SUBSCRIPTION		
101	14756	CREST FORD INC	564228	390.16
		D P W GARAGE VEHICLE MAINTENANCE		
101	15839	DANIEL BOROJA	564269	300.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	16069	DAVID BEAN	564277	25.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	13595	DAVID J LUSN	564179	100.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	16687	DAVID J PORTUESI	564332	175.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	12244	DAVID JAKUBOWSKI	564147	150.00
		HUMAN RESOURCES CIVIL SERVICE COMMISSION		
101	7286	DAVID M SINUTKO	564073	50.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13404	DAVID PIETROSKI	564171	250.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	6175	DAWN M WALTON	564067	300.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	11163	DELL MARKETING L P	564127	697.70
		POLICE DEPARTMENT COMPUTER SUPPLY		

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	80101	DELTA DENTAL OF MICHIGAN	564346	23,399.54
		VARIOUS P&F RETIREES DENTAL		
101	8133	DEPENDABLE WHOLESALE INC	564088	4,848.60
		D P W GARAGE HEAVY DUTY TIRE REPAIR		
101	317	DETROIT CHEMICAL & PAPER	563996	244.90
		BUILDING MAINTENANCE MAINTENANCE SUPPLY		
101	15428	DIANA SHKRELI	564249	400.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	15489	DOTY LAW	564252	525.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14574	DOWNINGS FLOWERS & GIFTS	564215	150.00
		ADMIN UNALLOCATED EXPENSE FLOWER ARRANGEMENTS		
101	15996	DR RONALD FENTON	564273	694.44
		37TH DISTRICT COURT MEDICAL SERVICES		
101	7365	DSS CORPORATION	564076	284.73
		37TH DISTRICT COURT OPERATING SUPPLY		
101	372	EAST SIDE LOCKSMITH INC	563999	300.45
		POLICE DEPARTMENT MAINTENANCE SERVICE		
101	16286	EDNA M KARPINSKI	564290	50.00
		PLANNING PLANNING COMMISSION		
101	8494	ELDER FORD INC	564093	383.40
		D P W GARAGE VEHICLE MAINTENANCE		
101	16664	ELECTION SOURCE	564328	9,800.00
		CLERK TESTING SERVICES		
101	10129	ELECTRONIC SECURITY SYS	564115	221.50
		POLICE DEPARTMENT MAINTENANCE SERVICE		
101	14092	ELITE IMAGING SYSTEMS	564195	69.44
		37TH DISTRICT COURT COPIER USAGE		
101	13813	ELITE PEST MANAGEMENT	564186	174.00
		VARIOUS PEST CONTROL		
101	13008	ELITE TRAUMA CLEAN UP INC	564158	370.00
		VARIOUS BIO HAZARD CLEANUP		
101	6769	EMPCO INC	564071	660.00
		HUMAN RESOURCES PROMOTIONAL EXAM		
101	13516	ENRICO GROUP INC	564175	70.00
		BUILDING MAINTENANCE OPERATING SUPPLY		
101	99998	ERIC WILSON	564357	68.00
		37TH DISTRICT COURT JURY DUTY		
101	8321	ERIN LEGGETT	564089	11.88
		POLICE DEPARTMENT MILEAGE		
101	99998	ERVIN MATTHEWS	564359	79.00
		37TH DISTRICT COURT JURY DUTY		
101	16498	EXOTIC AUTOMATION SUPPLY	564310	362.79
		D P W GARAGE OPERATING SUPPLY		
101	7359	FEDERAL PIPE & SUPPLY	564075	61.00
		D P W GARAGE MAINTENANCE SUPPLY		
101	6495	FERGANS AUTO PARTS	564069	85.40
		D P W GARAGE VEHICLE MAINTENANCE		

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	16343	FIRE DEPARTMENT SAFETY	564294	170.00
		FIRE DEPARTMENT MEMBERSHIP FEE		
101	405	FIRE EXTINGUISHER SALES	564000	1,202.90
		VARIOUS EXTINGUISHER SERVICE		
101	14607	FLEET PRIDE HEAVY DUTY	564217	1,879.75
		D P W GARAGE AUTO PARTS		
101	9627	FLOR DRI SUPPLY CO INC	564104	918.11
		FIRE DEPARTMENT OPERATING SUPPLY		
101	15729	FOUR SEASONS RADIATOR	564264	1,020.00
		D P W GARAGE VEHICLE MAINTENANCE		
101	1164	GALEANA VAN DYKE DODGE	564024	629.30
		D P W GARAGE VEHICLE MAINTENANCE		
101	13932	GARRETT DOOR CO	564191	4,992.50
		VARIOUS OVERHEAD DOOR SERVICE		
101	10996	GEMINI FORMS & SYSTEMS	564125	296.40
		HUMAN RESOURCES PRINTING		
101	14308	GENEVIEVE LYNN TAYLOR	564203	225.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13943	GENUINE PARTS COMPANY	564192	873.14
		D P W GARAGE VEHICLE PARTS		
101	15475	GENUINE PARTS COMPANY	564251	700.87
		D P W GARAGE VEHICLE PARTS		
101	4750	GEORGE LASKA	564063	400.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13464	GLENN MCCANDLISS	564173	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	15273	GOLD COIN LAUNDRIES LLC	564245	1,013.32
		FIRE DEPARTMENT LAUNDRY SERVICE		
101	10875	GOV CONNECTION INC	564122	107.43
		37TH DISTRICT COURT COMPUTER EQUIPMENT		
101	16608	GREAT LAKES CHLORIDE INC	564322	1,768.32
		OPERATING SUPPLY		
101	99998	GREGORY KOLASA	564363	80.50
		37TH DISTRICT COURT JURY DUTY		
101	16413	GSP MARKETING INC	564303	640.21
		D P W GARAGE OPERATING SUPPLY		
101	10874	HALT FIRE INC	564121	2,417.50
		D P W GARAGE VEHICLE MAINTENANCE		
101	502	HAMILTON CHEVROLET INC	564003	2,916.68
		VARIOUS VEHICLE MAINTENANCE		
101	10709	HAROLD D JAMES	564119	20.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	14558	HENRY BRASZA	564214	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	3180	HERITAGE FLAG & BANNER	564051	859.50
		BUILDING MAINTENANCE FLAGS		
101	12572	HERMAN MCMILLEN	564151	20.00
		BUILDING INSPECTIONS REIMBURSEMENT		

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	8735	HISTORICAL SOC OF MICH	564095	12.95
		HISTORICAL COMMISSION MEMBERSHIP		
101	235	HL CLAEYS & CO	563993	711.00
		POLICE DEPARTMENT PLUMBING SUPPLY		
101	6187	HOME DEPOT CREDIT SERVICE	564068	501.14
		D P W GARAGE MAINTENANCE SUPPLY		
101	7814	HOWARD L SHIFMAN PC	564082	7,705.00
		ADMIN UNALLOCATED EXPENSE PROFESSIONAL SERVICES		
101	99998	HUMANA	564364	65.45
		REVENUES EMS TRANSPORT REFUND		
101	671	INDEPENDENT NEWSPAPERS	564007	491.13
		CLERK NOTICES		
101	12022	INDUSTRIAL FOOTWEAR	564142	680.76
		VARIOUS SHOES/BOOTS		
101	14247	INST OF CONTINUING LEGAL ED	564199	103.50
		LEGAL ICLE BOOKS		
101	2419	INTL INST OF MUNICIPAL CLERKS	564042	290.00
		CLERK DUES		
101	11495	INTL CODE COUNCIL	564135	736.32
		BUILDING INSPECTIONS CODE BOOKS		
101	99998	ISABELLE TAYLOR	564366	38.70
		37TH DISTRICT COURT JURY DUTY		
101	16605	ITU ABSORBTECH INC	564321	75.70
		D P W GARAGE OPERATING SUPPLY		
101	13601	J & B MEDICAL SUPPLY	564180	2,025.25
		VARIOUS EMS SUPPLY		
101	9807	J & P AUTO ELECTRIC	564109	125.00
		D P W GARAGE VEHICLE MAINTENANCE		
101	348	JACK DOHENY SUPPLIES INC	563998	12,448.71
		D P W GARAGE EQUIPMENT SUPPLY		
101	16393	JAMES HOLZ	564302	20.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	13911	JAMES PCONRAD ATTORNEY	564190	350.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	JAMES ROSS	564367	120.50
		37TH DISTRICT COURT JURY DUTY		
101	15595	JASON MCCLANAHAN	564261	50.00
		PLANNING PLANNING COMMISSION		
101	554	JB DLCO-MULTISTATE	564004	110.08
		D P W GARAGE VEHICLE MAINTENANCE		
101	16600	JEFFERSON CHEVROLET	564320	6,124.98
		D P W GARAGE VEHICLE MAINTENANCE		
101	16043	JENNIFER A ANDARY PC	564275	350.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	9298	JENNIFER CHUPA	564101	350.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	16620	JEREMY FISHER	564323	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

GENERAL FUND AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	14378	JOCELYN HOWARD	564206	50.00
		PLANNING	PLANNING COMMISSION	
101	99998	JOHN SCOTT	564368	1,000.00
			TUITION REIMBURSEMENT	
101	13314	JOHNSON CONTROLS INC	564167	17,852.89
		BUILDING MAINTENANCE	HVAC MAINTENANCE	
101	12966	JONATHAN BIERNAT	564157	425.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	4330	JUDY FURGAL	564061	50.00
		ZONING BOARD OF APPEALS	BOARD OF APPEALS	
101	8412	KATHLEEN G GALEN	564092	150.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	99998	KEITH SCHWARK	564369	79.30
		37TH DISTRICT COURT	JURY DUTY	
101	8873	KEVIN SCHNEIDER	564096	350.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	16704	KID SAFE NETWORK	564335	875.00
		CRIME COMMISSION	OPERATING SUPPLY	
101	14466	KIRK REHN	564210	20.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	16665	KRISTINA JOSEPH	564329	150.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	2386	KURT DAVIS	564041	30.00
		BUILDING INSPECTIONS	REIMBURSEMENT	
101	7165	LAIRD PLASTICS INC	564072	1,021.88
		D P W GARAGE	OPERATING SUPPLY	
101	99998	LATONYA ALLEN-BROWN	564372	26.00
		37TH DISTRICT COURT	JURY DUTY	
101	15337	LAW OFFICE JUSTIN POLLARD	564246	275.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	13881	LAZER HYDRAULIC & HOSE	564188	176.51
		D P W GARAGE	MAINTENANCE SUPPLIES	
101	8322	LORI ROTARIUS	564090	11.88
		POLICE DEPARTMENT	MILEAGE	
101	9871	LOWES HOME IMPROVEMENT	564110	278.11
		VARIOUS	MAINTENANCE SUPPLY	
101	7803	LPS PLUMBING INC	564081	845.00
		FIRE DEPARTMENT	PLUMBING SERVICE	
101	8008	LYLE HARRIS	564086	75.00
		37TH DISTRICT COURT	COURT APPOINTED ATTORNEY	
101	99998	MACOMB COUNTY	564373	28.00
		CLERK	RECORDING FEES	
101	4041	MACOMB COUNTY CLERKS ASSN	564059	250.00
		CLERK	MEMBERSHIP	
101	666	MACOMB COUNTY TREASURER	564006	2,667.50
			TRAILER PARK RENTALS	
101	9794	MACOMB LIBERTY ELECTRIC	564107	225.00
		FIRE DEPARTMENT	ELECTRICAL SERVICE	

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	680	MADISON ELECTRIC COMPANY	564008	116.02
		D P W GARAGE ELECTRIC SUPPLY		
101	15202	MADISON HEIGHTS	564243	504.00
		FIRE DEPARTMENT CPR CARDS		
101	10899	MARGARET FOGARTY	564123	507.07
		CITY RETIREMENT TUITION REIMBURSEMENT		
101	16636	MARISSA KULCSAR	564325	350.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13078	MATTHEW N FROBERGER	564161	50.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14695	MATTHEW S ABDO	564225	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	MATTHEW VAGASKY	564374	38.30
		37TH DISTRICT COURT JURY DUTY		
101	99998	MCKEA MILLER	564375	240.00
		REVENUES MISC PERMIT REFUND		
101	8730	MERVIN R GROBBEL	564094	30.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	3243	MFASCO HEALTH & SAFETY CO	564052	50.70
		POLICE DEPARTMENT FIRST AID SUPPLY		
101	12680	MICHAEL A GIBBS	564153	75.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	12669	MICHAEL EICKHOFF	564152	11.88
		POLICE DEPARTMENT MILEAGE		
101	16346	MICHAEL F MACHERZAK	564296	400.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	14149	MICHAEL WIECEK	564197	150.00
		HUMAN RESOURCES CIVIL SERVICE COMMISSION		
101	99998	MICHEL PENTERICS	564377	13.50
		37TH DISTRICT COURT JURY DUTY		
101	12075	MICHELE MARTIN	564143	300.00
		CRIME COMMISSION CLERICAL SERVICES		
101	2835	MICHIGAN ASSC OF PLANNING	564047	250.00
		PLANNING DUES		
101	5686	MICHIGAN DEPT OF TREASURY	564066	5,525.00
		ABANDONED VEHICLE EXCESS		
101	10644	MICHIGAN LAWYERS WEEKLY	564118	339.00
		37TH DISTRICT COURT SUBSCRIPTION		
101	745	MICHIGAN POLICE EQUIPMENT	564010	450.00
		POLICE DEPARTMENT OPERATING SUPPLY		
101	3257	MICHIGAN STATE FIREMAN'S	564053	164.25
		FIRE DEPARTMENT DUES		
101	14429	MICHIGAN STATE POLICE	564209	2,940.00
		POLICE DEPARTMENT REGISTRATION FEES		
101	16225	MICHIGAN.COM	564286	2,650.35
		HUMAN RESOURCES ADVERTISING		
101	16307	MJ CREATIVE PRINTING LLC	564292	10.00
		FIRE DEPARTMENT UNIFORMS		

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101	13499	MJ PRINT & IMAGING	564174	4,049.75
		VARIOUS PRINTING SERVICES		
101	794	MOTOR CITY FASTENER	564011	278.07
		D P W GARAGE VEHICLE MAINTENANCE		
101	9327	MOTOROLA SOLUTIONS INC	564102	980.00
		D P W GARAGE BATTERIES		
101	13296	MOTOWN AUTOMOTIVE	564166	630.80
		D P W GARAGE VEHICLE SUPPLY		
101	3624	MR GAS INC	564056	178.30
		FIRE DEPARTMENT EQUIPMENT SERVICE		
101	16500	MSC INDUSTRIAL SUPPLY	564311	102.86
		D P W GARAGE OPERATING SUPPLY		
101	99998	NANCY GROSS	564379	39.50
		37TH DISTRICT COURT JURY DUTY		
101	14965	NATHAN VINSON	564234	50.00
		PLANNING PLANNING COMMISSION		
101	99998	NAWAR ISHO	564380	38.50
		37TH DISTRICT COURT JURY DUTY		
101	805	NBC TRUCK EQUIPMENT INC	564012	2,014.09
		D P W GARAGE VEHICLE MAINTENANCE		
101	14945	NICHOLS	564233	2,042.68
		BUILDING MAINTENANCE MAINTENANCE SUPPLIES		
101	14358	NICOLE M CHILDERS	564204	175.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	16702	NYC DISPLAY INC	564334	189.99
		HISTORICAL COMMISSION OPERATING SUPPLY		
101	14977	NYE UNIFORM	564236	1,208.85
		VARIOUS UNIFORMS		
101	329	OCCUPATIONAL HEALTH CENTER	563997	466.50
		D P W GARAGE MEDICAL SERVICES		
101	1017	OFFICE DEPOT	564020	4,126.86
		VARIOUS OFFICE SUPPLY		
101	11980	OTIS ELEVATOR COMPANY	564141	806.18
		BUILDING MAINTENANCE ELEVATOR SERVICE		
101	16513	PAMELA M KROLL	564314	175.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13734	PAPAS REFRIGERATION	564183	435.00
		FIRE DEPARTMENT HVAC SERVICE		
101	1390	PATRICIA COOPER	564036	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	PATRINA GAINES	564382	66.60
		37TH DISTRICT COURT JURY DUTY		
101	7946	PAUL F ZYBORSKI	564085	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	PAUL HAZUKA	564383	79.60
		37TH DISTRICT COURT JURY DUTY		
101	15755	PAUL LIZE	564265	20.00
		BUILDING INSPECTIONS REIMBURSEMENT		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	10096	PAUL M MISUKEWICZ	564113	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	13643	PAUL STOCKYJ	564181	750.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	9796	PHILLIP NAHIRNIAK	564108	480.00
		37TH DISTRICT COURT SECURITY SERVICE		
101	13371	PRAXAIR DISTRIBUTION INC	564170	653.51
		D P W GARAGE OPERATING SUPPLY		
101	899	PRINTING SYSTEMS INC	564015	875.96
		CLERK ELECTION SUPPLY		
101	16137	PSYBUS PC	564281	585.00
		HUMAN RESOURCES MEDICAL SERVICES		
101	12319	RED WING SHOE STORE	564149	198.79
		FIRE DEPARTMENT SHOES		
101	925	RED WING SHOES	564016	487.77
		FIRE DEPARTMENT SHOES		
101	928	REGAL TIRE CO	564017	50.00
		D P W GARAGE VEHICLE MAINTENANCE		
101	16145	REPUBLIC SERVICES	564282	201.76
		FIRE DEPARTMENT TRASH REMOVAL		
101	13577	RKA PETROLEUM COMPANIES	564177	10,473.40
		GASOLINE/DIESEL		
101	9939	ROBERT F KOWATCH	564111	150.00
		HUMAN RESOURCES CIVIL SERVICE COMMISSION		
101	11964	ROBERT LORING	564140	25.00
		FIRE DEPARTMENT REIMBURSEMENT		
101	14625	ROMAN T NESTOROWICZ	564218	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	15783	RON LUSN	564266	100.00
		BUILDING INSPECTIONS REIMBURSEMENT		
101	10327	ROWERDINK INC	564116	115.86
		D P W GARAGE VEHICLE MAINTENANCE		
101	14937	ROY M GRUENBURG	564232	650.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	3120	S & J CATERING INC	564048	438.00
		POLICE DEPARTMENT PRISONER FOOD		
101	11455	SACRED HEART REHAB CTR	564134	3,766.79
		37TH DISTRICT COURT REHABILITATION SERVICES		
101	9516	SANDRA A HARRISON	564103	575.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	1725	SANDRA F SIROVEY	564037	600.00
		37TH DISTRICT COURT RECORDING SERVICES		
101	7788	SCOTT K AUSILIO	564080	950.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	15499	SCOTT LUEDKE	564254	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	11852	SEHI COMPUTER PRODUCTS	564138	399.56
		PLANNING COMPUTER SUPPLY		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
101	14990	SELECT MEDICAL	564238	1,950.00
		FIRE DEPARTMENT COURSE FEES		
101	15521	SHAMBAUGH & SONS	564256	1,493.00
		BUILDING MAINTENANCE EQUIPMENT MAINTENANCE		
101	16668	SHELDON GONTE MD	564330	430.00
		HUMAN RESOURCES CONSULTATION SERVICES		
101	8065	SHERMAN P FAUNCE	564087	1,575.00
		37TH DISTRICT COURT VISITING JUDGE		
101	12081	SHERRY BRASZA	564144	50.00
		ZONING BOARD OF APPEALS BOARD OF APPEALS		
101	1010	SHERWIN-WILLIAMS	564019	328.37
		FIRE DEPARTMENT MAINTENANCE SUPPLY		
101	15020	SKYE HOUSE	564240	630.00
		37TH DISTRICT COURT DRUG COURT WOMEN'S 3/4		
101	3130	SOFTWARE SYSTEMS	564049	8,287.50
		FIRE DEPARTMENT CONSULTING SERVICE		
101	4581	SONJA BUFFA	564062	26.46
		CLERK MILEAGE		
101	13016	STATE OF MICHIGAN - MSPLA	564159	89.50
		POLICE DEPARTMENT FINGERPRINTS		
101	1055	STATE WIRE & TERMINAL INC	564022	35.30
		D P W GARAGE VEHICLE MAINTENANCE		
101	99998	STEVEN OJA	564388	66.20
		37TH DISTRICT COURT JURY DUTY		
101	14679	SUPER CAR WASH	564222	617.50
		VARIOUS VEHICLE MAINTENANCE		
101	13021	SUPERIOR DIESEL REPAIR	564160	412.00
		D P W GARAGE EQUIPMENT MAINTENANCE		
101	12860	SUSAN R CHRZANOWSKI	564156	150.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	12222	SUSAN SCHAFER	564146	6.48
		37TH DISTRICT COURT MILEAGE		
101	14899	SYED ROB	564231	50.00
		PLANNING PLANNING COMMISSION		
101	16262	SYNTECH SYSTEMS INC	564288	1,534.50
		D P W GARAGE WARRANTY RENEWAL		
101	16673	TARRA BROWN	564331	200.00
		37TH DISTRICT COURT COURT APPOINTED ATTORNEY		
101	99998	TAWANA BRYANT	564389	26.00
		37TH DISTRICT COURT JURY DUTY		
101	16621	TECH AUTOMATION INC	564324	127.50
		37TH DISTRICT COURT SERVICE CALL		
101	1086	TERMINAL SUPPLY CO	564023	2,063.44
		D P W GARAGE VEHICLE MAINTENANCE		
101	13698	TERRY L WISNIEWSKI	564182	150.00
		HUMAN RESOURCES CIVIL SERVICE COMMISSION		
101	14693	THE HARTFORD GROUP	564224	28,998.24
		VARIOUS DISABILITY PREMIUM		

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101	9254	TRADER RAY TIRE CENTER	564100	1,370.66
		D P W GARAGE		VEHICLE MAINTENANCE
101	14297	TRI COUNTY INTERNATIONAL	564202	853.25
		D P W GARAGE		VEHICLE MAINTENANCE
101	12712	TRUCK AND TRAILER	564154	425.12
		D P W GARAGE		VEHICLE MAINTENANCE
101	10843	ULINE	564120	441.86
		PROPERTY MAINTENANCE		OFFICE SUPPLY
101	99998	UNITED HEALTHCARE	564391	91.94
		REVENUES		EMS TRANSPORT REFUND
101	99998	UNITED HEALTHCARE	564392	204.96
		REVENUES		EMS TRANSPORT REFUND
101	16377	VERIZON NETWORKFLEET	564299	7,171.00
		D P W GARAGE		MONTHLY SERVICE
101	99998	VINCENT DIETZ	564393	100.70
		37TH DISTRICT COURT		JURY DUTY
101	15453	WARREN G SMITH JR	564250	50.00
		PLANNING		PLANNING COMMISSION
101	1241	WARREN PIPE & SUPPLY CO	564029	29.84
		D P W GARAGE		MAINTENANCE SUPPLY
101	11298	WASHINGTON ELEVATOR CO	564131	710.50
		BUILDING MAINTENANCE		ICE BYTER
101	99998	WAYNE BEASON	564394	122.50
		37TH DISTRICT COURT		JURY DUTY
101	1253	WEINGARTZ SUPPLY	564030	125.58
		BUILDING MAINTENANCE		EQUIPMENT SUPPLY
101	99998	WEJDAN KAKISH	564395	67.00
		37TH DISTRICT COURT		JURY DUTY
101	1258	WEST GROUP	564031	694.12
		37TH DISTRICT COURT		LAW/REFERENCE BOOKS
101	1265	WHOLESALE TOOL CO	564032	4.83
		D P W GARAGE		OPERATING SUPPLY
101	1267	WIEGAND MACK SALES & SERV	564033	11,534.25
		D P W GARAGE		VEHICLE MAINTENANCE
101	16502	WILLIAM BARNWELL	564312	450.00
		37TH DISTRICT COURT		COURT APPOINTED ATTORNEY
101	1276	WINDER POLICE EQUIPMENT	564034	1,897.41
		POLICE DEPARTMENT		OPERATING SUPPLY
101	11091	WOLVERINE FREIGHTLINER	564126	317.60
		D P W GARAGE		VEHICLE MAINTENANCE
101	15583	WOLVERINE POWER SYSTEMS	564260	70.00
		FIRE DEPARTMENT		GENERATOR MAINTENANCE
101	15829	WOW! BUSINESS	564268	20.00
		37TH DISTRICT COURT		MONTHLY SERVICE
101	466	WW GRAINGER INC	564001	11,340.07
		VARIOUS		MAINTENANCE SUPPLY
101	99998	YALONDA WASHINGTON	564396	99.10
		37TH DISTRICT COURT		JURY DUTY

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202	731	AT&T	4482685	91.49
		ROUTINE MAINTENANCE	MONTHLY PHONE SERVICE	
202	15375	DIPONIO CONTRACTING INC	4482694	296.93
			PAVEMENT REPLACEMENT	
202	324	DTE ENERGY	4482681	2,781.14
		TRAFFIC SERVICES	ELECTRIC SERVICE	
202	665	MACOMB COUNTY DEPT	4482695	539.38
		VARIOUS	TRAFFIC SIGNAL UPGRADES	
202	9698	ANDERSON ECKSTEIN	564105	1,299.03
		ROUTINE MAINTENANCE	ENGINEERING SERVICES	
202	14775	DALE'S DISPOSAL	564229	1,730.03
		ROUTINE MAINTENANCE	STREET SWEEPINGS DISPOSAL	
202	13332	DIGIGRAPHX	564168	108.00
		ROUTINE MAINTENANCE	UNIFORM	
202	12833	JH HART URBAN FORESTRY	564155	92.00
		ROUTINE MAINTENANCE	WOOD/CHIP DISPOSAL	
203	324	DTE ENERGY	4482681	569.63
		TRAFFIC SERVICES	ELECTRIC SERVICE	
203	14775	DALE'S DISPOSAL	564229	4,036.71
		ROUTINE MAINTENANCE	STREET SWEEPINGS DISPOSAL	
203	12833	JH HART URBAN FORESTRY	564155	92.00
		ROUTINE MAINTENANCE	WOOD/CHIP DISPOSAL	
204	15375	DIPONIO CONTRACTING INC	4482694	17,189.62
			PAVEMENT REPLACEMENT	
204	11249	ZUNIGA CEMENT CONST INC	4482693	26,067.90
			PAVEMENT REPLACEMENT	
204	14674	TESTING ENGINEERS	564221	65.00
2011		LOCAL ST REPAIR EXP	ENGINEERING SERVICES	
204	16598	WARREN CONTRACTORS	564319	59,631.91
		VARIOUS	CONCRETE PAVING	
208	731	AT&T	4482678	96.99
		RECREATION EXPENDITURES	MONTHLY PHONE SERVICE	
208	323	DTE ENERGY	4482680	1,182.49
		RECREATION EXPENDITURES	ELECTRIC SERVICE	
208	324	DTE ENERGY	4482681	13,452.84
		RECREATION EXPENDITURES	ELECTRIC SERVICE	
208	323	DTE ENERGY	4482687	316.59
		RECREATION EXPENDITURES	ELECTRIC SERVICE	
208	12239	VERIZON WIRELESS	4482677	30.64
		RECREATION EXPENDITURES	CELLULAR SERVICE	
208	12239	VERIZON WIRELESS	4482689	76.02
		RECREATION EXPENDITURES	CELLULAR SERVICE	
208	11094	XO COMMUNICATIONS LLC	4482690	207.94
		RECREATION EXPENDITURES	MONTHLY PHONE SERVICE	

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208	6698	ALL PRO EXERCISE INC	564070	74.00
		RECREATION EXPENDITURES EQUIPMENT SERVICE/SUPPLY		
208	13580	ANNA O POPOVICH	564178	198.00
		RECREATION EXPENDITURES MUSIC LESSONS		
208	10336	B & B POOLS & SPA CORP	564117	156.00
		RECREATION EXPENDITURES POOL SUPPLY		
208	16691	BRIANA PARKER	564333	50.00
		RECREATION EXPENDITURES OFFICIAL		
208	14993	CITY ELECTRIC SUPPLY	564239	509.37
		RECREATION EXPENDITURES ELECTRICAL SUPPLY		
208	1203	CITY OF WARREN	564026	7,923.11
		VARIOUS WATER SERVICE		
208	3361	CITY OF WARREN	1023	350.00
		BINGO EXPENDITURES NOVELTY HOUSE REIMBURSEMENT		
208	14539	DAVID JOEL PETRIE	564212	225.00
		RECREATION EXPENDITURES OFFICIAL		
208	4211	DETROIT TIGERS INC	564060	600.00
		VARIOUS FIELD TRIP/DAY CAMP		
208	372	EAST SIDE LOCKSMITH INC	563999	509.95
		RECREATION EXPENDITURES MAINTENANCE SERVICE		
208	14686	EMPIRE EQUIPMENT & SUPPLY	564223	824.80
		RECREATION EXPENDITURES MAINTENANCE EQUIPMENT		
208	9029	GORDON FOOD SERVICE INC	564097	393.29
		RECREATION EXPENDITURES PARTY ROOM/BANQUET SUPPLY		
208	15495	GORDON MACHLEIT	564253	100.00
		RECREATION EXPENDITURES OFFICIAL		
208	3467	GREGORY TRZASKOMA	564054	1,042.00
		RECREATION EXPENDITURES THEATRE		
208	6187	HOME DEPOT CREDIT SERVICE	564068	408.73
		RECREATION EXPENDITURES MAINTENANCE SUPPLY		
208	13833	ISAK DISTRIBUTION INC	564187	121.00
		RECREATION EXPENDITURES OPERATING SUPPLY		
208	16553	JEAN W BRANCH	564317	352.00
		RECREATION EXPENDITURES PERSONAL TRAINING		
208	7495	JEFFREY OLIND	564078	50.00
		RECREATION EXPENDITURES OFFICIAL		
208	1314	JERRY BADIA	564035	75.00
		RECREATION EXPENDITURES OFFICIAL		
208	16444	LES MILLS UNITED STATES	564305	985.00
		RECREATION EXPENDITURES LICENSE FEE		
208	14408	LITHO PRINTING SERVICE	564208	705.00
		RECREATION EXPENDITURES BROCHURES		
208	7803	LPS PLUMBING INC	564081	125.00
		RECREATION EXPENDITURES PLUMBING SERVICE		
208	2113	MICHAEL ZELENAK	564039	450.00
		RECREATION EXPENDITURES MUSIC FOR SENIORS		
208	13499	MJ PRINT & IMAGING	564174	460.00
		RECREATION EXPENDITURES PRINTING SERVICES		
208	1017	OFFICE DEPOT	564020	288.59
		RECREATION EXPENDITURES OFFICE SUPPLY		

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208	10980	PAPARONI'S PIZZA	564124	1,186.30
		RECREATION EXPENDITURES PIZZA/PARTY ROOM SUPPLIES		
208	16525	PLUG & PAY TECHNOLOGIES	564315	97.90
		RECREATION EXPENDITURES TRANSACTION FEES		
208	13371	PRAXAIR DISTRIBUTION INC	564170	240.96
		RECREATION EXPENDITURES OPERATING SUPPLY		
208	14255	PREFERRED TONER SOLUTIONS	564200	529.70
		RECREATION EXPENDITURES OFFICE SUPPLY		
208	16661	RICHARD SHALHOUB	564327	75.00
		RECREATION EXPENDITURES OFFICIAL		
208	13577	RKA PETROLEUM COMPANIES	564177	1,063.84
		GASOLINE/DIESEL		
208	15515	ROSS J FAZIO JR	564255	781.20
		RECREATION EXPENDITURES TENNIS INSTRUCTOR		
208	11398	SALVATORES PIZZA	564132	535.50
		RECREATION EXPENDITURES PIZZA/SUBS PARTY ROOM		
208	10108	SCHARF'S SERVICE & FUEL	564114	34.24
		RECREATION EXPENDITURES FUEL OIL		
208	11882	SMART	564139	3,068.00
		TRANSPORT EXPENDITURES VEHICLE MAINTENANCE		
208	16541	SOCIAL COOP DIGITAL	564316	600.00
		RECREATION EXPENDITURES ADVERTISING		
208	965	SUPPLYDEN INC	564018	1,470.98
		RECREATION EXPENDITURES MAINTENANCE SUPPLY		
208	16421	TEA PARTY CASTLE	564304	412.17
		FIELD TRIP		
208	14693	THE HARTFORD GROUP	564224	503.58
		RECREATION EXPENDITURES LIFE INSURANCE AND AD&D		
208	16659	THOMAS HILL	564326	150.00
		RECREATION EXPENDITURES OFFICIAL		
208	14277	TROY SPORTS CENTER	564201	104.00
		RECREATION EXPENDITURES SKATING LESSONS		
208	15829	WOW! BUSINESS	564268	336.52
		RECREATION EXPENDITURES INTERNET SERVICE		
226	12239	VERIZON WIRELESS	4482689	152.06
		SANITATION EXPENDITURES CELLULAR SERVICE		
226	11094	XO COMMUNICATIONS LLC	4482690	136.52
		SANITATION EXPENDITURES MONTHLY PHONE SERVICE		
226	215	CENTRAL OIL CO	563992	554.40
		SANITATION EXPENDITURES OIL PRODUCTS		
226	1203	CITY OF WARREN	564026	285.41
		SANITATION EXPENDITURES WATER SERVICE		
226	14709	DETROIT RENEWABLE POWER	564226	10,532.10
		SANITATION EXPENDITURES SOLID WASTE DISPOSAL		
226	372	EAST SIDE LOCKSMITH INC	563999	37.50
		SANITATION EXPENDITURES MAINTENANCE SERVICE		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
226	13813	ELITE PEST MANAGEMENT	564186	27.00
		SANITATION EXPENDITURES PEST CONTROL		
226	13932	GARRETT DOOR CO	564191	2,640.00
		SANITATION EXPENDITURES OVERHEAD DOOR SERVICE		
226	10996	GEMINI FORMS & SYSTEMS	564125	897.60
		SANITATION EXPENDITURES PRINTING		
226	6187	HOME DEPOT CREDIT SERVICE	564068	7.38
		SANITATION EXPENDITURES MAINTENANCE SUPPLY		
226	891	PRECISION ENVIRONMENTAL	564014	101.30
		SANITATION EXPENDITURES HVAC SERVICE		
226	13577	RKA PETROLEUM COMPANIES	564177	9,645.82
		SANITATION EXPENDITURES GASOLINE/DIESEL		
226	14679	SUPER CAR WASH	564222	25.00
		SANITATION EXPENDITURES VEHICLE MAINTENANCE		
226	14693	THE HARTFORD GROUP	564224	865.89
		SANITATION EXPENDITURES DISABILITY PREMIUM		
230	14693	THE HARTFORD GROUP	564224	177.79
		RENTAL ORDIN EXPENDITURES LIFE INSURANCE AND AD&D		
250	324	DTE ENERGY	4482681	4,773.59
		COMMUNICATION EXPENDITURE ELECTRIC SERVICE		
250	125	ABEL ELECTRONICS INC	563988	199.76
		COMMUNICATION EXPENDITURE ELECTRICAL SUPPLY		
250	8398	B & H PHOTO - VIDEO INC	564091	843.18
		COMMUNICATION EXPENDITURE ELECTRONIC SUPPLIES		
250	11219	CINTAS FIRST AID & SAFETY	564129	92.30
		COMMUNICATION EXPENDITURE FIRST AID SUPPLY		
250	9724	DATA MEDIA PRODUCTS INC	564106	595.44
		COMMUNICATION EXPENDITURE OFFICE SUPPLY		
250	15203	DIVDAT	564244	1,428.00
		COMMUNICATION EXPENDITURE MONTHLY FLYER		
250	14981	DU ALL CLEANING INC	564237	400.00
		COMMUNICATION EXPENDITURE JANITORIAL SERVICES		
250	13996	GENE MICHAEL PRODUCTIONS	564194	2,000.00
		COMMUNICATION EXPENDITURE LEASE RENEWAL		
250	9029	GORDON FOOD SERVICE INC	564097	59.03
		COMMUNICATION EXPENDITURE OPERATING SUPPLY		
250	10875	GOV CONNECTION INC	564122	981.47
		COMMUNICATION EXPENDITURE COMPUTER EQUIPMENT		
250	1017	OFFICE DEPOT	564020	118.95
		COMMUNICATION EXPENDITURE OFFICE SUPPLY		
250	7847	PRINTWELL INC	564083	17,990.78
		COMMUNICATION EXPENDITURE NEWSBEAT FLYER PRINTING		
250	14693	THE HARTFORD GROUP	564224	200.47
		COMMUNICATION EXPENDITURE LIFE INSURANCE AND AD&D		
261	12239	VERIZON WIRELESS	4482677	825.02
		DRUG FORFEIT EXPENDITURES CELLULAR SERVICE		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
262	3865	JOHN E REID & ASSOCIATES	564058	1,100.00
		POLICE TRAINING EXPEND SEMINAR		
262	2348	OAKLAND POLICE ACADEMY	564040	720.00
		POLICE TRAINING EXPEND SEMINAR		
271	323	DTE ENERGY	4482680	560.63
		LIBRARY EXPENDITURES ELECTRIC SERVICE		
271	324	DTE ENERGY	4482681	7,753.69
		LIBRARY EXPENDITURES ELECTRIC SERVICE		
271	16711	TOBIN T BUHK	564336	150.00
		LIBRARY EXPENDITURES LIBRARY PROGRAM		
271	1203	CITY OF WARREN	564026	417.75
		LIBRARY EXPENDITURES WATER SERVICE		
271	11177	CONTROLLOR SECURITY SYS	564128	143.00
		LIBRARY EXPENDITURES SERVICE CALL		
271	310	DEMCO INC	563995	738.48
		LIBRARY EXPENDITURES LIBRARY SUPPLY		
271	14981	DU ALL CLEANING INC	564237	5,700.00
		LIBRARY EXPENDITURES JANITORIAL SERVICES		
271	6187	HOME DEPOT CREDIT SERVICE	564068	33.80
		LIBRARY EXPENDITURES MAINTENANCE SUPPLY		
271	124	JCR SUPPLY INC	563987	524.28
		LIBRARY EXPENDITURES MAINTENANCE SUPPLY		
271	16713	JESSE MASON	564338	110.00
		LIBRARY EXPENDITURES LIBRARY PROGRAM		
271	11427	MILLCRAFT PAPER STORE	564133	76.18
		LIBRARY EXPENDITURES PAPER/CARD STOCK		
271	1017	OFFICE DEPOT	564020	412.23
		LIBRARY EXPENDITURES OFFICE SUPPLY		
271	16712	PEWABIC SOCIETY INC	564337	100.00
		LIBRARY EXPENDITURES LIBRARY PROGRAM		
271	634	SUBURBAN LIBRARY	564005	19,102.76
		VARIOUS BOOKS/CIRC MATERIALS/DVDS/VIDEO RECEIPTS		
271	14594	SUBURBAN LIBRARY CO-OP	564216	1,750.00
		LIBRARY EXPENDITURES ONLINE DATABASE		
271	14693	THE HARTFORD GROUP	564224	936.42
		LIBRARY EXPENDITURES LIFE INSURANCE AND AD&D		
271	5229	THE LIBRARY STORE INC	564064	491.69
		LIBRARY EXPENDITURES OFFICE SUPPLIES		
271	13978	TOSHIBA BUSINESS	564193	1,439.93
		LIBRARY EXPENDITURES COPIER CHARGES		
271	14656	UNIQUE MANAGEMENT	564220	1,008.65
		LIBRARY EXPENDITURES CONTRACTUAL SERVICES		
271	5477	UNITED PARCEL SERVICE	564065	66.81
		LIBRARY EXPENDITURES DELIVERY SERVICE		
273	15558	APPLIED IMAGING	564257	168.00
		ADMINISTRATIVE COSTS COPY CHARGES		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
273	16061	FISHBECK THOMPSON CARR	564276	7,588.85
		PARK IMPROVEMENTS		
		PROFESSIONAL SERVICES		
273	2546	MACOMB COUNTY REGISTER	564044	28.00
		RESID REHAB DELIVERY		
		RECORDING FEES		
273	3856	SEMBOIA	564057	60.00
		ADMINISTRATIVE COSTS		
		DUES		
273	14693	THE HARTFORD GROUP	564224	147.50
		VARIOUS		
		DISABILITY PREMIUM		
273	1213	TREASURER, CITY OF WARREN	564028	7,966.10
		UNALLOCATED EXPENSES		
		CODE ENFORCEMENT		
277	14121	MACOMB COUNTY HABITAT	564196	1,343.45
		ACQUISITION NEW CONSTRUCT		
		CONSTRUCTION COSTS		
278	14748	AUBURN VILLAGE TOWNHOMES	564227	743.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16510	BALAS ROMAN	564313	438.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16475	BLOOMFIELD ON THE RIVER	564307	351.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	14642	BULLOCK ENTERPRISES LLC	564219	439.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	13258	COUNTRY COURT APARTMENTS	564165	385.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16474	CRISTY PAQUETTE	564306	824.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16477	DARRYL COHEN	564309	284.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	14213	DETROIT SQUARE PROPERTIES	564198	581.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16121	DKG HOMES LLC	564280	802.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	14852	GWENDOLYN HOLLIS	564230	666.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	15343	IAN WEAVER	564247	281.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	12535	JAMES R WOLFE	564150	336.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16476	JD EQUITIES LLC	564308	420.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16193	MARSHALL STREET HOLDINGS	564283	190.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	15885	MICHAEL S KARAMIHAS	564270	391.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	15577	NEW FRONTIER 21 LLC	564259	1,017.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		
278	16120	NHL PROPERTY MANAGEMENT	564279	606.00
		HOUSING OPPORTUNITIES EXP		
		RENTAL ASSISTANCE		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
278	16392	PETER B MIRK HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564301	642.00
278	16359	PW INVEST COM LLC HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564298	190.00
278	16119	REGAL TOWERS HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564278	384.00
278	14388	RIVERCREST OF CLINTON TWP HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564207	269.00
278	16344	ROBERT OTT HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564295	447.00
278	13748	ROYAL HILL APARTMENTS INC HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564184	310.00
278	15701	ROZAN 4 LLC HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564263	304.00
278	16559	SUMMIT CONSULTING SVCS HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564318	674.00
278	15622	TG WARREN LLC HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564262	392.00
278	16715	THOMAS JOSEPH SVOBODA JR HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564339	441.00
278	16293	TMI PROPERTIES LLC HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564291	443.00
278	15802	TOWERS OF SOUTHFIELD HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564267	744.00
278	16358	VINCENT LONG HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564297	361.00
278	16039	WASHINGTON PLACE APTS LLC HOUSING OPPORTUNITIES EXP RENTAL ASSISTANCE	564274	414.00
279	1203	CITY OF WARREN ACQUISITION REHAB OTHER WATER SERVICE	564026	13.62
279	265	CONSUMERS ENERGY ACQUISITION REHAB OTHER UTILITY SERVICE	563994	91.42
280	1203	CITY OF WARREN ACQUISITION REHAB OTHER WATER SERVICE	564026	27.24
280	265	CONSUMERS ENERGY ACQUISITION REHAB OTHER UTILITY SERVICE	563994	66.18
410	15966	IMAGESOFT INC COURT BLDG RENOVATION EXP SOFTWARE/TRAINING/MAINT	564272	84,538.08
410	15575	OFFICE PRODUCTS OUTLET COURT BLDG RENOVATION EXP EQUIPMENT MAINTENANCE	564258	13,447.12
435	9144	COLONIAL TITLE 2006 CAPITAL IMPROV EXP. TITLE SEARCH	564098	178.00
494	14693	THE HARTFORD GROUP DDA ADMIN EXPENDITURES LIFE INSURANCE AND AD&D	564224	113.66

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
536	13470	COMERICA COMML CARD SRVC	4482682	30.00
		STILWELL MANOR EXPENSES CRIMINAL BACKGROUND CHECK		
536	12239	VERIZON WIRELESS	4482677	16.12
		STILWELL MANOR EXPENSES CELLULAR SERVICE		
536	1203	CITY OF WARREN	564026	2,523.70
		STILWELL MANOR EXPENSES WATER SERVICE		
536	99998	ESTATE OF THEODORE HAMILTON	564361	590.00
		SECURITY DEPOSIT REFUND		
536	9029	GORDON FOOD SERVICE INC	564097	73.70
		STILWELL MANOR EXPENSES PARTY ROOM/BANQUET SUPPLY		
536	6187	HOME DEPOT CREDIT SERVICE	564068	151.42
		STILWELL MANOR EXPENSES MAINTENANCE SUPPLY		
536	15055	JC EHRILICH CO INC	564241	250.00
		STILWELL MANOR EXPENSES PEST CONTROL		
536	1017	OFFICE DEPOT	564020	565.19
		STILWELL MANOR EXPENSES OFFICE SUPPLY		
536	16145	REPUBLIC SERVICES	564282	144.00
		STILWELL MANOR EXPENSES TRASH REMOVAL		
536	99998	ROCHELLE SACKETT YINGLING	564386	25.00
		KEY DEPOSIT REFUND		
536	14693	THE HARTFORD GROUP	564224	205.22
		STILWELL MANOR EXPENSES LIFE INSURANCE AND AD&D		
536	686	WILMAR INDUSTRIES INC	564009	176.03
		STILWELL MANOR EXPENSES OPERATING SUPPLY		
537	13470	COMERICA COMML CARD SRVC	4482682	30.00
		JOS COACH MANOR EXPENSES CRIMINAL BACKGROUND CHECK		
537	265	CONSUMERS ENERGY	4482679	20.84
		JOS COACH MANOR EXPENSES UTILITY SERVICE		
537	265	CONSUMERS ENERGY	4482692	180.60
		JOS COACH MANOR EXPENSES UTILITY SERVICE		
537	14359	APCO SUPPLY	564205	3,114.00
		JOS COACH MANOR EXPENSES APPLIANCES		
537	1203	CITY OF WARREN	564026	4,549.96
		JOS COACH MANOR EXPENSES WATER SERVICE		
537	99998	ESTATE OF FLORENCE BERRY	564360	410.00
		SECURITY DEPOSIT REFUND		
537	9029	GORDON FOOD SERVICE INC	564097	240.66
		JOS COACH MANOR EXPENSES PARTY ROOM/BANQUET SUPPLY		
537	15055	JC EHRILICH CO INC	564241	529.00
		JOS COACH MANOR EXPENSES PEST CONTROL		
537	99998	MS DORTHA MOORE	564378	482.50
		SECURITY DEPOSIT REFUND		
537	16145	REPUBLIC SERVICES	564282	138.00
		JOS COACH MANOR EXPENSES TRASH REMOVAL		
537	1179	VILLA CARPETS INC	564025	997.50
		JOS COACH MANOR EXPENSES FLOORING INSTALLATION		

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
537	686	WILMAR INDUSTRIES INC	564009	275.09
JOS	COACH MANOR	EXPENSES OPERATING SUPPLY		
701	99998	ADEEB ZAYTO INSURANCE OVERPAYMENT	564347	60.42
701	99998	ANGEL GARRISON OVERPAYMENT	564348	70.73
701	99998	BAYVIEW OVERPAYMENT	564350	52.03
701	99998	ERICA MATINA OVERPAYMENT	564358	230.36
701	99998	FIRST AMERICAN TITLE OVERPAYMENT	564362	2.65
701	99998	INEZ I WALKER OVERPAYMENT	564365	21.84
701	99998	KEVIN & JANICE MITCHELL OVERPAYMENT	564370	79.78
701	99998	LACHELLE BANKS-WOOD OVERPAYMENT	564371	16.86
701	13425	MACOMB COUNTY TREASURER OVERPAYMENT	564172	137.55
701	99998	MGL 1 LLC OVERPAYMENT	564376	61.43
701	99998	OASIS MEDITERRANEAN OVERPAYMENT	564381	31.50
701	99998	R WIL LANESKI OVERPAYMENT	564384	28.63
701	99998	ROBERT CARTER OVERPAYMENT	564385	300.00
701	99998	SHAWN LEGRIS UNALLOCATED TAX EXPEND DUPLICATE PAYMENT	564387	30.51
701	99998	UNIKA N MILES OVERPAYMENT	564390	30.90
704	99998	CORRAL OF MICHIGAN FIRE INSURANCE WITHHOLDING	564355	7,671.27
704	99998	EDDIE & SHANNA MAROTZ FIRE INSURANCE WITHHOLDING	564356	8,295.00
750	16280	CADR PLUS PAYROLL DEDUCTIONS	4482676	190.00
750	80140	CHAPTER 13 TRUSTEE PAYROLL DEDUCTION	4482668	956.34
750	80079	CHPTR 13 STANDING TRUSTEE PAYROLL DEDUCTION	4482665	799.20
750	80079	CHPTR 13 STANDING TRUSTEE PAYROLL DEDUCTION	4482666	976.39

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FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
750	80114	CHPTR 13 STANDING TRUSTEE	4482667	855.03
		PAYROLL DEDUCTION		
750	80165	INTERNAL REVENUE SERVICE	4482669	2.17
		PAYROLL DEDUCTION		
750	80001	LOCAL 1250	4482674	4,639.18
		UNION DUES DEDUCTIONS		
750	80141	MARY JANE M ELLIOTT	4482663	558.78
		PAYROLL DEDUCTION		
750	80171	MICHAEL R STILLMAN	4482664	369.62
		PAYROLL DEDUCTION		
750	80194	MICHIGAN, STATE OF - SAC	4482670	106.46
		PAYROLL DEDUCTION		
750	80118	MISDU	4482672	12,542.19
		PAYROLL DEDUCTIONS		
750	80152	OFFICE OF THE ATTORNEY	4482673	337.38
		PAYROLL DEDUCTION		
750	80164	US DEPT OF EDUCATION SFAC	4482671	223.01
		PAYROLL DEDUCTION		
750	80009	WARREN MUNICIPAL FEDERAL	4482662	72,331.00
		PAYROLL DEDUCTIONS		
750	80004	WARREN POLICE OFFICER'S	4482675	9,891.93
		UNION DUES DEDUCTIONS		
750	80002	LOCAL 1917	564343	723.55
		UNION DUES DEDUCTIONS		
750	80000	LOCAL 412	564342	399.30
		UNION DUES DEDUCTIONS		
750	80007	WARREN FIRE FIGHTER FUND	564344	1,230.00
		PAYROLL DEDUCTIONS		
750	80043	WARREN PROFESSIONAL FIRE	564345	1,170.00
		PAYROLL DEDUCTIONS		
801	13801	DMD ENVIRONMENTAL INC	564185	501.50
	S/A REVOLVING EXPENDITURE	ASBESTOS SURVEY		

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MISCELLANEOUS TRANSFER TO	WIRE DATE	TRANSFERS AMOUNT	WIRES FOR TRANSFER TO	HEALTH DATE	CARE CLAIMS AMOUNT
ICMA-DEF COMP	2/3/16	24,141.36	BC/BS	2/4/16	264,076.36
ICMA-DEF COMP	2/17/16	25,011.36	BC/BS	2/11/16	799,862.45
ICMA-DEF COMP			BC/BS	2/18/16	324,227.92
ICMA-401A	2/3/16	92,968.24	BC/BS	2/25/16	612,036.21
ICMA-401A	2/17/16	94,503.98	BC/BS		
ICMA-401A	2/24/16	705.61	BC/BS		
ICMA-ROTH IRA	2/3/16	6,647.31			
ICMA-ROTH IRA	2/17/16	6,807.31			
ICMA-ROTH IRA					
ICMA-RHS	2/3/16	13,148.90			
ICMA-RHS	2/17/16	13,693.97			
ICMA-RHS					
ING-DEF COMP	2/3/16	19,601.94			
ING-DEF COMP	2/17/16	19,762.33			
ING-DEF COMP					
ING-DEF COMP					
LINCOLN-DEF COMP	2/3/16	22,317.51			
LINCOLN-DEF COMP	2/17/16	22,622.86			
LINCOLN-DEF COMP					
ASPIRE-DEF COMP	2/3/16	12,670.12			
ASPIRE-DEF COMP	2/17/16	12,930.12			
ASPIRE-DEF COMP					
CITY RETIREMENT	2/26/16	514,005.00			
CITY VEBA	2/26/16	892,582.00			
P&F VEBA-EE	2/16/16	70,893.70			
P&F RETIREMENT	2/26/16	883,714.00			
P&F VEBA	2/26/16	875,003.00			
MHM RESOURCES	2/3/16	18,220.07			
MHM RESOURCES	2/17/16	18,613.78			
CRAWFORD&COMPANY	2/1/16	1,149.00			
CRAWFORD&COMPANY	2/4/16	28,000.00			
CRAWFORD&COMPANY	2/16/16	23,782.49			
CRAWFORD&COMPANY	2/29/16	26,214.45			
CRAWFORD&COMPANY	2/29/16	48,258.76			
COMPONE ADMIN	2/2/16	6,836.92			
COMPONE ADMIN	2/16/16	8,595.97			
CINCINATTI TIME	2/16/16	1,146.00			
CINCINATTI TIME					
CINCINATTI TIME					
FEBRUARY 2016	TOTAL	\$ 3,804,548.06			

WIRE TRANSFERS TRANSFER TO	TO DATE	MACOMB COUNTY AMOUNT
MACOMB COUNTY	2/1/16	29,120.24
MACOMB COUNTY	2/2/16	13,499.97
MACOMB COUNTY	2/3/16	72,773.80
MACOMB COUNTY	2/4/16	28,519.31
MACOMB COUNTY	2/5/16	101,607.88
MACOMB COUNTY	2/8/16	113,826.91
MACOMB COUNTY	2/9/16	29,871.41
MACOMB COUNTY	2/10/16	119,918.13
MACOMB COUNTY	2/11/16	36,847.46
MACOMB COUNTY	2/12/16	143,640.30
MACOMB COUNTY	2/16/16	42,155.27
MACOMB COUNTY	2/17/16	88,743.47
MACOMB COUNTY	2/18/16	22,584.44
MACOMB COUNTY	2/19/16	31,503.10
MACOMB COUNTY	2/22/16	25,611.21
MACOMB COUNTY	2/23/16	38,796.09
MACOMB COUNTY	2/24/16	77,194.14
MACOMB COUNTY	2/25/16	619,112.29
MACOMB COUNTY	2/26/16	22,637.79
MACOMB COUNTY	2/29/16	53,957.40
MACOMB COUNTY		
FEBRUARY 2016	TOTAL	\$1,711,920.61

WIRES FOR PAID FROM	FEDERAL DATE	W/HOLDING TAX AMOUNT
COMERICA BANK	2/4/16	378,858.88
COMERICA BANK	2/18/16	372,321.76
FEBRUARY 2016	TOTAL	\$751,180.64

CITY OF WARREN
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016

WIRE TRANSFERS TO TAXING AUTHORITIES

<u>SCHOOL DISTRICT</u>	<u>2/5/16</u>	<u>2/12/16</u>	<u>2/19/16</u>	<u>2/26/16</u>
FITZGERALD	597,343.85	117,510.35	103,974.40	16,641.39
VAN DYKE	415,385.32	329,282.49	37,778.59	31,867.96
EAST DETROIT	55,869.93	32,889.10	18,633.08	12,039.74
CENTER LINE	150,236.67	97,376.86	42,763.56	13,120.54
WARREN WOODS	280,992.17	285,868.13	26,934.64	23,018.39
WARREN CON	703,240.69	792,706.54	98,291.13	98,024.39
MACOMB COMM	172,451.13	140,166.37	26,978.70	17,031.61
MACOMB INTER	330,064.35	269,593.99	51,892.16	32,759.72
MACOMB COUNTY	19,820.97	14,618.13	25,383.69	27,024.47
TOTAL	\$ 2,725,405.08	\$2,080,011.96	\$ 432,629.95	\$ 271,528.21

TOTAL FOR FEBRUARY 2016 DISBURSEMENTS
 TO TAXING AUTHORITIES \$ 5,509,575.20

CITY OF WARREN
BILLS TO BE APPROVED FOR PAYMENT
REGULAR MEETING OF MARCH 22, 2016

PENDING WIRE TRANSFERS

<u>TRANSFER TO</u>	<u>REASON</u>	<u>DATE REQUESTED</u>	<u>AMOUNT REQUESTED</u>
CRAWFORD & COMPANY	REIMBURSE LARGE DOLLAR CLAIM	3/8/16	\$ 14,496.07
CRAWFORD & COMPANY	REIMBURSE LARGE DOLLAR CLAIM	3/10/16	\$ 50,621.47
TOTAL	WIRES TO BE EFFECTUATED	3/28/16	<u>\$ 65,117.54</u>

CITY OF WARREN WATER & SEWER SYSTEM
BILLS TO BE APPROVED FOR PAYMENT
REGULAR MEETING OF MARCH 22, 2016
SUMMARY PAGE

FUND	FUND NAME	TOTAL DISBURSEMENTS
592020	OPERATION & MAINTENANCE	\$ 916,839.33
592044	INFRASTRUCTURE REPL RES	\$ 43.88
592047	EQUIPMENT REPL RESERVE	\$ 717,176.30
592096	PAYROLL REVOLVING FUND	\$ <u>19,390.96</u>
		<u>\$1,653,450.47</u>

CITY OF WARREN WATER & SEWER SYSTEM
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016
 PAGE 1 OF 3

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592020	4571	AT&T MOBILITY	1084467	492.15
		WATER MAINTENANCE	WIRELESS MONTHLY SERVICE	
592020	323	DTE ENERGY	1084469	418.71
		VARIOUS	ELECTRIC MONTHLY SERVICE	
592020	4703	APPLIED IMAGING	95417	42.84
		WATER MAINTENANCE	MAINTENANCE SUPPLIES	
592020	99998	CENTURY 21 COLLINS	95428	345.42
			REFUND	
592020	2115	CONTRACTORS CLOTHING CO	95399	134.10
		WATER MAINTENANCE	UNIFORMS	
592020	4612	DIVDAT	95415	19,491.48
		ADMINISTRATION	UTILITY BILL PROCESSING	
592020	99998	DOUGLAS VARNEY	95429	356.20
		WWTP	TRAVEL EXPENSE	
592020	99998	DOUGLAS WILHOITE	95430	784.97
			REFUND	
592020	323	DTE ENERGY	95384	7,019.56
		VARIOUS	ELECTRIC MONTHLY SERVICE	
592020	372	EAST SIDE LOCKSMITH INC	95387	253.50
		WATER MAINTENANCE	FACILITY MAINTENANCE	
592020	371	EJ USA INC	95386	13,059.15
			INVENTORY SUPPLIES	
592020	99998	ESTATE OF EMILY GRYCH	95431	434.85
			REFUND	
592020	404	FIRE EQUIPMENT CO INC	95388	2,295.00
		WWTP	MONTHLY INSPECTION	
592020	1727	GRAINGER	95396	320.33
		WWTP	MAINTENANCE SUPPLIES	
592020	1044	GRAYBAR	95391	68.04
		WWTP	MAINTENANCE SUPPLIES	
592020	142	GREAT LAKES WATER	95383	807,372.53
		GENERAL	2016 WHOLESALE WATER	
592020	1924	H D EDWARDS & CO	95397	756.60
		WATER MAINTENANCE	OPERATING SUPPLIES	
592020	2103	HESCO	95398	950.00
		WWTP	METER CALIBRATION	
592020	2268	HOME DEPOT CREDIT SERVICES	95400	637.70
		WWTP	MAINTENANCE SUPPLIES	
592020	4673	JOHNSON CONTROLS INC	95416	3,998.66
		WATER MAINTENANCE	ODOR CONTROL	
592020	99998	LAURA ANN GOLICK	95432	257.50
			REFUND	
592020	99998	MARK WEBB	95433	19.18
		WWTP	TRAVEL EXPENSE	
592020	4462	MAURER'S TEXTILE RENTAL	95412	152.92
		WWTP	OPERATING SUPPLIES	
592020	4787	METRO ENVIRONMENTAL	95421	14,548.84
		WWTP	REPAIRS & MAINTENANCE	

CITY OF WARREN WATER & SEWER SYSTEM
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016
 PAGE 2 OF 3

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592020	4412	METRO WELDING SUPPLY	95410	21.75
	WWTP	CHEMICALS AT WWTP		
592020	4514	MICH METER TECHNOLOGY GRP	95413	3,044.56
		INVENTORY SUPPLIES		
592020	791	MOTION INDUSTRIES INC	95389	130.80
	WWTP	MAINTENANCE SUPPLIES		
592020	4601	MSC INDUSTIRAL SUPPLY CO	95414	336.75
	WWTP	MAINTENANCE SUPPLIES		
592020	4118	NEWARK	95404	152.99
	WWTP	MAINTENANCE SUPPLIES		
592020	329	OCCUPATIONAL HEALTH CENTERS	95385	161.00
	WWTP	MEDICAL SERVICES		
592020	2401	OFFICE DEPOT INC	95401	375.78
	VARIOUS	OPERATING SUPPLIES		
592020	2443	OSCAR W LARSON CO	95402	150.00
	WWTP	MAINTENANCE SUPPLIES		
592020	4239	PARAGON LABORATORIES INC	95406	330.00
	WATER MAINTENANCE	WATER ANALYSIS TESTING		
592020	4306	PRAXAIR DISTRIBUTION INC	95407	282.67
	VARIOUS	CHEMICALS AT WWTP		
592020	4781	REPUBLIC SERVICES #241	95420	149.00
	WWTP	MAINTENANCE SUPPLIES		
592020	99998	SAMANTHA ROBINSON	95434	200.00
		REFUND		
592020	986	SATTERLUND SUPPLY COMPANY	95390	28.90
	WWTP	OPERATING SUPPLIES		
592020	4404	SCHENA ROOFING & SHEET METAL	95409	965.00
	WATER MAINTENANCE	MAINTENANCE SUPPLIES		
592020	99998	SILVER FOX PROPERTY MANAGEMENT	95435	85.30
		REFUND		
592020	1066	SUBURBAN BOLT & SUPPLY CO	95392	108.90
	WATER MAINTENANCE	MAINTENANCE SUPPLIES		
592020	4828	SUPER CAR WASH	95423	55.00
	WATER MAINTENANCE	CAR WASH SERVICES		
592020	14693	THE HARTFORD GROUP	95426	4,553.84
	VARIOUS	LIFE AND AD&D PREMIUM		
592020	1320	TREASURER CITY OF WARREN	95394	4,172.42
	VARIOUS	WATER MONTHLY SERVICE		
592020	1390	TREASURER CITY OF WARREN	95395	4,053.04
	VARIOUS	DPW FLEET CHARGES		
592020	4775	UNITED RESOURCE LLC	95418	7,758.59
	WATER MAINTENANCE	SEWER CLEANING & TELEVISIONING		
592020	4876	VAL-MATIC VALVE & MFG	95424	341.84
	WWTP	MAINTENANCE & REPAIRS		
592020	1241	WARREN PIPE & SUPPLY CO	95393	261.32
		MAINTENANCE SUPPLIES		
592020	2689	WILLIAM INCE & ASSOC INC	95403	2,225.00
	WWTP	OPERATING SUPPLIES		

CITY OF WARREN WATER & SEWER SYSTEM
 BILLS TO BE APPROVED FOR PAYMENT
 REGULAR MEETING OF MARCH 22, 2016
 PAGE 3 OF 3

OPERATION & MAINTENANCE AND OTHER FUNDS AS INDICATED

FUND	VENDOR NUMBER	PAYEE AND DESCRIPTION	CHECK NUMBER	NET CHECK AMOUNT
592020	4205	ZUNIGA CEMENT CONSTRUCTION	95405	12,684.65
		WATER MAINTENANCE	CONCRETE & MANHOLE REPAIR	
592044	4777	DIPONIO CONTRACTING INC	95419	43.88
		VARIOUS	RETAINAGE INTEREST	
592047	4417	J F CAVANAUGH COMPANY	95411	510,576.30
		VARIOUS	INCINERATOR SCRUBBER REPLACEMENT	
592047	4824	SPENCE BROTHERS	95422	121,800.00
		VARIOUS	FINAL CLARIFIER REHAB	
592047	4360	TETRA TECH INC	95408	5,000.00
		EXPENSE	PROFESSIONAL SERVICES	
592047	4880	TRACE ENVIRONMENTAL SYSTEMS	95425	79,800.00
		VARIOUS	EMISSIONS MONITORING	
592096	80001	AFSCME LOCAL 1250	1084464	1,682.34
			UNION DUES DEDUCTIONS	
592096	80098	MISDU	1084465	2,304.17
			WAGE ASSIGNMENTS	
592096	80207	SUSAN WINTERS	1084466	150.00
			WAGE ASSIGNMENTS	
592096	80009	WARREN MUNIC FED CR UNION	1084463	14,980.00
			PAYROLL DEDUCTIONS	
592096	80002	AFSCME LOCAL 1917	95427	274.45
			UNION DUES DEDUCTIONS	



WARREN CITY COUNCIL

5460 ARDEN, COMMUNITY CENTER (586) 258-2060 WARREN, MI 48092

Cecil D. St. Pierre, Jr., President
Patrick Green, Vice President
Kelly Colegio, Secretary (Mayor Pro Tem)

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

Scott C. Stevens
Steven G. Warner

Agenda Item Request Form

To: City Council of the City of Warren

From: Councilman Scott Stevens

Date: March 1, 2016

Request: Place SEMCOG on the agenda under announcements to allow them the opportunity to address Council and Warren Residents.



WARREN CITY COUNCIL

5460 ARDEN, COMMUNITY CENTER (586) 258-2060 WARREN, MI 48092

Cecil D. St. Pierre, Jr., President
Patrick Green, Vice President
Kelly Colegio, Secretary (Mayor Pro Tem)

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

Scott C. Stevens
Steven G. Warner

Agenda Item Request Form

To: City Council of the City of Warren

From: Council President Cecil D. St. Pierre Jr.

Date: March 16, 2016

Request: Place Macomb County Treasurer Derek Miller on the agenda under announcements to allow him the opportunity to address Council and Warren Residents.



January 27, 2016

Kelly Colegio, 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

RE: Resolution for 23051 Bolam Nuisance Abatement

Honorable Council Secretary:

The approval of a resolution is necessary for collection proceedings relating to the removal of a house, garage and shed at 23051 Bolam which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **February 23, 2016 consent agenda** for a City Council Meeting **March 22, 2016** to review and confirm Special Assessment Roll No. **477**.

Thank you for your cooperation in this matter.

Sincerely,

Handwritten signature of Richard D. Sabaugh in black ink.

Richard D. Sabaugh, Director
Department of Public Service

Read and Concur,

Approved:

Handwritten signature of Roxanne R. Conestelli in blue ink.
City Attorneys Office

Read and Concur,

Approved:

Handwritten signature of James R. Fouts in black ink.
James R. Fouts, Mayor

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

RECEIVED  WARREN

JAN 28 2016

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

January 27, 2016

City Attorney:

RE: One story aluminum sided house (684 square feet). Garage 440 square feet with damaged roof with tarp, siding damaged, doors missing and boarded up. Shed 8' x 8'. Remove 26' of 6' chain link fence at west rear at:

23051 Bolam
13-25-453-037 and 13-25-453-036

LOT 38 – BOLAM SUBDIVISION, as recorded in Liber 5, Page 52 of Plats, Macomb County Records.

Interested Parties

Ronald & Marilyn L. Monzo
JP Morgan Chase
Macomb County Treasurer
Greenpointe Mortgage

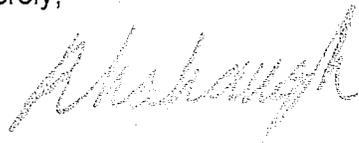
Please be advised that the nuisance at the above-noted location has been completed through efforts of the City as directed by the Nuisance Abatement Board of Appeals. Please institute collection proceedings including but not limited to any civil action which may be available.

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

Demolition Bid # RFQ-W-PS165	\$6,000.00
Asbestos Survey	\$ 189.00
City Administrative Fees	<u>\$1,092.50</u>
Total	\$7,281.50

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 477. A Certificate of Abatement will be issued at a later date.

Sincerely,



Richard D. Sabaugh, Director
Department of Public Service

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

**1st SAR Nuisance Resolution
23051 Bolam (13-25-453-037 and 13-25-453-036)**

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 City Council 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 38 – BOLAM SUBDIVISION, as recorded in Liber 5, Page 52 of Plats, Macomb County Records.

**Owner(s): Ronald & Marilyn L. Monzo
JP Morgan Chase
Macomb County Treasurer
Greenpointe Mortgage**

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

The Property owner(s) failed to remove the nuisance within the time period prescribed by City Council.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of City Council.

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. 13-25-453-037 and 13-25-453-036 also known as 23051 Bolam	\$7,281.50

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

**2nd SAR Nuisance Resolution
23051 Bolam (13-25-453-037 and 13-25-453-036)**

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. (13-25-453-037 and 13-25-453-036) also known as 23051 Bolam

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

PROPERTY

CHARGES

Parcel No. 13-25-453-037 and 13-25-453-036 also known as 23051 Bolam \$ 7,281.50

LOT 38 – BOLAM SUBDIVISION, as recorded in Liber 5, Page 52 of Plats, Macomb County Records.

**Owner(s): Ronald and Marilyn L. Monzo
JP Morgan Chase
Macomb County Treasurer
Greenpointe Mortgage**

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 22nd day of March, 2016, for payment to be made;

Payment has not been made, and a public hearing having been held on March 22nd, 2016, 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. 477 - \$7,281.50

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 _____, _____.

Kelly Colegio
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



February 9, 2016

PLANNING DEPARTMENT

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

TO: Kelly Colegio, Secretary
Warren City Council

FROM: Planning Commission

RE: REQUEST TO REZONE PROPERTY; located on the northeast corner of Van Dyke and Vermont Avenues; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; from the present zoning classifications R-1-P, One Family Residential and Parking District, and P, Parking District to C-1, Local Business District; VD Warren Investors LLC (Kevin Baker).

At a public hearing on January 25, 2016, 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-1-P, One Family Residential and Parking District, and P, Parking District to C-1, Local Business District.

You will find attached herewith a copy of the staff findings and recommendation, resolution, map, petitioner's letter, minutes and 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



January 29, 2016
Process # PR150001

VD Warren Investors LLC
Kevin Baker
27995 Halsted, Ste 150
Farmington Hills, MI 48331

PLANNING DEPARTMENT

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

RE: REQUEST TO REZONE PROPERTY; located on the northeast corner of Van Dyke and Vermont Avenues; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; from the present zoning classifications R-1-P, One-Family Residential and Parking District, and P, Parking District to C-1, Local Business District; VD Warren Investors LLC (Kevin Baker).

Dear Mr. Baker:

At its public hearing of January 25, 2016, 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-1-P, One Family Residential and Parking and P, Parking Districts to C-1, Local Business District, be APPROVED by City Council, and more specifically:

1. Many of the properties that front on Van Dyke that surrounding this proposed rezoning contain multiple zoning districts. While the parcel may contain both a commercial and residential zoning designation, the land use tends to be commercial or retail in nature. While there are single family dwellings to the east, there is an existing wall to buffer any proposed development. Additionally, lot 54, which is the easterly 61 ft. of this site is to remain P, Parking District further buffering any proposed commercial use from the existing residential neighborhood.

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.

2. Fifteen (15) copies of revised concept site plans must be submitted indicating the following:
 - a) A small location map
 - b) The legal description
 - c) The parcel identification numbers
 - d) Change the scale from 1" = 40' to 1" = 20' and zoning districts, etc.

The concept plan will need to be updated to include the required information from page 2 of the Rezoning Application prior to being forwarded to City Council.

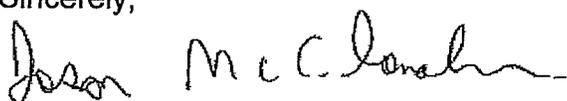
And furthermore recommendation were received from the following division and departments to notify the petitioner that these items will be addressed during the Building Division permit process:

TAXES: No Delinquent Taxes

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 February 8, 2016 hearing.

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

Sincerely,



Jason McClanahan
Commission Secretary

/jah

cc: Mayor James R. Fouts
Assistant City Attorney
Richard Sabaugh, Public Service Director
Everett Murphy, Zoning Department
Patrick Kozlowski, Fire Department
Ronald F. Wuerth, Planning Director
Ann Direnedetto

6.a) REZONING REQUEST: C-1, R-1-P and P to C-1 and P
27248 Van Dyke
PR150001
Section 15
VD Warren Investors LLC (Kevin Baker)
January 25, 2016
Page 1

FINDINGS

1. The petitioner is requesting that property located on the northeast corner of Van Dyke and Vermont Avenue; approximately 351 ft. north of Eleven Mile Road be rezoned from R-1-P, One-Family Residential and Parking District and P, Parking to C-1, Local Business District and P, Parking District.

NOTE: The lots proposed to be rezoned to C-1 includes the east 80 ft. of lots 49, 50, 51, and 52, which are presently zoned R-1-P, and lot 53 which is presently zoned P. A note shall be indicated on the concept site plan to indicate the specific rezoning request and the lots affected.

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

- a) **SIZE AND DIMENSIONS OF PROPERTY:** A square shaped parcel measuring 322 ft. x 257.8 ft. and containing 1.90 acres with 257.8 ft. of frontage along Van Dyke Avenue and 322 ft. of frontage along Vermont Avenue; lot(s) 49 through 54 of Supervisor's Plat of Van Dyke Gardens Subdivision.

NOTE: The following items shall be added to the concept site plan: a small location map, the legal description, the parcel identification numbers, change the scale from 1" = 40' to 1" = 20' and zoning districts, etc. The concept plan will need to be updated to include the required information from page 2 of the Rezoning Application prior to being forwarded to City Council.

- b) **PRESENT USE:** Vacant building, previously a Huntington Bank with drive thru window.
- c) **PRESENT ZONING:** C-1, Local Business District (the west 120 ft. of lots 49, 50, 51, 52), R-1-P, One Family Residential and Parking District (the east 80 ft. of lots 49, 50, 51, 52), P, Parking District (lots 53 and 54).

The C-1 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 to 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.

6.a) REZONING REQUEST: C-1, R-1-P and P to C-1 and P
27248 Van Dyke
PR150001
Section 15
VD Warren Investors LLC (Kevin Baker)
January 25, 2016
Page 2

- b) The present hearing will be the initial formal review of this application by the Planning Commission.
- c) On December 30, 2015 notice was given in the Warren Weekly for the public hearing before the Planning Commission.
- d) On January 24, 1991 the Building Division issued Building Permit No. 117838 for a New ATM Building measuring 8 ft. x 8 ft. and containing 64 sq. ft.
- e) On June 21, 1978 the Building Division issued Building Permit No. 98536 for a Commercial Addition measuring 11 ft. x 40 ft. and containing 440 sq. ft.
- f) On November 29, 1977 the Building Division issued Building Permit No. 97600 for a Drive-Up Window.
- g) On August 1, 1977 the Planning Commission voted to APPROVE the site plan for Drive Up Windows.
- h) On December 4, 1970 the Building Division issued Building Permit No. 84406 for a vestibule enclosure measuring 10 ft. 7.5 in. x 9 ft. and containing approximately 90 sq. ft.
- i) On July 31, 1968 the Building Division issued Building Permit No. 78574 for a Bank addition measuring 58 ft. x 37 ft. and containing 2,146 sq. ft.
- j) On February 28, 1968 the Board of Appeals GRANTED the petitioner permission for a use variance to erect an addition measuring 37 ft. x 58 ft. and containing 2,146 sq. ft., 2 story, to the rear of an existing building, which will project 23 ft. into the R-1-P zoning.
- k) On May 4, 1965 the City Council by formal motion REZONED the part of the property in question measuring 257.8 ft. x 122 ft. (Lots 53 and 54) from R-1-C to "P" as amended by Zoning Map No. 30-174.
- l) On October 14, 1960 the Building Division issued Building Permit No. 40488 for a commercial building measuring 50 ft. x 80 ft. and containing 4,000 sq. ft. on Lots 50-52 of Supervisor's Plat of Van Dyke Gardens subdivision.
- m) On October 10, 1960 the Planning Commission voted to APPROVE the site plan for a parking area for the commercial building.

6.a) REZONING REQUEST: C-1, R-1-P and P to C-1 and P
27248 Van Dyke
PR150001
Section 15
VD Warren Investors LLC (Kevin Baker)
January 25, 2016
Page 3

4. GENERAL DESCRIPTION OF SURROUNDING PROPERTIES IS AS FOLLOWS:

- a) The property to the north is zoned C-1, R-1-P and P and contains a refrigeration and heating company (Williams).
- b) The properties to the east are zoned P and R-1-C and contain a vacant lot and residential dwellings.
- c) The property to the south across Vermont Avenue is zoned C-2 and contains a Toyota car dealership.
- d) The properties to the west across Van Dyke are zoned C-1 and C-2 and contain commercial establishments.

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

- a) A new Circle K convenience store and gas station. The new convenience store would measure approximately 113 ft. x 45.5 ft. and contain 4,968 sq. ft. and would be constructed on the site set back 41.03 ft. from the north property line, 93.65 ft. from the east (rear) property line and 103.76 ft. from the south property line (Vermont Avenue). The new canopy would measure approximately 163 ft. x 48 ft. and contain 7,824 sq. ft. and would be set back approximately 70 ft. from the west (front) property line (Van Dyke Avenue); setback 35 ft. to the north property line (side) and setback 61 ft. to the south property line (Vermont Avenue).
- b) No open storage area is indicated at this time and is not permitted in C-1 or P zoned districts.
- c) A four (4) ft. high brick wall measuring 227.8 ft. in length exists along the east property (along lot 54) line and is proposed to remain. A brick wall measuring 121 ft. in length exists along the north property line (along lots 53 and 54) and is proposed to remain.

NOTE: The existing north wall would need to be extended upon approval of the rezoning. The existing R-1-P (east 80 ft. of lots 49, 50, 51, 52) abuts R-1-P to the north, therefore if this rezoning is approved, the C-1 would abut R-1-P zoning.

- d) Parking for 33 passenger vehicles would be provided on the site. The parking area indicates that the parking would be located approximately twelve (12) ft. to the west and south of the proposed new commercial building.

The minimum requirement for parking spaces on the site is 33.

- e) Access would be provided via one relocated driveway to Van Dyke Avenue and one relocated driveway to Vermont Avenue.

6.a) REZONING REQUEST: C-1, R-1-P and P to C-1 and P
27248 Van Dyke
PR150001
Section 15
VD Warren Investors LLC (Kevin Baker)
January 25, 2016
Page 4

- f) A landscape plan was not provided, but the concept site plan indicates that .77 acres of the site would contain grass.
 - g) A trash enclosure location is indicated on the plan located four (4) ft. to the north of the proposed Circle K convenience store.
 - h) 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.a) REZONING REQUEST: C-1, R-1-P and P to C-1 and P
27248 Van Dyke
PR150001
Section 15
VD Warren Investors LLC (Kevin Baker)
January 25, 2016
Page 5

RECOMMENDATION

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

1. It is recommended that the rezoning request from R-1-P, One Family Residential and Parking and P, Parking Districts to C-1, Local Business District be APPROVED.

Many of the properties that front on Van Dyke that surrounding this proposed rezoning contain multiple zoning districts. While the parcel may contain both a commercial and residential zoning designation, the land use tends to be commercial or retail in nature. While there are single family dwellings to the east, there is an existing wall to buffer any proposed development. Additionally, lot 54, which is the easterly 61 ft. of this site is to remain P, Parking District further buffering any proposed commercial use from the existing residential neighborhood.

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.

2. The following items shall be added to the concept site plan: a small location map, the legal description, the parcel identification numbers, change the scale from 1" = 40' to 1" = 20' and zoning districts, etc. The concept plan will need to be updated to include the required information from page 2 of the Rezoning Application prior to being forwarded to City Council.

And furthermore recommendation were received from the following division and departments to notify the petitioner that these items will be addressed during the Building Division permit process:

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 25th day of January, 2016, 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 13-15-351-003, 13-15-351-025, 13-15-351-026 (27248 Van Dyke) more particularly described as:

Lots 49 through 54, Supervisor's Plat of Van Dyke Gardens, City of Warren, Macomb County, Michigan, according to the Plat Thereof as recorded in Liber 20, Page 25 of Plats, Macomb County Records.

be rezoned from its present zoning classification R-1-P, One-Family Residential and Parking District; and P, Parking District to zoning classification C-1, Local 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 January 25, 2016.

CITY OF WARREN PLANNING COMMISSION

Jocelyn Howard

Jocelyn Howard, Chairperson

Jason McClanahan

Jason McClanahan, Secretary

5. APPROVAL OF THE MINUTES – January 11th, 2016

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. REQUEST TO REZONE PROPERTY: Located on the northeast corner of Van Dyke and Vermont Avenues; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; from the present zoning classifications C-1, Local Business District, R-1-P, One Family Residential and Parking District, and P, Parking District to C-1, Local Business District and P, Parking District; VD Warren Investors LLC (Kevin Baker)

PETITIONERS PORTION:

Mr. Kevin Baker – Good evening Kevin Baker with VD Warren Investors LLC and my Attorney Patrick Howe.

Mr. Patrick Howe – Good evening Madame Chair, Patrick Howe.

Mr. Kevin Baker – Tonight we are presenting our petition to rezone 27248 Van Dyke Avenue, which is currently occupied by a closed Huntington Bank Branch. Our proposed redevelopment of this site includes a new Circle K gas station facility as set forth in our concept plan for our submittal. We are requesting to rezone approximately 80 feet of R-1-P to C-1 and leave the rest of the existing zoning in place 80 feet of depth, the frontage is approximately 257.

Mr. Patrick Howe – This is the first step and redevelopment for Circle K full service gas station on Van Dyke. We have a vacant property currently and we believe that the redevelopment which would include tearing down the existing structures and building a completely Circle K gas station with many full service amenities would really improve the Van Dyke corridor.

The concept plan shows new construction of a commercial structure that's in line with the commercial structures that abut Van Dyke Avenue. The existing buffer would also be a landscape buffer and an existing wall would remain in place, an existing parking area that exist right now would also remain in place. So we are not really infringing upon the buffer to the east where the residential area exists and in my opinion we are really just updating the current zoning which should have been done long ago and that we have a

commercial structure that currently sits on residentially zoned property. So on one hand we are sort of updating what currently exist there on the other hand we're kicking off a great new redevelopment along Van Dyke. With that I can turn it over to Mr. Carter to explain any other aspects of the Circle K station and any other features of the site.

Chair Howard – Mr. Carter can speak, we may call you back when the Commissioners have their open comments.

Mr. Otis Carter – Thank you for letting me speak. As Kevin stated we are proposing to do a new development with the Circle K fuel station. It will be one of our new designs one that we haven't done until this year. It will be about a 5000 square foot facility, very up to date very modern looking. It will be a company fuel station so it won't be issues of changes of ownership and things like that of not taking care of the property. It will be maintained by the company so you won't have the issues that we sometimes see in the fuel facilities. If you have any questions feel free to ask please.

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 Commissioner Vinson.

COMMISSIONERS PORTION:

Vice Chair Kupiec – I'm not familiar with your name are you a new guy in town?

Mr. Kevin Baker – No our firm is Landmark Commercial Real Estate Services, you've probably seen our signs around town. I'm the representative for the group we've been in business since 1988.

Vice Chair Kupiec – Where is Circle K based at?

Mr. Otis Carter – The main office is in Arizona but the office that I actually come out of is in Akron Ohio and there are offices throughout the country.

Vice Chair Kupiec – And do you use local refineries to provide your fuel?

Mr. Otis Carter – We have our own fuel but sometimes we will use existing contracts if they are there already.

Vice Chair Kupiec – Do you have your own fuel in the area and do you have any other stations in the area?

Mr. Otis Carter – Yes we do use our own fuel and we have a few stations in Ypsilanti, one in East Pointe, some in Grand Rapids but those are the smaller older facilities that we have. They were acquired through acquisition so that's not the new facility that we will be bringing. The plan for those older ones are to rebuild those and turn those into new facilities as well, we are trying to change the image of the whole brand at this point and time.

Vice Kupiec – And your intent is primarily for passenger vehicles and small trucks not big trucks?

Mr. Otis Carter – That's correct.

Commissioner Rob – When I think about Circle K I think about west coast I've seen several there are you opening more in Michigan?

Mr. Otis Carter – Yes that is the intent, to start spreading out a little more in Michigan. Right now we only have probably like a said nine or ten in Michigan so the plan is to grow definitely in Michigan.

Commissioner Rob – Do you have more opening in the City of Warren?

Mr. Otis Carter – Warren will be the first one.

Commissioner Rob – I'm really excited to see that welcome to the City of Warren.

Assistant Secretary Smith – Welcome to the City of Warren I was wondering what they were going to do with that bank facility there because that was my bank before it moved. I was looking at the rest of the area also it does have another couple gas stations across the street but they have a lot of congestion where I think your facility will cut down on a lot of the congestion coming in because of the way the driveways are laid out for your concept plan. So welcome and thank you.

Chair Howard – Again I want to thank you for dealing with that particular vacant property. In addition it's very refreshing to know

that this is going to be a company owned business verses, then, having a franchise business with multiple owners. I believe you also have a facility in Dexter, Michigan?

Mr. Kevin Baker – I believe there is one in Dexter.

Chair Howard – The time that I have been there it has been very well maintained so hopefully we'll have the same image here in the City of Warren. Thank you for concept plan it's very thorough and also as our Vice Secretary said your circle plan as far as congestion and traffic flow is much more amenable then the other stations that are in the area. With that being said we have a recommendation for rezoning and that's going to be rezoned from R-1-P to C-1 local business district.

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

- B. SITE PLAN FOR OPEN STORAGE OF AUTO PARTS YARD AND EXISTING USED CAR FACILITY: Located on the east side of Groesbeck Highway approximately 409.25 ft. north of Frazho Road; 26130 Groesbeck Highway; Section 24; Mid City Truck Parts (Robert J. Tobin).

Chair Howard – We did receive correspondence from the petitioner asking for this item to be tabled until March 7th, 2016.

MOTION:

A motion was made by Commission Vinson to table to March 7th, 2016, supported by Commissioner Rob.

COMMISSIONERS PORTION:

Vice Chair Kupiec – In personally looking over this site it brings back memories of site that came before us five or six years ago and I don't remèber anything to do with a used car lot being approved there and originally I thought it was a towing site with storage for 20



City of Warren
Department of Police
Special Investigations Division
 29900 Civic Center
 Warren, Michigan 48093
 (586) 574-4837
 Fax (586) 574-4744
 Email: WarrenSID@Ameritech.net



FAX COVER SHEET

March 14, 2016

To (Company):	From:
Warren City Council	Officer Kurt Northrup #22
Attention:	Division:
Mary Kamp	Special Investigations Division
Contact Number:	Contact Number:
	586-574-4799
Fax Number:	Number of Pages (including cover):
586-268-0606	plus cover sheet 5

Urgent

Reply A.S.A.P.

For Your Information

Comments:

2- Resolution Request for March 22nd Council Meeting of Class C & SDM license's with Sunday sales.

Thank You, Ofc Northrup
 Liquor Licensing Division
knorthrup@warrenpd.org

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the agent or employee responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication may be subject to legal restriction or sanction. If you have received this facsimile in error, please notify us immediately by phone to arrange for return or destruction of the information and all copies. Thank you.



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a regular meeting of the City of Warren council/board
(regular or special) (township, city, village)
 called to order by _____ on 03-22-2016 at 1900 hrs
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from Three Brothers Holding, Inc.
(name of applicant)

for the following license(s): Class C & SDM with Sunday Sales, Dance Permit & Specific Purpose Food Permit
(list specific licenses requested)

to be located at: 4300 14 mile Warren MI 48092

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it recommends this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the Warren
council/board at a regular meeting held on 3-22-2016 (township, city, village)
(regular or special) (date)

Paul Wojno

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

A REQUEST TO TRANSFER OWNERSHIP OF A Class C & SDM license w/ Sunday sales

INVESTIGATION BY POLICE

DATE: 02-22-2016

Name of Applicant:

Three Brothers Holding, Inc.
Farqad Sami Sami
Isam Sami Sami
Sanar Anwar Al-Jazrawi

Permanent address:

4738 Douglas Fir
Troy MI 48084

Name of present owner of license:

Shamoun Management, Inc.

Address of business:

4300 14 mile
Warren MI 48092

Type of license desired:

Class C & SDM with Sunday Sales

Was applicant personally contacted?

YES

Has applicant been interested in other bars/taverns/off premise licenses?

No

Has applicant ever had a previous license suspended or revoked?

NO

If yes, give details: N/A

Has applicant been convicted of any crime? No

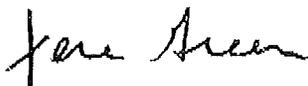
Has applicant ever been convicted for L.C.C. Rules or Regulations violations? NO

Will you certify that the applicant meets all legal requirements necessary to be granted a license or transfer of a license? YES

Additional information for the City Council: None

APPROVED XXX

DISAPPROVED _____



JERE GREEN, COMMISSIONER
WARREN POLICE DEPARTMENT



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a regular meeting of the City of Warren council/board
(regular or special) (township, city, village)
 called to order by _____ on 03-22-2016 at 1900 hrs
(date) (time)
 the following resolution was offered:

Moved by _____ and supported by _____

that the application from Haytham Jarbou
(name of applicant)

for the following license(s): Class C & SDM with Sunday Sales, Dance Permit
(list specific licenses requested)

to be located at: 13330 10 mlle Warren MI 48089

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it recommends this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the Warren
 council/board at a regular meeting held on 3-22-2016
(regular or special) (date) (township, city, village)

Paul Wojno

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
 Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059

A REQUEST TO TRANSFER OWNERSHIP OF A Class C & SDM license w/ Sunday sales

INVESTIGATION BY POLICE

DATE: 03-01-2016

Name of Applicant:

Haytham Jarbou

Permanent address:

6307 Timberwood S
West Bloomfield MI 48322

Name of present owner of license:

Jimmy J , Pease Estate

Address of business:

13330 10 Mile
Warren MI 48089

Type of license desired:

Class C & SDM with Sunday Sales

Was applicant personally contacted? YES

Has applicant been interested in other bars/taverns/off premise licenses? No

Has applicant ever had a previous license suspended or revoked? NO

If yes, give details: N/A

Has applicant been convicted of any crime? No

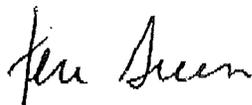
Has applicant ever been convicted for L.C.C. Rules or Regulations violations? NO

Will you certify that the applicant meets all legal requirements necessary to be granted a license or transfer of a license? YES

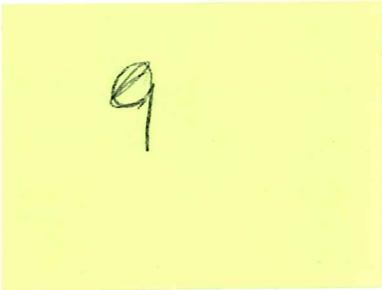
Additional information for the City Council: None

APPROVED XXX

DISAPPROVED _____



JERE GREEN, COMMISSIONER
WARREN POLICE DEPARTMENT



February 4, 2016

PLANNING DEPARTMENT

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

TO: Kelly Colegio, Secretary
Warren City Council

FROM: Planning Commission

RE: AMENDMENT TO ZONING ORDINANCE NO. 30; Appendix A, Article IV General Provisions, A new section; Article IV-e, Sections 4E.01 to 4E.05 entitled Electric Vehicle Infrastructure.

At a public hearing on December 9, 2013, 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 amendments to the Zoning Ordinance definitions addressing electric vehicle infrastructure.

You will find attached herewith a copy of the staff findings and recommendation, resolution, and minutes with this matter.

City Council held a meeting on August 26, 2014 in which this item died due to lack of support.

Please schedule this matter for reconsideration by the City Council at a Committee of the Whole Meeting on February 22, 2016. 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

RESOLUTION

WHEREAS, on November 13, 2013, a notice was published in the Warren Weekly, a paper of general circulation in the City of Warren, that the Planning Commission would hold a public hearing in the Council Chambers at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan, to consider amendments to the text of Ordinance No. 30 known as the Zoning Ordinance of the City of Warren; and

WHEREAS, on December 9, 2013, a public hearing was held before the Planning Commission wherein the proposed amendment to the Zoning Ordinance was considered, and the Commission reviewed evidence concerning compliance with all laws and fines; and

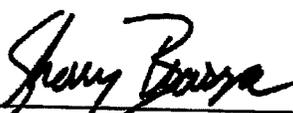
WHEREAS, at said hearing on December 9, 2013, the Planning Commission unanimously approved the attached Ordinance, which amends Appendix A of the Code of Ordinances, by amending Article IV General Provisions, New Section Article IV-E, Sections 4E.01 to 4E.05; relating to Electric Vehicle Infrastructure; Penalty; and

WHEREAS, the amendment and report are attached hereto.

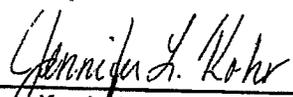
NOW THEREFORE BE IT RESOLVED that the report of the Planning Department attached hereto be submitted to the City Council and the said amendment annexed hereto to recommend for adoption.

RESOLUTION adopted at the meeting of December 9, 2013.

PLANNING COMMISSION OF THE CITY OF WARREN



Sherry Brasza, Chairperson



Jennifer L. Rohr, Secretary



CITY ATTORNEY'S OFFICE

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

www.cityofwarren.org

February 12, 2014

Ron F. Wuerth, A.I.C.P.
Planning Director

Re: Electric Vehicle Ordinance
Planning Commission's Changes

Dear Ron:

Per your correspondence dated December 13, 2013, attached please find the changes approved by the Planning Commission relating to the proposed Electric Vehicle Ordinance.

Should you need any additional assistance, please do not hesitate to contact me.

Respectfully submitted,

Annette Gattari-Ross
Assistant City Attorney

[Agr/planning/electric vehicle changes cov/51352](#)

Read and concur:

David Griem
City Attorney



CITY ATTORNEY'S OFFICE

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

www.cityofwarren.org

February 12, 2014

Ron F. Wuerth, A.I.C.P.
Planning Director

Re: Electric Vehicle Ordinance
Planning Commission's Changes

Dear Ron:

Per your correspondence dated December 13, 2013, attached please find the changes approved by the Planning Commission relating to the proposed Electric Vehicle Ordinance.

Should you need any additional assistance, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in cursive script that reads "Annette Gattari-Ross".

Annette Gattari-Ross
Assistant City Attorney

[Agr/planning/electric vehicle changes cov/51352](#)

Read and concur:

A handwritten signature in cursive script that reads "David Griem".

David Griem
City Attorney

ORDINANCE NO. 30-____

AN ORDINANCE TO AMEND APPENDIX A OF THE CODE OF ORDINANCES OF THE CITY OF WARREN RELATING TO ZONING.

THE CITY OF WARREN ORDAINS:

SECTION 1. That Appendix A, Article IV, of the Code of Ordinances entitled General Provisions be amended by adding Article IV-E, Sections 4E.01 to 4E.05 entitled Electric Vehicle Infrastructure of the Code of Ordinances to read as follows:

**ARTICLE IV-E. ELECTRIC VEHICLE INFRASTRUCTURE
DECLARATION OF LEGISLATIVE INTENT AND PURPOSE**

The intent of this ordinance is to facilitate and encourage the use of electric vehicles and to expedite the establishment of convenient, cost-effective electrical vehicle infrastructure that such use necessitates.

DIVISION 1. DEFINITIONS.

Section 4E.01 General Definitions

For purposes of this ordinance, unless otherwise expressly stated, the following words and phrases shall be defined as follows:

- a. **Accessible electric vehicle charging station** means an electric vehicle charging station where the battery charging station is located within accessible reach of a barrier-free access aisle and electric vehicle.
- b. **Battery charging station** means an electrical component assemblies or cluster of component assemblies designed specifically to charge batteries within electric vehicles.
- c. **Battery electric vehicle** means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's battery, and produces zero emissions or pollution when stationary or operating.
- d. **Charging levels** means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2 and 3 are the most common charging levels, and include the following specifications:

- i. Level 1 is considered slow charging. Voltage includes the range from 0 through 120.
 - ii. Level 2 is considered medium charging. Voltage is greater than 120 and includes voltage up to and including 240.
 - iii. Level 3 is considered fast or rapid charging. Voltage is greater than 240.
- e. **Electric vehicle** means any vehicle that is licensed and registered for operation on public and private highways, roads, and streets, and is powered either partially or exclusively on electrical energy from the grid or from an off-board source that is stored on-board via a battery for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; and (2) a plug-in hybrid electric vehicle.
- f. **Electric vehicle charging station** means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.
- h. **Electric vehicle charging station – private restricted use** means an electric vehicle charging station that is (1) privately owned with restrictive access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted from public access (e.g., fleet parking with no access to the general public).
- i. **Electric vehicle charging station – public use** means an electric vehicle charging station that is (1) publicly owned and publically available (e.g., Park and Ride parking, public library parking lot, on-street parking) or (2) privately owned and available to visitors for use (e.g., shopping center parking).
- j. **Electric vehicle infrastructure** means wiring conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.
- k. **Electric vehicle parking space** means any designated parking space with a barrier-free access aisle that identifies the use to be exclusively for the parking of an electric vehicle.
- l. **Non-electric vehicle** means any motor vehicle that does not meet the definition of an electric vehicle.
- m. **Plug-in hybrid electric vehicle** means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to

drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal combustion-driven generator; and (4) has the ability to travel powered by electricity.

DIVISION 2. COMPLIANCE

Section 4E.02 Compliance.

It is unlawful to construct or install, or cause to be constructed or installed, any electric vehicle charging station upon any property within the City in violation of the requirements of this Article.

Section 4E.03 Permit required.

It shall be unlawful for any person to construct or erect an electric vehicle charging station upon any property within the City without first having obtained a permit from the Building Division or other designated city division/department. The permit application shall be accompanied by a plot plan prepared by a licensed professional architect, engineer, landscape architect, professional community planner or land surveyor showing the type, size and proposed location of the electric vehicle charging station and payment of the permit fee established by resolution adopted by City Council. The fee shall be based on the existing fee schedule adopted by City Council. The requirement for submission of an official plot plan is not required for properties zoned R-1-A, R-1-B, R-1-C and R-2 when the electric vehicle charging station is located inside a structure. If the electric vehicle charging station is located outside of the structure for properties zoned R-1-A, R-1-B, R-1-C and R-2, a plot plan drawn to scale by the owner, occupant or interested party is required.

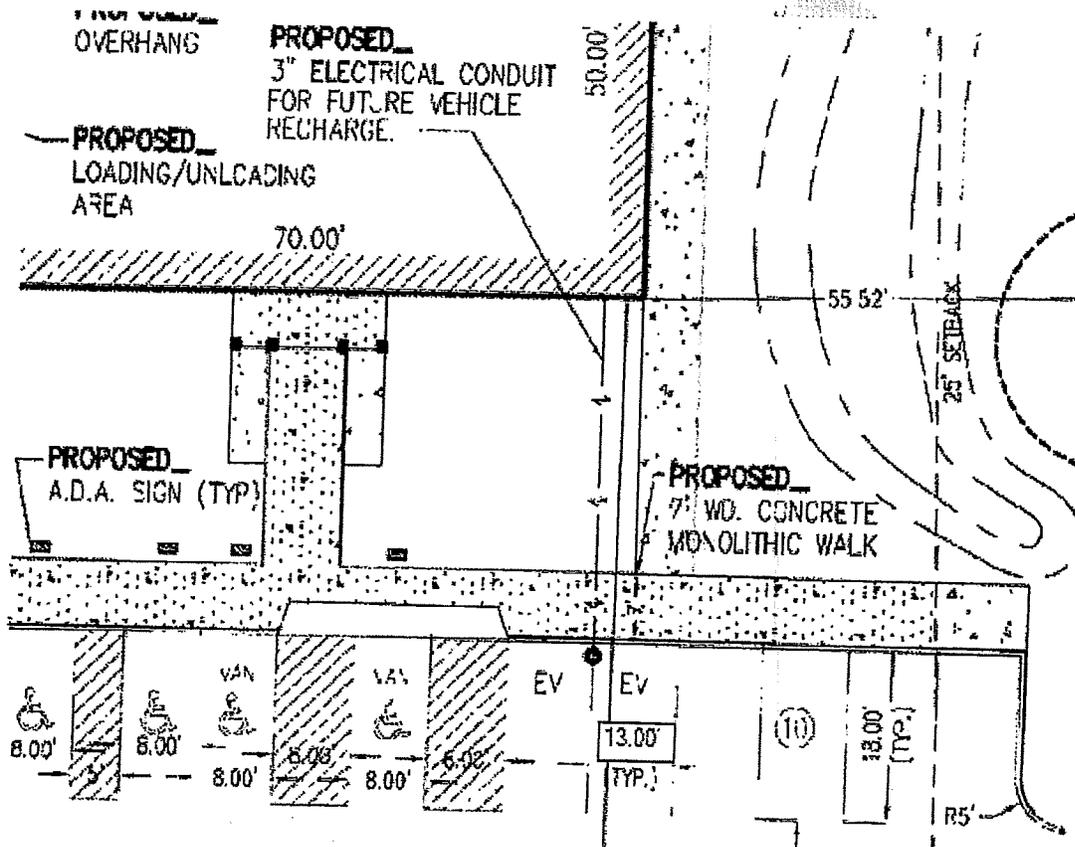
DIVISION 3. REGULATION BY ZONE

Section 4E.04 Permitted Locations

- a. Level 1 and Level 2 electric vehicle charging stations are permitted in every zoning district, when accessory to the primary permitted use. Such stations located at single-family, multifamily, and mobile home park dwellings shall be designated as private restricted use only. Installation shall be subject to permit approval administered by the Building Division.
- b. Level 3 electric vehicle charging stations are permitted in every zoning district except R-1-A, R-1-B, R-1-C, R-1-P and R-2 that is for residential use when accessory to the primary permitted use. Installation shall be subject to permit approval administered by the Building Division.

c. If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a gasoline service station for zoning purposes. Installation shall be located in and subject to approval in zoning districts which permit gasoline service stations.

DIVISION 4. RESIDENTIAL USE IN RESIDENTIAL DISTRICT AND NON-RESIDENTIAL DEVELOPMENT



Example Site Plan - "Rough-In" of Electric Vehicle Charging Stations

Section 4E.05 Residential Use in Residential District and Non-Residential Development

a. Parking

i. For a newly developed parcel, an electric vehicle charging station space shall be included in the calculation for minimum required parking spaces required in accordance with Section 4.32. For an existing parcel,

an approved existing parking space (except a handicapped space) may be converted to an electric vehicle parking space without being in violation of the requirements in Section 4.32.

ii. Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

b. Accessible Spaces

It is strongly encouraged, but not required, that a minimum of (1) accessible electric vehicle charging station be provided. Accessible electric vehicle charging station should be located in close proximity to the building or facility entrance and connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons.

c. Lighting

It is recommended that lighting shall be provided where an electric vehicle charging station is installed, unless charging is for daytime purposes only. Lighting shall not encroach upon abutting properties.

d. Equipment Standards and Protection

i. Battery charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located so as not to impede pedestrian travel or create trip hazards on sidewalks.

ii. Adequate battery charging station protection, such as concrete-filled steel bollards shall be used. Curbing may be used in lieu of bollards if the battery charging station is set back a minimum of 24 inches from the face of the curb.

e. Usage Fees

The property owner is not restricted from collecting a service fee for the use of an electric vehicle charging station made available to visitors of the property.

f. Signage

i. Information shall be posted identifying voltage and amperage levels and any time of use, fees, or safety information related to the electric vehicle charging station.

ii. Each electric vehicle charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. For purposes of this subsection, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment. Restrictions shall be included on the signage if removal provisions are to be enforced by property owner pursuant to Chapter 37 of the City of Warren Traffic Code and/or the Motor Vehicle Code, MCL 257.1 et seq.

iii. Design specifications for signage shall be obtained from the Building Division or designated city division/department.

g. Maintenance

Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting non-functioning equipment, malfunctioning equipment, or other issues regarding the equipment.

SECTION 2. This ordinance shall take effect on _____, 2014.

I HEREBY CERTIFY that the foregoing Ordinance No. 30-____ was adopted by the Council of the City of Warren at its meeting held on _____, 2014.

Published: _____

PAUL WOJNO
City Clerk

MOTION

A motion was made by Vice Chair Kupiec, supported by Commissioner Rob. A voice vote was taken, and the motion carried unanimously.

5. APPROVAL OF THE MINUTES – November 18th, 2013MOTION:

A motion was made by Commissioner Rob, supported by Assistant Secretary Howard. A voice vote was taken, and the motion carried unanimously.

6. PLANNING DIRECTOR'S REPORT

The Director's report rather short, but had some meetings, the usual meetings, with different developers it looks as though me might get ourselves another Tim Horton's on Mound Road just south of Twelve. We did some negotiations with the Road Commission on driveways. I meet with about four different people for reuse of some buildings and some new construction that's going to be for next year, I know it's vague but I don't want to go any further then that.

I did attend the Mayor's Water Budget Presentation at the last City Council Meeting. Of course did extensive review on this electric vehicle ordinance that you are going to hear in just a few minutes.

Also we are now involved in something called BSA Training and the Building Division has been using that quite a bit, we use it to some degree, but it's my understand that BSA is designing specific planning moguls, that we are going to pay for training. I think that's about it so with that the Director's Report is submitted.

7. RESOLUTION FOR LINDA DAUFFENBACH

Chair Brasza reads a resolution for Linda Dauffenbach.

8. PUBLIC HEARING ITEMS

- A. AMENDMENT TO ZONING ORDINANCE NO. 30; Appendix A, Article IV General Provisions; A new section; Article IV-E, Sections 4E.01 to 4E.05 entitled Electric Vehicle Infrastructure.

PETITIONER PORTION:

Mr. Bill Gambill – Good evening members of the Planning Commission I'm Bill Gambill, Neighborhood Services and Grants Coordinator.

What you have in front of you is a text amendment to the Zoning Ordinance for Electric Vehicle Infrastructure. And where this came from is in 2011 the Mayor signed a letter of support for the City of Warren to partner with the Clean Energy Coalition to create a community readiness and planning to plug in ready vehicles and charging infrastructure. They received a grant from the U.S. Department of Energy to create this document and this is a plan to help local communities get ready for electric vehicles. They require a different type of fueling infrastructure than what is currently available and so that's what the ordinance was for.

Keep in mind that Warren is the Home of the GM Tech Center, the General Motors Power Train Manufacturing Plant, Chrysler Truck Assembly Plant. We felt it important that the City of Warren be involved in this emerging technology. We also have a couple charging stations at the IBW on Eleven Mile Road, the Meijer's at Twelve and Mound and also there's a solar tree over at Eleven Mile west of Van Dyke. I think there's also going to be one at the Wal-Mart.

So here's one of the standardized signs for electric vehicle parking. The idea is to standardize, it also to let people that are building new facilities that it's cheaper to put in the lines ahead of time. To make them aware that they might want to consider putting in electric vehicle charging stations to help the infrastructure and also possibly help their businesses too.

Mr. Wuerth – The current regulations that address the issue regarding electric vehicle infrastructure are non-existent. Several businesses and industrial uses have received permits for electric vehicle charging stations on their sites and you just heard about that throughout the City, well they are coming more and more. So definitely we need this type of infrastructure to help. It is anticipated that the growth of the electric vehicle charging stations shall continue to increase based on the investment that vehicle manufactures are making to accommodate the public's need. So with that I'll go through this. You have received the finding and the background regarding this ordinance it's also available to the public if anyone cares to take a look at that. So with that I'll read the recommendations.

Mr. Wuerth reads the Recommendations by Staff:

MOTION:

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

Mary Clark CER-6819
December 9, 2013

Chair Brasza – just to let the Commission know there is no correspondence on this item.

Secretary Rohr – Madam Chair we are not motioning to approve this we are motioning to send this to City Council?

Chair Brasza – that’s correct the approval will do that automatically.

COMMISSIONERS PORTION:

Chair Brasza – will you then incorporated this into your application in anyway?

Mr. Wuerth – yes I will absolutely, it’s going to be in the one page, in which we ask for information on site plans that’s where we will put it. We’ll look for extra spaces on as many sites as we possibly can.

One of the main things and Bill touched on it, if you don’t want the actually station the charging station right away at least get the conduit into the ground it’s far less cheaper to be able to hook things up in the future. So that’s where we are headed the Wal-Mart plan we managed to get that going prior to this even being an initiated.

Chair Brasza – how many stations are they going to put in?

Mr. Wuerth – I think it was two.

Vice Chair Kupiec – I just have a question for Mr. Wuerth, under draft 5 number 2 it says that public electric vehicle driving stations are reserved for parking and charging electrical vehicles only. Electrical vehicles may be parked in any space designated for public parking. So that means electrical vehicles can park anywhere but other vehicles cannot park in designated spot for electric vehicles?

Mr. Wuerth – right that’s correct.

Chair Brasza – that was motion by Vice Chair Kupiec support by Commissioner Vinson with the recommended changes.

ROLL CALL

The motion carried unanimously as follows:

- Vice Chair Kupiec.....Yes
- Commissioner Vinson.....Yes
- Assistant Secretary Howard.....Yes
- Commissioner McClanahan.....Yes

Commissioner Rob.....Yes
 Secretary Rohr.....Yes
 Commissioner Smith.....Yes
 Commissioner Stevens.....Yes
 Chair Brasza.....Yes

B. Withdrawn.

C. SITE PLAN APPROVAL TO CONVERT A FORMER VFW HALL TO A CHURCH; located on the south side of Nine Mile Road approximately 140 ft. east of Sherwood Avenue; 6782 Nine Mile Road; Section 33; Eric Lloyd (Jeffrey Graham).

PETITIONERS PORTION:

Mr. Eric Lloyd – I'm the Senior Pastor. I'm here to seek approval from the Warren City Planning Commission to convert the VFW Hall to a Church on Nine Mile Road. I'm here with my real-estate agent Mr. Fred Andary. We have gone through the policies and procedures that were set before us in terms of the site plan, the floor plan, etc., and we are here to get approval.

Secretary Rohr reads the following correspondence:

TAXES: No delinquent taxes.

ZONING: Trash/debris on premises and debilitated awning.

ENGINEERING: Preliminary review of the site indicates no difficulty in development, however, it should be noted that additional utility easements may be required for this site.

DTE: Approved.

FIRE: Approved.

Mr. Wuerth reads the Recommendations by Staff.

PUBLIC HEARING:

1c – the maneuvering lane in the rear they have to be removed to provide a maneuvering lane and we are looking at a 1 way 15 foot wide maneuvering lane, that's the only way it can work.

PUBLIC HEARING:

Mr. Jeff Brodsky – Good evening my name is Jeff Brosky I'm the property owner at 22930 Sherwood so the Gas Station is on the corner and I'm the property south and I think the three lots to the east are also mine.

When I was in the City Offices it appeared to me that there was an issue as to the property line where my fence is located. And I believed that my fence was installed before the alley was vacated

8.a) AMENDMENT(S) TO ORDINANCE NO. 30; APPENDIX A, ZONING: Article IV, General Provisions, New Section, Article IV-E, Sections 4E.01 to 4E.05 regarding electric vehicle infrastructure.
December 9, 2013
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1. The current regulations that address the issue regarding electric vehicle infrastructure are non-existent. Several business and industrial uses have received permits for electric vehicle charging stations on their site. It is anticipated that the growth of electric vehicle charging stations shall continue to increase based on the investment that vehicle manufacturers are making to accommodate the public's need. See the attached proposed version for electric vehicle infrastructure.

2. **CURRENT STATUS OF THE AMENDMENTS**

- a) The Planning Commission, pursuant to Article XXIV, Changes and Amendments, Section 24.01 Procedure of Zoning Ordinance No. 30, shall provide a report and recommendation to City Council for amendments that change the regulations of the Zoning Ordinance.
- b) The present hearing will be the initial formal review of the proposed amendments by the Planning Commission.
- c) On November 13, 2013, notice was given in the Warren Weekly for the December 9, 2013, public hearing before the Planning Commission.
- d) On October 28, 2013, the Planning Department received communication from Assistant City Attorney, Annette Gattari-Ross, proposing a new text amendment to the Zoning Ordinance regarding electric vehicle infrastructure.

3. The proposed amendments are in response to the concerns of the public regarding the pressing need for the regulation of electric vehicle infrastructure. Vehicle manufacturers are producing more electric vehicles that in turn require the facilities that service these vehicles.

4. The proposed amendments are as follows:

- a) Section 4E.01, General Definitions. Twelve (12) different words or phrases are defined. The titles are as follows: Accessible electric vehicle charging station; Battery charging station; Battery electric vehicle; Charging levels; Electric vehicle; Electric vehicle charging station; Electric vehicle charging station – private restricted use; Electric vehicle charging station – public use; Electric vehicle infrastructure; Electric vehicle parking space; non-electric vehicle; Plug-in hybrid electric vehicle.
- b) Section 4E.02, Compliance – any construction or installation of a vehicle charging station shall not be in violation with this ordinance.
- c) Section 4E.03, Permit required. Installation of an electric vehicle charging station requires a permit a fee is required. A plot plan is required multiple housing developments, commercial and industrial facilities. A separate plot plan is required for residential dwellings.

8.a) AMENDMENT(S) TO ORDINANCE NO. 30; APPENDIX A, ZONING: Article IV, General Provisions, New Section, Article IV-E, Sections 4E.01 to 4E.05 regarding electric vehicle infrastructure.
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d) Section 4E.04, Permitted locations.

- 1) Level 1 and 2 electric vehicle charging stations are permitted in every zoning district.
- 2) Level 3 electric vehicle charging stations are permitted in all zoning districts except residential dwelling districts R-1-A, R-1-B, R-1-C and R-1-P.
- 3) Indicates the parallel relationship between future retail electric charging service stations and existing gasoline service stations for zoning purposes.

e) Section 4E.05, Residential use in residential district and non-residential development. Graphic representation of conduit installation for future vehicle charging station to be considered during site plan approval.

- 1) Parking. Electric vehicle parking space will be included in the calculation of required on site parking.
- 2) Accessible spaces. Encouragement of the addition of at least one accessible electric vehicle charging station. Location on site is indicated.
- 3) Lighting. Recommend a light for each charging station.
- 4) Equipment Standards and Protection.
- 5) Usage fees. Owner of property may collect a service fee.
- 6) Signage. General signage requirements.
- 7) Maintenance. Electric vehicle charging stations shall be constantly maintained.

5. The Planning Staff began attending seminars regarding electric vehicle infrastructure three years ago. Car manufacturers, electric infrastructure providers and municipalities began to seriously consider future facilities. Meetings that involved Auburn Hills, Dearborn and Warren were specifically designed for these communities to take the first steps toward regulation and requiring the infrastructure to support the vehicle manufacturers.

- 8.a) AMENDMENT(S) TO ORDINANCE NO. 30; APPENDIX A, ZONING: Article IV, General Provisions, New Section, Article IV-E, Sections 4E.01 to 4E.05 regarding electric vehicle infrastructure.
December 9, 2013
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RECOMMENDATION

The purpose of the public hearing is for the Planning Commission to receive public comment. The Commission, in turn, may recommend to the Planning Department and City Attorney any suggested changes.

Therefore, it is recommended that these amendments be APPROVED subject to the following additional changes and forward the Commission's final recommendation to City Council for approval.

The suggested changes are as follows:

1. Section 4E.01, General Definitions. f) remove the sentence "an electric vehicle charging station equipped with a level 1 or level 2 charging equipment is permitted outright as an accessory use to any principal use". This statement is not a definition but rather a statement indicating it is a permitted use. The statement is already indicated in the first sentence of 4E.04, Permitted Locations (a).
2. Section 4E.01, General Definitions. k) change the word "marked" to the word "designated". The word "marked" refers to perhaps only pavement markings. The word "designated" refers to additional ways to identify a charging station location.
3. Section 4E.04, Permitted Locations. b) change "R-1-A, R-1-B, R-1-C and R-1-P" to "R-1-A, R-1-B, R-1-C, R-1-P and R-2". The "R-2" is indicated in Section 4E.03 permit required and should continue to remain consistent.
4. Section 4E.05. Residential Use in Residential District and Non-Residential. a) the last sentence be removed "additional electric vehicle parking spaces may require a variance as determined by the Department of Public Service – Building Division or other designated city division/department". In an effort to reduce requests for variances, the general thought is that more than one space is encouraged on a non-residential site. This is reflected in the graphic drawing indicating two (2) spaces and in Section 4E.05 b) encouraging more than one space.
5. Section 4E.05. Residential Use in Residential District and Non-Residential Development. c) add the sentence "Lighting shall not encroach upon abutting properties" to the end of the statement. It is standard practice to regulate lighting on sites.

SEE ATTACHED ORDINANCES



CITY ATTORNEY'S OFFICE

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WARREN, MI 48093-5285

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FAX (586) 574-4530

www.cityofwarren.org

March 4, 2016

Ms. Kelly Colegio
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;

Proposed ordinance to amend Appendix A, Article II by adding definitions, amending sections 4.01, 4a.14, 5.01, and 17.02 relating to compliance with laws, signs and uses permitted in R-1-A zones, and Industrial Standards

Dear Council Secretary Colegio:

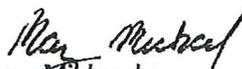
Attached please find proposed ordinance amendments corresponding to Agenda Item No. 10c. A few provisions were clarified and re-organized, but the substance of the regulations otherwise remain relatively unchanged.

We are also attaching the zoning ordinance which provides for medical marihuana grow locations to be in M1 and M-2 industrial districts, or in the home of a qualifying patient.

As with the prior draft, safety inspections are required of marihuana manufacturing equipment and storage plans, and filtrations are required on ventilation systems to prevent the migration of odors in neighborhoods.

Request to add the zoning ordinance is respectfully made. If acceptable, please submit the ordinances version to Council for its consideration at the meeting on Tuesday, March 8, 2016.

Respectfully,


Mary Michaels
Acting City Attorney


Caitlin Murphy
Assistant City Attorney

Read and concur:


James R. Fouts, Mayor

cc: Ron Wuerth/Michelle Katapodes, Planning
Everett Murphy, Chief Zoning Inspector

ORDINANCE NO.80-___

AN ORDINANCE TO ADD AN ARTICLE TO CHAPTER 21 TO IMPOSE LOCAL REQUIREMENTS REGULATING THE USE AND GROWTH OF MEDICAL MARIHUANA AND 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. – Definitions.

The terms used in this article, whether lower case or capitalized, and 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 (the Act).

21-83 General.

- (a) The growth, manufacturing, processing, or storage of medical marihuana by a qualifying patient or his or her caregiver shall only occur at the residence of qualifying patient, or other location permitted by this ordinance, and shall only be allowed inside of an enclosed, locked facility, or other closed area equipped with locks or other security devices that permit access only by the qualifying patient or his or her primary caregiver. Such facility shall be under the exclusive control of the qualifying patient or his or her primary caregiver through written lease, contract or deed.
- (b) A qualifying patient, or his or her primary caregiver shall not distribute, transfer or sell the medical marihuana to another person other than to the qualifying patient on the qualifying patient's residential dwelling or premises. 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 or other persons who may lawfully assist the patient under the Act.
- (c) Only one qualifying patient, or his or her caregiver, may grow, store, cultivate, manufacture or store medical marihuana per residential dwelling, and only for the assistance to the qualifying patient residing in that dwelling.
- (d) No marihuana shall be cultivated, grown, manufactured or processed in any manner that would transmit or release from the dwelling or property to neighboring private or public properties or areas.
- (e) The odor of marihuana from the growth, manufacturing, processing, or cultivation must be contained through use of 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.
- (f) If a qualifying patient or his or her primary caregiver intends to grow, manufacture, store, cultivate or process medical marihuana at a location other than at the qualifying patient's principal residence as defined by MCL 21.7u, such activities shall only occur within an industrial districts as may be designated and expressly allowed within the Zoning Ordinances of the City of Warren. Any growth, manufacture, cultivation, or shall not occur in connection with or at a location at which another commodity, product or service is also available, except to the extent permitted by law.
- (g) All growth, storage, manufacturing and cultivation must otherwise comply with the following:

(i) the Michigan Medical Marihuana Act, and rules promulgated under the Act, and this Article and applicable ordinances;

(ii) The property has registered with the Division of Building Inspections, and satisfies administrative safety inspections by the Fire Department and Division of Building Inspections 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, and the storage of any chemicals associated with the cultivation, growth, manufacturing or processing of medical marihuana.

(iii) All medical marihuana shall be grown and contained within the structure, and 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, or person authorized to assist the patient, under the Act.

(iv) 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 that may create a distraction for neighboring property.

(v) Any portion of dwelling or structure 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.

(vi) Upon registration, a plan is submitted to and approved by the Division of Building Inspections for the processing, storage and cultivation of medical marihuana, identifying the heating equipment and processes, chemical storage, filtration equipment, electrical wiring, and lighting and water systems used to support the growth, processing or cultivation of medical marihuana. Any equipment, processes, chemical storage and systems shall be maintained, utilized, operated and used in the manner that is approved by the Division of Building Inspections and Fire Department.

(vii) Information and records obtained through the registration process that are deemed confidential under the Act will be withheld from public disclosure, unless disclosure is compelled by law.

(viii) Medical marihuana is to be grown, processed, manufactured, or cultivated with 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, following administrative safety inspections and regulations promulgated by the department heads.

21-84. Cost recovery.

In the event of any explosion, release, hazard that results from the growth, cultivation or processing of medical marihuana, the responsible party 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.

21-85. Consumption or use by qualifying a patient.

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 not consume or use marihuana in any of the following places:

(a) any public place;

(b) 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;

(c) a hotel, motel, apartment building, rental dwelling or similar facility or any other establishment at which the owner or property manager has prohibited marihuana growth, cultivation, manufacture, or transfer on the premises.

21-86. Punishment.

The growth, cultivation, storage, or processing marihuana in violation of section 22-83(g)(ii), (v), (vi) and (vii) is a misdemeanor punishable by up to \$500 and/or 90 days in jail. 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.

Sec. 21-87 – 21-89. Reserved.

SECTION 2. That the Code of Ordinances of the City of Warren, Michigan, is hereby amended by adding 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, protecting citizens from harmful air quality, and preserving the comfortable and enjoyable use of property.

Sec. 21-91. – Short title.

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

Sec. 21-92. Definitions.

An offensive odor is a strong or foul odor, which includes, but is not limited to odors caused by:

- (a) animal husbandry;
- (b) stagnant pools, garbage, or 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 marihuana.

Sec. 21-93. – Prohibition.

- (a) Except as listed in Section 21-94, a person is prohibited from causing or allowing the transmission or emission of an odor from his or her property 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 health, safety, peace, comfort, or enjoyment of property.

Section 21-94. – Exceptions.

- (a) Offensive odors do not include ordinary odors associated with:
 - 1) cooking or preparing food; or
 - 2) composting food

Section 21-95. - Odor Nuisance Determination.

An authorized code official may determine that an odor violates Section 21-93 by:

- (a) Detecting an odor that he or she determines is exceedingly pungent or foul and of such intensity that it does any of the following:
 - 1) Potentially causes distress, discomfort or injury to a person with ordinary sensibilities;
 - 2) Substantially interferes with the comfortable enjoyment of residential dwellings by a person of ordinary sensibilities; or
 - 3) Have the propensity to induce nausea in a person of ordinary sensibilities.

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).

Cross-reference – Nuisances, Ch. 21; Local Requirements for Medical Marihuana, § 21-81 et seq.

SECTION 3. 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 permitted by state or federal law, it is unlawful for a person to~~ use 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 closed case that is carried in the trunk of the vehicle; or
 - (2) Enclosed in a closed 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, top, cover, or cap 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 4. 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 5. This Ordinance shall take effect on _____, 2016.

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: _____

58708

ORDINANCE NO. 30-_____

AN ORDINANCE TO ADD DEFINITIONS TO APPENDIX A, ARTICLE II; AND TO AMEND APPENDIX A, SECTIONS 4.01, 4A.14, 5.01, AND 17.02 RELATING TO COMPLIANCE WITH ALL LAWS, SIGNS, USES PERMITTED IN R-1-A ZONES, AND INDUSTRIAL STANDARDS.

THE CITY OF WARREN ORDAINS:

SECTION 1. That Appendix A, Article II of the Code of Ordinances of the City of Warren, Michigan, is hereby amended by adding sections, to be numbered 2.93, 2.94, 2.95, 2.96, 2.97, 2.98, and 2.99 to the Zoning Ordinance,

WHICH SHALL READ AS FOLLOWS:

Section 2.93 – Medical Marihuana Facility.

An indoor facility which is used by not more than a total combination of five registered primary caregivers and registered qualifying patients authorized to grow marihuana plants, and in accordance with the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended, exclusively for:

- (a) storing, growing, cultivating, or processing marihuana into a usable form;
- (b) registered primary caregivers to legally transfer marihuana to their registered qualifying patient; or
- (c) storing, growing, cultivating, and processing marihuana into a usable form and registered primary caregivers to legally transfer marihuana to their registered qualifying patient, if any transfer of marihuana occurs in a separate room as the storage, cultivation, or processing.

Section 2.94 – Registered Qualifying Patient or Patient.

A person who possesses a valid Michigan Department of Community Health (MDCH) registry patient identification card as provided for in MCL 333.26426(a)-(f), as amended.

Section 2.95 – Registered Primary Caregiver or Primary Caregiver.

A person who possesses a valid Michigan Department of Community Health (MDCH) registry caregiver identification card as provided for in MCL 333.26426(a)-(f), as amended.

Section 2.96 – Debilitating Medical Condition.

A medical condition as defined by MCL 333.26423(b), as amended.

Section 2.97 - School.

The buildings, grounds, or facilities, or any portion thereof, owned, occupied by, or under the custody or control of public or private institutions for the primary purpose of providing educational instruction to students at or below the twelfth grade level.

Section 2.98 - Recreational facility.

Any public building or field used for the primary purpose of sports or recreation.

Section 2.99 - Library.

Any public or private library that is identified as such on the outside of the facility.

SECTION 2. That Appendix A, Article IV, Section 4.01 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Section 4.01. Compliance with all laws.

(a) No building or land, or part of any building or land, located in any zoning district as herein established, shall be used, altered, constructed or reconstructed except in conformity with all applicable provisions of this Ordinance, all provisions which apply to the district in which it is located, and all applicable state and federal laws. Uses not expressly permitted within a specified zoning district are not permitted uses within that zoning district.

(b) Uses for enterprises, businesses, facilities or similar purposes that are unlawful according to any federal, state or local law are prohibited. A violation of this provision shall be a misdemeanor which upon conviction shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for a term not to exceed ninety (90) days, or both, plus costs and other court imposed sanctions.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 4.01. Compliance with all laws; uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor.

- (a) ~~No A building or land, or part of any building or land, located in any zoning district as herein established, shall only be used, altered, constructed or reconstructed except in conformity if it complies with:~~
- (1) ~~all applicable provisions of this the Code of Ordinances, including Appendix A, Zoning, all provisions which apply to the district in which it is located; and~~
 - (2) ~~all other applicable state and federal laws.~~
- (b) ~~Uses not expressly permitted within a specified zoning district are prohibited in that district. not permitted uses within that zoning district.~~
- (c) ~~Uses for enterprises, businesses, facilities or similar purposes that are unlawful according to any federal, state or local law are prohibited. A violation of this provision shall be Unless otherwise provided, a person operating a business in violation of any applicable law 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~~

SECTION 3. That Appendix A, Article IV-A, Division III, Section 4A.14 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS AS FOLLOWS:

Section 4A.14. Prohibited signs.

The following types of signs are prohibited in all districts:

- a) Signs that utilize flashing, blinking, intermittent or moving lights or exposed incandescent light bulbs.
- b) Exterior rope lighting, except temporary lighting.
- c) Festoon signs.
- d) Signs imitating or resembling official traffic or government signs or signals that are made of the same material, and are of similar size and shape and color.
- e) Signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way, unless otherwise provided by ordinance.
- f) Roof signs.
- g) Abandoned signs.
- h) Obsolete signs.
- i) Signs in parking districts (P) greater than two (2) square feet in size.
- j) Off-premise signs other than billboards, election and special events or activities signs as regulated in this ordinance.
- k) Except as provided in this Appendix, any billboard containing any tobacco advertisement in any publicly visible location on or within 1,000 feet of the perimeter of any school premises, playground, or playground area in a public park.
- l) A sign advertising alcoholic liquor as prohibited in Warren Code of Ordinances, Chapter 4, Article II, Section 4-9A.
- m) Inflatable signs, except as permitted in Warren Code of Ordinances, Appendix A, Article IV-A, Division V, Section 4A.42.
- n) Feather flag signs.

IS HEREBY AMENDED TO READ AS FOLLOWS:

The following types of signs are prohibited in all districts:

- a) Signs that utilize flashing, blinking, intermittent or moving lights or exposed incandescent light bulbs.
- b) Exterior rope lighting, except temporary lighting.
- c) Festoon signs.
- d) Signs imitating or resembling official traffic or government signs or signals that are made of the same material, and are of similar size and shape and color.

- e) Signs attached to trees, telephone poles, public benches, streetlights, or placed on any public property or public right-of-way, unless otherwise provided by ordinance.
- f) Roof signs.
- g) Abandoned signs.
- h) Obsolete signs.
- i) Signs in parking districts (P) greater than two (2) square feet in size.
- j) Off-premise signs other than billboards, election and special events or activities signs as regulated in this ordinance.
- k) Except as provided in this Appendix, any billboard containing any tobacco advertisement in any publicly visible location on or within 500 feet of the perimeter of any school premises, playground, or playground area in a public park.
- l) A sign advertising alcoholic liquor as prohibited in Warren Code of Ordinances, Chapter 4, Article II, Section 4-9A.
- m) Inflatable signs, except as permitted in Warren Code of Ordinances, Appendix A, Article IV-A, Division V, Section 4A.42.
- n) Feather flag signs.
- o) A signs that contains the word or phrase "marihuana" or "marihuana facility" or their commonly known or used synonyms.

SECTION 4. That Appendix A, Article V, Section 5.01 of the Code of Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS, IN RELEVANT PART, AS FOLLOWS:

Section 5.01 - Uses permitted.

In all R-1-A Districts, no building or land, except as otherwise provided in this Ordinance, shall be erected or used except for one (1) or more of the following specified uses:

(m) Reserved.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 5.01 - Uses permitted.

In all R-1-A Districts, no building or land, except as otherwise provided in this Ordinance, shall be erected or used for one (1) or more of the following specified uses:

(m) Reserved. Growing or storing marihuana, or cultivating, processing or manufacturing marihuana into a usable form, except that such uses may be permitted if all of the following conditions are satisfied:

- (1) the use, storage, cultivation, growth, manufacturing or processing of the medical marihuana is in compliance with the Michigan Medical Marihuana Act, MCL 333.264231 et seq. as amended, including but not limited to the requirements stated in Section 4, MCL 333.26424, as amended, and in accordance with all applicable ordinances and regulations, including the Fire Protection Code and Article VI of Chapter 22 of the Code of Ordinances;
- (2) the dwelling is registered with the Department of Buildings and Safety Engineering and has passed an administrative safety inspection for electrical, heating plumbing and storage of materials used in connection with the marihuana;
- (3) the dwelling has a filtration for its ventilation system or unit to prevent the emission of odors upon neighboring properties, and which has been inspected by and meets with the satisfaction of the Department of Buildings and Safety Engineering;
- (4) no more than one person may grow, cultivate, manufacture, store or process marihuana in each dwelling structure;
- (5) the growth, cultivation, manufacture, or storage of medical marihuana occurs solely at the property under exclusive control, through written lease, contract or deed in favor a qualifying patient who occupies the property as his or her principal residence;

- (6) the legal owner or property manager of the residential dwelling authorizes the use, storage, cultivation, growth, or processing of the marihuana;
- (7) there are no more than person per residential dwelling may cultivate, grow, manufacture or process marihuana on the premises who otherwise meets the standards in this section.
- (8) The uses permitted in this subsection (m) are allowed only in the residential districts classified as R-1-A, R-1-B, R-1-C, R-1-P, R-2 and R-3, unless expressly permitted elsewhere in this Code.
- (9) No use, storage, growth, cultivation or processing of marihuana is permitted in Downtown City Center District as described in Appendix A, Zoning, Section 21B.06.

SECTION 5. That Appendix A, Article XVII, Section 17.02 of the Code of

Ordinances of the City of Warren, Michigan,

WHICH PRESENTLY READS, IN RELEVANT PART, AS FOLLOWS:

Section 17.02 – Industrial standards.

All uses not herein expressly prohibited shall comply with the following table of standards.

IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 17.02 – Industrial standards.

All uses not herein expressly prohibited shall comply with the following table of standards.

	M-1	M-2	M-3	M-4
	Yes	Yes	No	No
<u>(aa) Medical Marihuana Facility as defined by Section 2.93 of this Zoning Ordinance</u>	<u>A Medical Marihuana Facility is exclusively permitted in M-1 and M-2 zones, if the facility, the owner, and any occupants meet all of the following requirements:</u>			
	<ul style="list-style-type: none"> (1) <u>Compliance with all applicable laws, including but not limited to:</u> <ul style="list-style-type: none"> (a) <u>the requirements stated in Section 4 of the Michigan Medical Marihuana Act, MCL 333.26421, et seq. as amended, requiring, among other things, separate</u> 			

	<p><u>enclosed locked area accessible only by one registered primary caregiver or qualifying patient; and</u></p> <p>(b) <u>all local ordinances and regulations, including the Fire Protection Code and Article VI of Chapter 22 of the Code of Ordinances.</u></p>
	<p>(2) <u>With the exception of growing marihuana plants outdoors as permitted by MCL 333.26423(d), all activity related to the marihuana is conducted inside the facility.</u></p>
	<p>(3) <u>No open storage is permitted on the property.</u></p> <p>(4) <u>The facility is subject and open to periodic inspection by Zoning, Electrical, Building, Mechanical, and Plumbing Inspectors, and the Fire and Police Departments to determine compliance with the applicable laws and local ordinances;</u></p>
	<p>(5) <u>The facility maintains:</u></p>
	<p>(a) <u>Copies of a MDCH issued registry identification card for:</u></p>
	<p>(i) <u>Each registered primary caregiver or registered qualifying patient storing, growing, transferring, cultivating, or processing marihuana at the facility; and</u></p> <p>(ii) <u>Each registered qualifying patient legally registered to a registered primary caregiver who is storing, cultivating, growing, processing, or transferring marihuana at the facility.</u></p>
	<p>(b) <u>A daily log of the amount and location of the marihuana on the premises for each registered primary caregiver and each patient;</u></p>
	<p>(c) <u>A daily log of all transfers; and</u></p>
	<p>(d) <u>Any other written records necessary to show compliance with applicable state and local laws.</u></p>
	<p>(6) <u>The facility possesses and regularly uses an effective filtration system which:</u></p> <p>(a) <u>effectively contains the odors associated with storing, transferring, cultivating, growth, or processing marihuana, within the facility; and</u></p> <p>(b) <u>is approved by the Building Division.</u></p>
	<p>(7) <u>No one processes or transfers marihuana on the property between the hours of 11:00 p.m. and 8:00 a.m.</u></p> <p>(8) <u>No one under the age of 18 is permitted on the premises, except for persons under the age of 18 who are registered qualifying patients and are accompanied by a parent or legal guardian.</u></p> <p>(9) <u>The facility is not located in the Downtown District "DDA District" boundaries as described in the Code of Ordinances Chapter 2.5, Section 2-112, or the Van Dyke TIFA Authority District as described in Exhibit A of the Resolution Establishing Tax Increment Finance Authority adopted September 23, 1986.</u></p>

(10) The facility is located at least 500 feet from the nearest lot line of any of the following:

(a) residential zoning districts, R-1-A, R-1-B, R-1-C, R-1-P, R-2, R-3, R-3-A, R-4, R-5 and any mixed residential zones including but not limited to a Planned Unit Development and the Downtown Center District "Downtown Center";

(b) School;

(c) Child care center or day care center;

(d) Recreational facility;

(e) Public library;

(f) Public park.

(11) Measurement: For subsection (10), measurement shall be made in a straight line from the nearest point on the lot line of the premises containing the principle structure used as a Medical Marihuana Facility to the nearest point on the lot line of the property containing the uses specified in subsections (10) (a) (b), (c), (d), (e), and (f).

(12) The property is exclusively used for storage, cultivation, processing, or transfer of marihuana. Providing or selling any other service, commodity, or product on the premises is prohibited.

(13) The owner of the facility must have:

(a) a license under Chapter 18 of the Code of Ordinances.

(14) Each owner-occupant, or tenant in the facility must have all of the following:

(a) a valid State of Michigan registry caregiver identification card or a State of Michigan registry patient identification card authorizing the patient to grow marihuana plants;

(b) a license under Chapter 18 of the Code of Ordinances; and

(c) a Certificate of Compliance.

(15) In addition to the requirements of Chapter 18, the license must include:

(a) a waste disposal plan detailing plans for chemical disposal and plant waste disposal, subject to review and approval by the City Engineer, and in compliance with regulations of the MDEQ and City of Detroit pertaining to the discharge of by-products into the city sewer system, if determined to be necessary by the City Engineer;

(b) a floor plan identifying the number of plants, chemical storage space, and other relevant aspects of the layout, subject to review and approval by the Building Division Plan Examiner or Inspector. To the extent permitted by law, floor plans will be kept confidential;

(c) a heating system that is approved by the Building Division.

(16) The area where a registered primary caregiver stores, cultivates, processes, or transfers marihuana is not used by any other registered primary caregivers for any purpose.

	<p>(17)<u>There is no storage of toxic, flammable, or hazardous materials on the premises.</u></p> <p>(18)<u>There is no discharge of toxic, flammable, or hazardous materials into city sewer system.</u></p> <p>(19)<u>No one uses or consumes marihuana on the property.</u></p> <p>(20)<u>The marihuana is not visible to the public.</u></p> <p>(21)<u>The owner of the property must conspicuously post all required valid City-issued licenses, and any State of Michigan permit or certification inside the premises.</u></p> <p>(22)<u>Any violation of these provisions will result in revocation of the license and other legal remedies and penalties.</u></p> <p>(23)<u>If the growth, cultivation, or processing of marihuana leads to an event causing damage or injury to property or persons, including but not limited to an explosion, fire, or release of harmful substances, or violating a state or local law, code or regulation, the owner and tenants are each responsible for reimbursing any costs associated with the emergency response, property repair, and medical expenses caused by the event, and/ or prosecution.</u></p>
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SECTION 6. This Ordinance shall take effect on _____, 2015.

I HEREBY CERTIFY that the foregoing Ordinance No. 30-_____ was adopted by the Council of the City of Warren at its meeting held on _____, 2015.

 PAUL WOJNO
 City Clerk

Published: _____



March 14, 2016

CITY ATTORNEY'S OFFICE

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

www.cityofwarren.org

Kelly Colegio
Council Secretary
Mayor Pro Tem
City of Warren

Re: Proposed Resolution to Provide Public Notice of Intent to Sell Vacant Tax-Reverted Property at 11044 Packard, Warren; Parcel ID No. 13-34-252-006

Dear Council Secretary Colegio:

Attached please find the above-referenced resolution to provide the public with thirty (30) days' notice of intent to sell vacant, tax-reverted property located at 11044 Packard (the Property) for \$1.00, plus payment for title insurance and recording fees.

Based upon correspondence from Public Service Director Richard Sabaugh, the Property would be conveyed "as is" with a quit claim deed to the adjacent land owner Karen Kizy at 11052 Packard. The prospective purchaser will agree to combine the Property with her lot, to use the combined property as only one buildable lot, and to keep the Property maintained and free from narcotics, including medicinal marijuana.

If acceptable, please submit the resolution to Council for its meeting on Tuesday, March 22, 2016. Upon adoption, the resolution must remain on file with the City Clerk for thirty days, before final Council approval.

Respectfully,

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

Mary Michaels
Acting City Attorney

Read and concur:

A handwritten signature in cursive script that reads "James R. Fouts".

James R. Fouts
Mayor

MM/vit Ltr to K Colegio re Notice of Intent to Sell – 11044 Packard ID 58760

Attachment

cc: Karen Kizy (w/attach.)
Richard Sabaugh, Public Service Director (w/attach.)
Tom Bommarito, Public Service Administrative Supervisor (w/attach.)

RESOLUTION PROVIDING PUBLIC NOTICE OF INTENT TO SELL VACANT TAX-REVERTED PROPERTY AT 11044 PACKARD, WARREN, MICHIGAN

At a regular meeting of the City Council of the City of Warren, Macomb County, Michigan held on _____, 2016, at 7:00 p.m. _____ Time in the Council Chambers of the Warren Community Center, 5460 Arden, Warren, Michigan.

Present: Councilpersons _____

Absent: Councilpersons _____

The City is the legal titleholder of vacant, tax-reverted property at 11044 Packard, Warren, Michigan, Parcel No. 13-34-252-006 (“the Property”).

The owner of the adjacent property at 11052 Packard, Karen Kizy, is interested in purchasing the Property.

Karen Kizy is offering to pay \$1.00, plus closing costs, the cost of title policy and survey, if necessary, and will agree to combine the two parcels and only use the combined property as one buildable lot, and to keep the property maintained and free from narcotics including the growth of medicinal marihuana.

The Mayor and Public Service Director are recommending that the Property be conveyed to Karen Kizy which would allow for continuous maintenance of the Property.

THEREFORE, IT IS RESOLVED, that the City of Warren offers for sale the Property located at 11044 Packard, Warren, Michigan, Parcel No. 13-34-252-006, described as follows:

LOT 102 - BELANGER’S GARDEN SUBDIVISION, as recorded in Liber 5, Page 90 of Plats, Macomb County Records.

IT IS FURTHER RESOLVED, that the conveyance of the property shall be subject to the reservation of any liens or easements of record and the execution of restrictive covenants consistent with this resolution.

IT IS FURTHER RESOLVED, that a certified copy of this resolution shall be placed and remain on file with the Clerk of the City of Warren for public inspection for a period of thirty (30) days, as required by City Charter.

IT IS FURTHER RESOLVED, that, upon completion of the 30-day period, the Mayor and Clerk are authorized to execute a purchase agreement to sell the property to Karen Kizy in the amount of one dollar (\$1.00) plus closing costs, in such form that meets with the approval of the City Attorney and subject to final Council approval.

AYES: Councilpersons: _____

NAYES: Councilpersons: _____

Resolution declared adopted on this ____ day of _____, 2016.

Kelly Colegio
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 City Council of the City of Warren at its meeting held on _____, 2016.

PAUL WOJNO
City Clerk



RECEIVED

MAR 02 2016

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

March 2, 2016

To: Mary Michaels,
Acting City Attorney

From: Richard Sabaugh, Director
Department of Public Service

RE: Resolution Providing Public Notice of Intent to Sell 11044 Packard

The below items are attached relating to the sale of the above property:

- Resolution providing public notice of intent to sell 11044 Packard
- Original letter from Karen Kizy stating interest in purchasing 11044 Packard.
- Warranty Deed for 11052 Packard.
- Copy of Title Policy
- Assessment value of property.
- Engineering investigation of property at 11044 Packard.

Please review for council submission.

Sincerely,

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

Richard Sabaugh, Director
Department of Public Service



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

TO: Richard Sabaugh, Director
Department of Public Service

FROM: James VanHavermaat, City Engineer

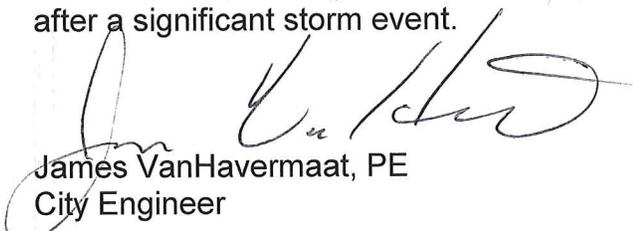
DATE: February 29, 2016

RE: 11044 Packard
Parcel # 13-34-252-006

Pursuant to your request, the Engineering Division has investigated the above referenced property and has the following information:

- Lot 102, Belanger's Gardens Sub.; L. 5, P. 90
- 40' x 102' lot size
- There is a platted 10' wide easement centered on the rear lot line (5' on each lot)
- No drainage complaints on record or apparent by visual inspection

There are probably no other easements other than the one described above. However, a Title Commitment would be necessary to know with confidence if other easements existed. Also, drainage issues can only be determined with certainty by observation after a significant storm event.



James VanHavermaat, PE
City Engineer



January 19, 2016

Karen Kizy
11052 Packard
Warren, MI 48089

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

RE: City-owned property 11044 Packard Parcel I.D. number 13-34-252-006

The purpose of this letter is to ascertain your interest in acquiring property at 11044 Packard Parcel I.D. number 13-34-252-006 owned by the City of Warren. The sale would be subject to the condition that the property would be combined with 11052 Packard. It would be agreed that the property will be maintained, and free from any narcotics, medicinal or otherwise. Restrictive covenants must be signed for the conditions.

Subject to the approval of the Warren City Council, the sale price of the property would be \$1.00 plus payment of any closing costs, title policy and survey if necessary. The lot will be transferred by means of a quit claim deed. The city will be conveying its interest in the property and will not be warranting that the title is free and clear of any other title interest. The signed copy of this letter, along with a copy of your warranty deed, must be received by February 12, 2016 for consideration of the respective purchase. Upon February 12, 2016 a request will be forwarded to the Warren City Council to adopt a resolution notifying the public that the city intends to sell the property. This notice must remain on file with the City Clerk for 30 days. At the end of 30 days, action must be taken again by the City Council to give final approval of the sale of this property. If City Council approves the sale of this property, a purchase agreement and restrictive covenants would be prepared for your review and signature. Please note, that a lot combination of the two parcels is required for this respective purchase. It is the resident's responsibility to obtain their Mortgage Company's acceptance of the lot combination.

If you are interested in purchasing 11044 Packard parcel I.D. 13-34-252-006, please sign the attached and return this letter with the attachment to me with a copy of the warranty deed for 11052 Packard as evidence of current ownership. Should you have any questions, or would like additional information, please call me at 586-574-4646.

Sincerely,

Tom Bommarito, Administrative Supervisor
Department of Public Service

By signing below, I acknowledge my interest in purchasing 11044 Packard Parcel I.D. No. 13-34-252-006 from the City of Warren. I would agree to pay for closing costs of the sale including a survey and title policy. I would agree to sign restrictions requiring combining lots located at 11052 Packard and that only one residential home would be constructed on the combined lot and to keep the property maintained and free from certain uses, including medicinal marijuana. I acknowledge that we have been informed that approval from the Warren City Council will be necessary before the city can accept an offer to purchase. I would also be willing to accept a quit claim deed for the property.

I also acknowledge that this is merely an expression of interest and is not a formal offer to purchase and does not create any obligation or bind either the City of Warren or the undersigned.

Karen A. Kizy
Karen Kizy

Date: Feb. 2, 2016

11044 PACKARD WARREN, MI 48089 (Property Address)

Parcel Number: 13-34-252-006

Property Owner: CITY OF WARREN

Summary Information

- > Assessed Value: \$1,920 | Taxable Value: \$1,920
- > Property Tax Information found
- > 1 Utility Billing Account found
- > 2 Special Assessments found
- > 1 Building Department records found across 1 property

No Images Found

Owner and Taxpayer Information

Owner	CITY OF WARREN ONE CITY SQUARE WARREN, MI 48093	Taxpayer	SEE OWNER INFORMATION
--------------	---	-----------------	-----------------------

General Information for Tax Year 2015

Property Class	Res Platted Vacant	Unit	13 CITY OF WARREN
School District	Van Dyke (02)	Assessed Value	\$1,920
Map #	Not Available	Taxable Value	\$1,920
PP CLASS / YEAR	0	State Equalized Value	\$1,920
NOTES	Not Available	Date of Last Name Change	10/29/2015
BUSINESS TYPE	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
NOTES	Not Available		

Principal Residence Exemption Information

Homestead Date 03/01/1994

Principal Residence Exemption	June 1st	Final
2015	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2014	\$1,920	\$1,920	\$1,920
2013	\$1,920	\$1,920	\$1,920
2012	\$2,350	\$2,350	\$2,350

Land Information

Zoning Code	R-1-C	Total Acres	0.100
Land Value	\$3,840	Land Improvements	\$0
Renaissance Zone	No	Renaissance Zone Expiration Date	Not Available
ECF Neighborhood	VAN DYKE 33-35 BRICK	Mortgage Code	Not Available
Lot Dimensions/Comments	Not Available	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	40.00 ft	109.00 ft
Total Frontage: 40.00 ft		Average Depth: 109.00 ft

Legal Description

BELANGER'S GARDENS SUBDIVISION LOT 102 L.5 P.90

Land Division Act Information

Date of Last Split/Combine	Not Available	Number of Splits Left	0
Date Form Filed	Not Available	Unallocated Div.s of Parent	0
Date Created	Not Available	Unallocated Div.s Transferred	0
Acreege of Parent	0.00	Rights Were Transferred	Not Available

Split Number 0 **Courtesy Split** Not Available
Parent Parcel Not Available

Sale History

<u>Sale Date</u>	<u>Sale Price</u>	<u>Instrument</u>	<u>Grantor</u>	<u>Grantee</u>	<u>Terms of Sale</u>	<u>Liber/Page</u>
10/20/2015	\$1,249,555.00	QC	MACOMB COUNTY TREASURER	CITY OF WARREN	Quit Claim Deed	23688/464
08/17/2012	\$2,616,653.00	QCT	MACOMB COUNTY TREASURER	MACOMB COUNTY PROPERTIES LLC	Quit Claim/Trans Aff	21498/497
10/15/2009	\$1,111.00	QCT	WAHBY TED	MEYER TINA E	Quit Claim/Trans Aff	20027/774

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RIDER "B"
SEARCH OF TITLE

From examination of the records in the Register of Deeds Office, Macomb County, Michigan, up to January 14, 2016 at 8:00am.

PROPERTY DESCRIPTION:

Land Situated in the City of Warren, County of Macomb and State of Michigan described as follows:

Lot 102 - Belanger's Garden Subdivision, as recorded in Liber 5, Page 90 of Plats, Macomb County Records.

Commonly Known As: 11044 Packard, Warren, MI 48089
Tax ID Number: 13-34-252-006

Apparent Owner: City of Warren

Title deed dated 10/20/15 and recorded 10/23/15 in Liber 23688, Page 464, Macomb County Records.

2014 and prior taxes are paid.

2015 Summer taxes are DUE \$144.42

2015 Winter taxes are DUE \$2.99

SPECIAL ASSESSMENTS: NONE SHOWN ON WEBSITE

Tax amounts as shown are base amounts only and do not include any penalty or interest.

No open mortgages found of record.

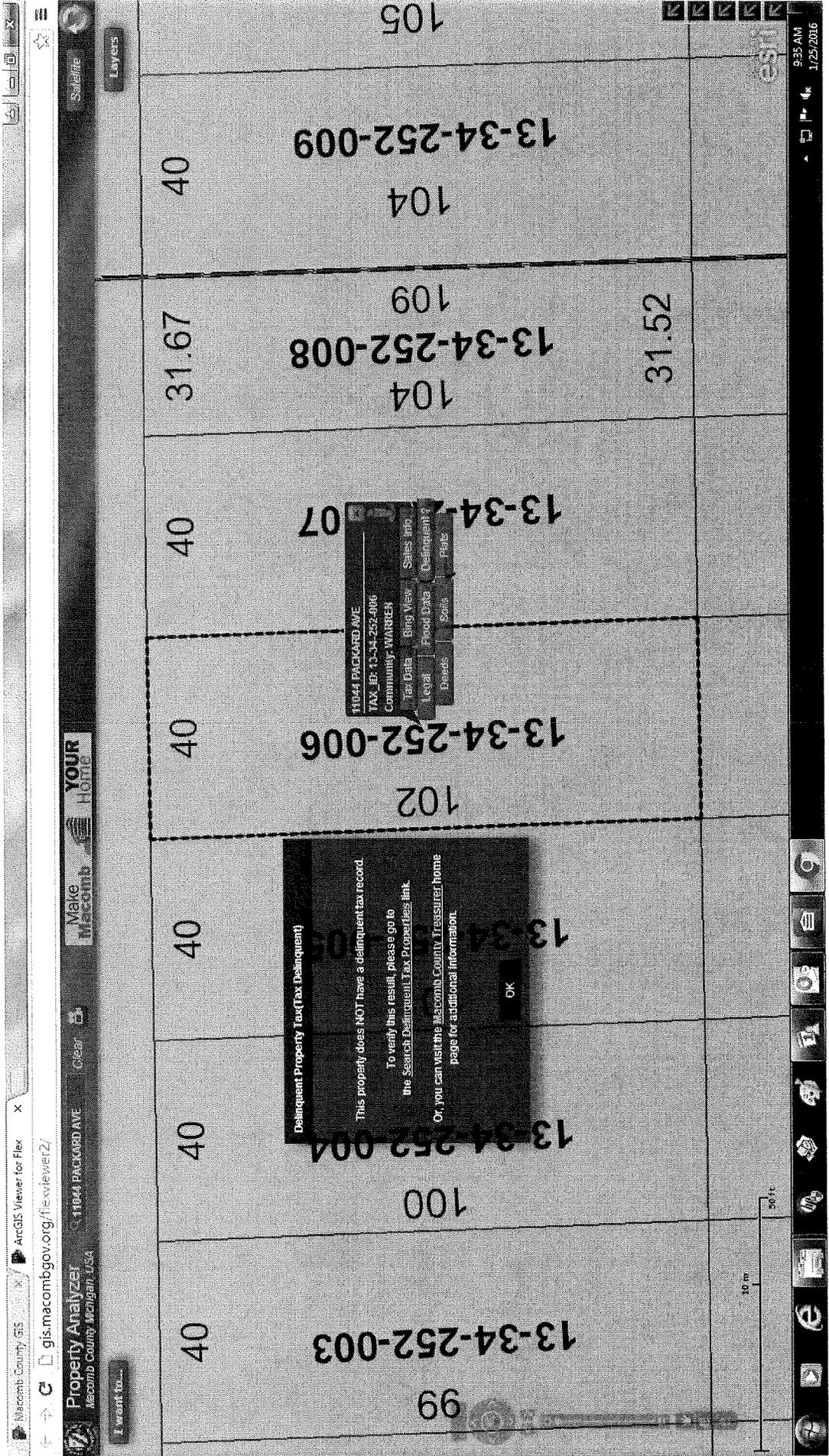
NOTE: Title emanates from a Judgment of Foreclosure for non-payment of the property taxes recorded 07/08/15 in Liber 23503, Page 389, and corrected in Affidavit of Scrivener's Error recorded in Liber 23768, Page 487, Macomb County Records. Title insurance may or may not be available when the subject property is sold.

Under this form of Search, this Company is not an insurer of the above Title, nor does it guarantee the Title or any evidence thereto and is not liable for any inaccuracies involving environmental searches or determinations.

The liability is limited to the amount paid for the Search. Rider attached to and forming a part of Search No. 20381

Colonial Title Company
Raymond DeBates, President

12-13-34-203-025 MORAND'S VAN DYKE SUBDIVISION (L7, P69); LOT 55 Property Address: 11067 CADILLAC	1,526.75
12-13-34-204-008 BELANGER'S GARDENS SUBDIVISION (L5, P90); LOT 56 Property Address: 11060 CADILLAC	2,588.52
12-13-34-204-017 BELANGER'S GARDENS SUBDIVISION (L5, P90); LOT 63 Property Address: 11011 FORD	1,690.96
12-13-34-209-005 LAETHEM'S NEAR VAN DYKE SUBDIVISION (L8, P11); LOT 111 Property Address: 11236 CADILLAC	1,605.14
12-13-34-227-050 BROOKTON (L10, P58); LOTS 140 & 141 Property Address: 11493 MAXWELL	5,092.28
12-13-34-228-007 BROOKTON (L10, P58); LOT 167, INCL 1/2 VAC ALLEY Property Address: 11408 MAXWELL	1,116.37
12-13-34-228-009 BROOKTON (L10, P58); LOT 169, INCL 1/2 VAC ALLEY Property Address: 11414 MAXWELL	1,449.22
12-13-34-229-013 BROOKTON (L10, P58); LOT 241, INCL 1/2 VAC ALLEY ADJ REAR Property Address: 11456 CADILLAC	2,370.36
12-13-34-229-020 BROOKTON (L10, P58); LOT 248, INCL 1/2 VAC ALLEY Property Address: 11512 CADILLAC	2,312.76
12-13-34-251-024 MORAND'S VAN DYKE SUBDIVISION (L7, P69); W 1/2 OF LOT 101 & ALL OF LOT 102 Property Address: 11075 PACKARD	5,911.01
12-13-34-252-006 BELANGER'S GARDENS SUBDIVISION (L5, P90); LOT 102 Property Address: 11044 PACKARD	1,815.74
12-13-34-252-034 MORAND'S VAN DYKE SUBDIVISION (L7, P69); LOTS 109, 110 & 111 Property Address: 11124 PACKARD	5,792.42



Apr 4-1922
 For De Warren

"BELANGER'S GARDENS SUBDIVISION"

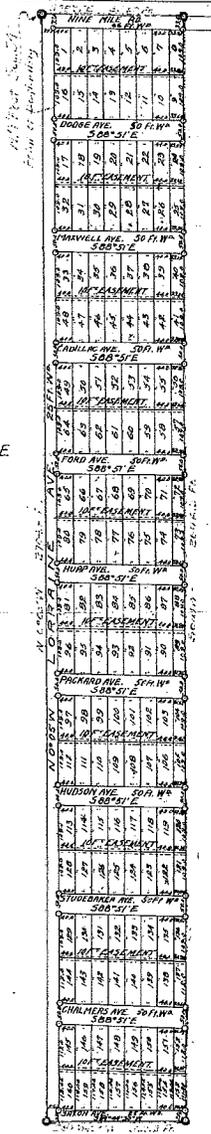
OF W¹/₄ OF W¹/₂ OF NE¹/₄ OF SEC. 34 T.19. R.12 E. WARREN TWP.
 MACOMB COUNTY, MICH.

Scale 1" = 200 Ft.



Walter J. Lehner
 Regd. Civil Engineer
 Mount Clemens, Mich.

L 5
 P. 90



Know all men by these presents, that Arthur C. Belanger & Barbara Belanger as executors, have agreed the land embraced in the annexed plat to be divided into 36 lots known as "BELANGER'S GARDENS SUBDIVISION" of W¹/₄ OF W¹/₂ OF NE¹/₄ OF SEC. 34, T.19. R.12 E. WARREN TWP. MACOMB COUNTY, MICHIGAN, and that the entire and several parts of said plat are hereby dedicated to the use of the public.

Signed & Sealed in the Presence of
Arthur C. Belanger & Barbara Belanger
John H. Buchtel

I hereby certify that the plat herein presented is a correct and correct permanent showing of the same in accordance with the laws of this State and the rules of the Board of Civil Engineers, and that the same are correct and true in all particulars and at all interferences of streets, roads and alleys.

Walter J. Lehner
 REGD. CIVIL ENGINEER

This instrument and the same plat are approved by the Council of the Township of Warren

at a meeting held this 17th day of March, 1922.

John H. Buchtel Township Clerk

Mar. 29, 1922
Walter J. Lehner
J. C. Elliot

State of Michigan }
 County of Macomb } ss.
 On this 28th day of March, 1922, before me, a Notary Public in and for said County, personally appeared Arthur C. Belanger & Barbara Belanger known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged the same to be their act and deed.

John H. Buchtel
 Notary Public, Macomb Co., Mich.
 My Commission Expires the 27th day of Dec. 1924

Description of Land Platted
 The Land embraced in the annexed plat of "BELANGER'S GARDENS SUBDIVISION" of W¹/₄ OF W¹/₂ OF NE¹/₄ OF SEC. 34, T.19. R.12 E. WARREN TWP. MACOMB COUNTY, MICHIGAN, is described as follows: Beginning at the N.W. Post of Sec. 34 T.19. R.12 E. Warren Twp. Macomb Co. Mich., thence S88°51'E 339.0 Ft.; thence South 26°46.3 Ft.; thence S89°44'30" W 335.2 Ft.; thence N0°05' W 270.46 Ft. to the Point of Beginning.

REGISTER'S OFFICE
 COUNTY OF MACOMB
 RECEIVED FOR RECORD
 APR 11 1922
 J. C. Elliot

Mar. 29, 1922
J. C. Elliot



CITY ATTORNEY'S OFFICE

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

www.cityofwarren.org

March 15, 2016

Kelly Colegio
Council Secretary
Mayor Pro Tem
City of Warren

**Re: Proposed Resolution Authorizing Conveyance of Tax-Reverted
Property at 13445 Zagaiski, Warren; Parcel ID No. 13-23-430-015**

Dear Council Secretary Colegio:

Attached please find the above-referenced resolution to sell vacant property at 13445 Zagaiski to the adjacent property owners, Donald and Elaine Smith.

On January 12, 2016, Council adopted a resolution to provide the public with notice of intent to sell the property for the sum of \$1, plus payment of closing costs. No other parties expressed an interest in the property, and the title commitment shows no apparent title issues.

The attached resolution seeks Council's final approval of the sale. As a condition of the sale, the buyer will execute covenants to combine the property with her existing lot at 13437 Zagaiski, to use or convey the subject property only as a stand-alone, buildable lot, and will agree not to use the property to cultivate any narcotics and to keep the property maintained. The construction of a shed would not violate the restrictive covenant, provided the owner obtains a permit. The covenants will run with the land. The property will be conveyed with a quit claim deed.

In accordance with Section 2-346 of the Code of Ordinances, the City Attorney is required to review the sufficiency of the proposed sales price in relation to the assessor's valuation. The Assessing Department has estimated the land value at \$5,410. The proposed sales price of the property must be viewed in terms of the public purposes to be derived from the overall transaction.

In this case, the subject property is tax-reverted property that the City acquired in 2002. The property configuration of 50' x 138' could be more constructively utilized to enlarge the adjacent lot at 13437 Zagaiski, and improve the aesthetics of the neighborhood.

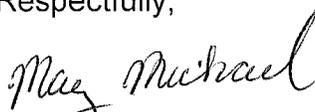
Ms. Kelly Colegio
March 15, 2016
Page 2

Upon completion of the proposed conveyance, vacant land will have an owner responsible for the care and maintenance of the property, and property combination will result in an increased setback area to enhance the appearance of the neighborhood. Significant to the transaction, the buyer will agree to only use or convey the property as a stand-alone lot, or to not use it to grow or use narcotics.

The transaction will restore vacant property to the tax rolls, shift maintenance upkeep and liability to a third party owner and will enhance the overall appearance of the neighborhood. The proposed consideration is therefore sufficient in light of the derivative benefits to the public interest as a whole. Accordingly, the proposed transaction is consistent with City Charter Section 9.23 and Ordinance Section 2-346.

If acceptable, please submit the proposed resolution to Council for its consideration on Tuesday, March 22, 2016.

Respectfully,



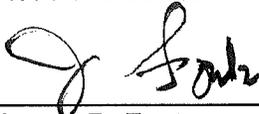
Mary Michaels
Acting City Attorney

MM/vlt Ltr to K Colegio re Resolution Approving Sale of Vacant Property – 13445 Zagaiski ID 58775

Attachment

cc: Donald and Elaine Smith (w/attach.)
Richard Sabaugh, Director of Public Service (w/attach.)
Tom Bommarito, Administrative Supervisor (w/attach.)
Ronald Wuerth, Planning Director (w/attach.)

Read and concur:



James R. Fouts
Mayor

**RESOLUTION APPROVING SALE OF TAX-REVERTED
PROPERTY AT 13445 ZAGAISKI, PARCEL NO. 13-23-430-015**

At a regular meeting of the City Council of the City of Warren, Macomb County, Michigan held on March 22, 2016, at 7:00 p.m. _____ Time in the Council Chambers of the Warren Community Center, 5460 Arden, Warren, Michigan.

PRESENT: _____

ABSENT: _____

In 2015, the City acquired vacant, tax-reverted property at 13445 Zagaiski, Warren, Michigan, Parcel No. 13-23-430-015 (the Property).

Donald and Elaine Smith, owners of the adjacent property at 13437 Zagaiski, wish to purchase the tax-reverted Property, and combine it with their existing lot.

On January 12, 2016, Council adopted a resolution to provide the public with notice of intent to sell the Property to Donald and Elaine Smith, for the price of \$1, plus payment of closing costs.

As a condition of the sale, the Property will be permanently combined with 13437 Zagaiski, and the buyers agree that the combined property will only be used as one residential lot, will be maintained in accordance with local codes and ordinances, and will not be used for the growth, cultivation or distribution of narcotics, including medicinal marihuana.

The Mayor, Public Service Director and Administrative Supervisor are recommending approval to convey the Property by quit claim deed to Donald and Elaine Smith, which will provide for the maintenance and care of a tax-reverted parcel and increase the setback area, for the benefit of the surrounding neighborhood.

THEREFORE, IT IS RESOLVED, that the Mayor and Clerk are authorized to execute a purchase agreement and restrictive covenants consistent with this resolution and in such form that meets with the satisfaction of the City Attorney, to convey the Property located at 13445 Zagaiski, Warren, Michigan, described as follows:

Lot 49 – Maple Grove Subdivision, as recorded in Liber 2, Page 29
of Plats, Macomb County Records
Parcel Identification No. 13-23-430-015
Commonly known as 13445 Zagaiski

IT IS FURTHER RESOLVED, that the conveyance of the Property shall be subject to the reservation of any liens or easements of record, combination with 13437 Zagaiski, covenants to only use the combined property as one single-standing residential lot, to not use the property for the growth or use of narcotics, or for adult businesses, and to keep the property properly maintained.

IT IS FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute closing documents necessary to convey the Property, consistent with this Resolution and in such form that meets with the satisfaction of the City Attorney.

AYES: Councilmembers _____

NAYES: Councilmembers _____

RESOLUTION DECLARED ADOPTED THIS 22nd day of March, 2016.

KELLY COLEGIO
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 City Council of the City of Warren at its meeting held on March 22, 2016.

PAUL WOJNO
City Clerk



DEPARTMENT OF PUBLIC SERVICE

ONE CITY SQUARE, SUITE 320

WARREN, MI 48093-5284

(586) 574-4604

FAX (586) 574-4517

www.cityofwarren.org

December 7, 2015

Donald and Elaine Smith
13437 Zagaiski Ave.
Warren, MI 48089

RE: City-owned property 13445 Zagaiski Parcel I.D. number 13-23-430-015

The purpose of this letter is to ascertain your interest in acquiring property at 13445 Zagaiski Parcel I.D. number 13-23-430-015 owned by the City of Warren. The sale would be subject to the condition that the property would be combined with 13437 Zagaiski. It would be agreed that the property will be maintained, and free from any narcotics, medicinal or otherwise. Restrictive covenants must be signed for the conditions.

Subject to the approval of the Warren City Council, the sale price of the property would be \$1.00 plus payment of any closing costs, title policy and survey if necessary. The lot will be transferred by means of a quit claim deed. The city will be conveying its interest in the property and will not be warranting that the title is free and clear of any other title interest. The signed copy of this letter, along with a copy of your warranty deed, must be received by January 11, 2016, for consideration of the respective purchase. Upon January 11, 2016 a request will be forwarded to the Warren City Council to adopt a resolution notifying the public that the city intends to sell the property. This notice must remain on file with the City Clerk for 30 days. At the end of 30 days, action must be taken again by the City Council to give final approval of the sale of this property. If City Council approves the sale of this property, a purchase agreement and restrictive covenants would be prepared for your review and signature. Please note, that a lot combination of the two parcels is required for this respective purchase. It is the resident's responsibility to obtain their Mortgage Company's acceptance of the lot combination.

If you are interested in purchasing 13445 Zagaiski parcel I.D. 13-23-430-015, please sign the attached and return this letter with the attachment to me with a copy of the warranty deed for 13437 Zagaiski as evidence of current ownership. Should you have any questions, or would like additional information, please call me at 586-574-4646.

Sincerely,

Tom Bommarito, Administrative Supervisor
Department of Public Service

By signing below, I acknowledge my interest in purchasing 13445 Zagaiski Parcel I.D. No. 13-23-430-015, from the City of Warren. I would agree to pay for closing costs of the sale including a survey and title policy. I would agree to sign restrictions requiring combining lots located at 13437 Zagaiski. and that only one residential home would be constructed on the combined lot and to keep the property maintained and free from certain uses, including medicinal marijuana. I acknowledge that we have been informed that approval from the Warren City Council will be necessary before the city can accept an offer to purchase. I would also be willing to accept a quit claim deed for the property.

I also acknowledge that this is merely an expression of interest and is not a formal offer to purchase and does not create any obligation or bind either the City of Warren or the undersigned.

Donald Smith
Donald Smith
[REDACTED]

Date: 12-11-2015

Elaine E. Smith
Elaine Smith
[REDACTED]

Date: 12/11/2015

MEMORANDUM

DATE: 12/08/15
TO: Annmarie LaDuke
FROM: Thomas Agrusa, Deputy City Assessor
RE: Parcel ID# 13-23-430-015 13445 Zagaiski
CC:

Pursuant to your request for valuation of the above captioned property, please be advised of the following:

Address: 13445 Zagaiski
Site Description: Vacant Lot 50' x 138'
Tax Status: Exempt, City owned

Estimated valuation of property if subject to assessment as of December 31, 2014:

Land Value: 10,820
Taxable Value: 5,410

The information regarding this property is taken from existing city records. Valuation estimates are made using the same valuation models used in setting assessments on other neighborhood properties.

RIDER "B"
SEARCH OF TITLE

From examination of the records in the Register of Deeds Office, Macomb County, Michigan, up to November 30, 2015 at 8:00am.

PROPERTY DESCRIPTION:

Land Situated in the City of Warren, County of Macomb and State of Michigan described as follows:

Lot 49 - Maple Grove Subdivision No. 1, as recorded in Liber 7, Page 29 of Plats , Macomb County Records.

Commonly Known As: 13445 Zagaiski, Warren, MI 48089

Tax ID Number: 13-23-430-015

Apparent Owner: City of Warren

Title deed dated 10/20/15 and recorded 10/23/15 in Liber 23688, Page 464, Macomb County Records.

2013 and prior taxes are paid.

2015 Summer taxes are DUE \$405.03

2015 Winter taxes are DUE \$8.50

SPECIAL ASSESSMENTS: NONE SHOWN ON WEBSITE

Tax amounts as shown are base amounts only and do not include any penalty or interest.

No open mortgages found of record.

NOTE: Title emanates from a Judgment of Foreclosure for non-payment of the property taxes recorded 07/08/15 in Liber 23503, Page 255, Macomb County Records. Title insurance may or may not be available when the subject property is sold.

Under this form of Search, this Company is not an insurer of the above Title, nor does it guarantee the Title or any evidence thereto and is not liable for any inaccuracies involving environmental searches or determinations.

The liability is limited to the amount paid for the Search. Rider attached to and forming a part of Search No. 20353

Colonial Title Company
Raymond DeBates, President

BS&A AccessMyGov will be undergoing maintenance between the hours of 12AM EST Saturday December 12th and 12AM EST Monday December 14th. During this time AccessMyGov may be unresponsive. We apologize for any inconvenience!

13445 ZAGAISKI WARREN, MI 48089 (Property Address)

Parcel Number: 13-23-430-015



Item 1 of 1 1 Image / 0 Sketches

Property Owner: CITY OF WARREN

Summary Information

- > Assessed Value: \$5,410 | Taxable Value: \$5,410
- > Property Tax Information found

- > 1 Special Assessment found
- > 1 Building Department records found across 1 property

Owner and Taxpayer Information

Owner CITY OF WARREN **Taxpayer** SEE OWNER
 ONE CITY SQUARE INFORMATION
 WARREN, MI 48093

Amount Due

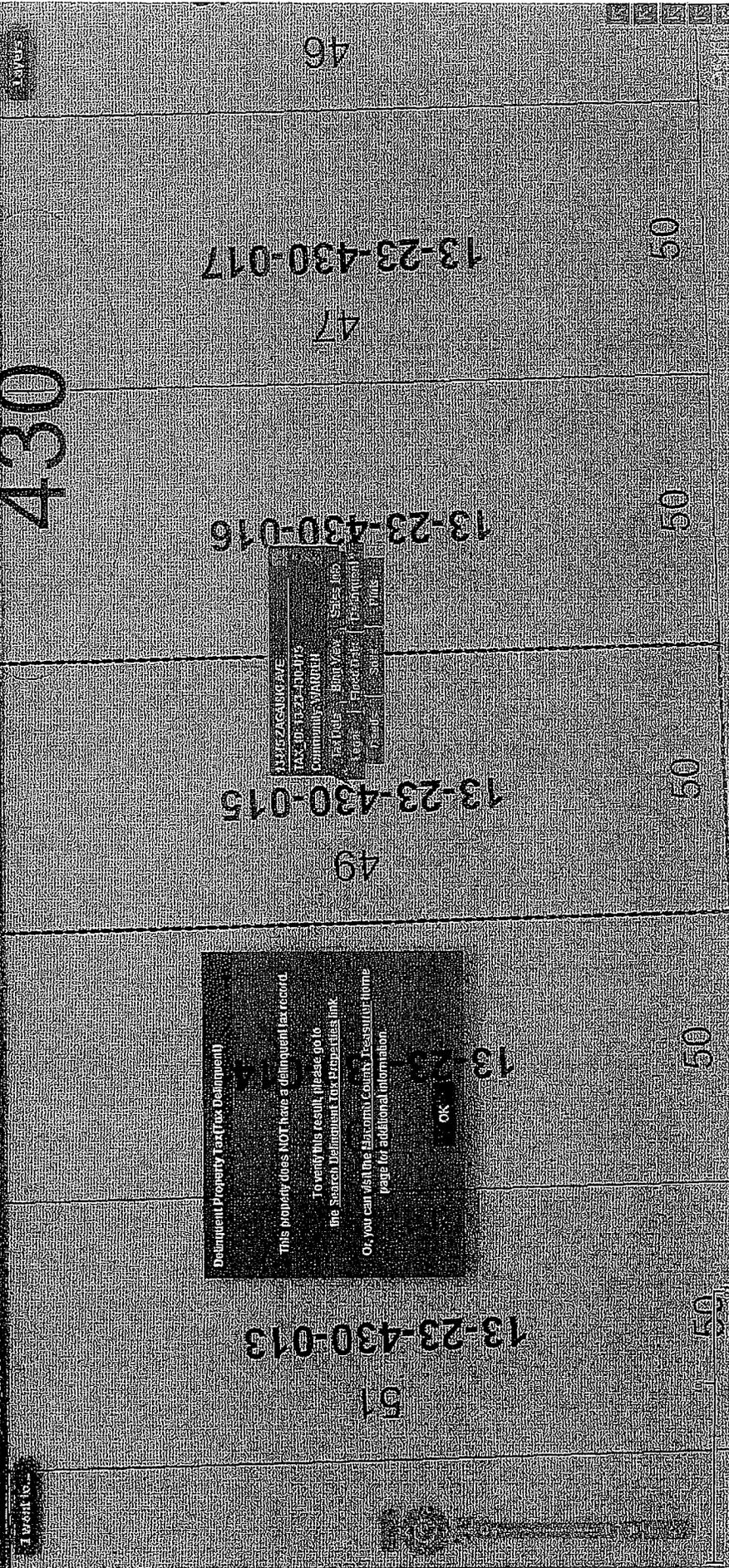
Special Assessment Total Payoff Amount **\$0.00**

Legal Description

Special Assessment Information

Code	Name	Special Assessment District Status	APR Interest Rate	Start Year	Number of Years	Payment Status
S0284	ROLL S0284	Inactive	3.0000	2008	5	** Paid In Full
Special Assessment Information						
Code	S0284	Description 1	SIDEWALK REPLACEMENTS			
Name	ROLL S0284	Description 2	Not Available			
Parcel Status	Active Parcel	User Alpha 1	Not Available			
Original Assessment	\$502.50	User Alpha 2	Not Available			
Principal Balance	\$0.00	Date to Begin Charging Interest	Not Available			
Remaining Payoff Amount	\$0.00	# of Months Interest Calculated	Not Available			
Due Date	07/01/2008					

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Delinquent Property Tax (for Delinquent)

This property does NOT have a delinquent tax record.

To verify this result, please go to the Search Delinquent Tax Properties link.

Or, you can visit the Harcomb County Treasurer's Home page for additional information.

OK

13-23-430-016

13-23-430-015

13-23-430-017

REAL ESTATE PURCHASE AGREEMENT

This Agreement is made and entered into this _____ day of _____, 2016, by the City of Warren, a Michigan municipal corporation (Seller), whose address is One City Square, Warren, Michigan 48093, and Donald and Elaine Smith, whose address is 13437 Zagaiski, Warren, Michigan 48089 (collectively, the Purchaser).

RECITALS

1. The Seller owns certain tax-reverted property located at 13445 Zagaiski in the City of Warren, County of Macomb, State of Michigan (the Property).
2. Purchaser owns the adjacent property at 13437 Zagaiski, Warren (Adjacent Property), and desires purchase the Property from the Seller to combine with their Adjacent Property, and for the price and subject to the terms and conditions in this Agreement.
3. Seller is willing to sell the property to the Purchaser for the price and subject to the terms, conditions and limitations contained in this Agreement.

Therefore, in consideration of the mutual promises of the parties as contained in this Agreement, the parties agree as follows:

PURCHASE AND SALE OF REAL PROPERTY

Seller agrees to sell and Purchaser agrees to purchase the following property described as follows:

Lot 49 – Maple Grove Subdivision No.1, as recorded in Liber 7, Page 29 of Plats, Macomb County Records.
Parcel Identification No. 13-23-430-015
Commonly known as 13445 Zagaiski

The above property shall be referred to as “the Property” in this agreement. The concise description of the Property shall be based upon a complete ALTA/ACSM survey, if Purchaser obtains one. The parties agree that the conveyance of the Property is subject to the terms, conditions and limitations contained in this Agreement.

PURCHASE PRICE

Purchaser shall pay the purchase price for the Property the sum of One Dollar and 00/100 Dollars (\$1.00), plus all closing costs, subject to adjustment and prorations as provided in this Agreement. This purchase price is intended as full monetary consideration and compensation for the Property, together with all improvements, fixtures, easements, appurtenances, mineral rights, and all other Property interests and rights, including but not limited to any other tangible or intangible assets, whether identified or unidentified, for which a seller could or may seek compensation. Seller releases Purchaser from and waives its entitlement to any and all such categories of compensation. The Property is vacant, and no fixtures or personal property are included in this sale.

TERMS OF PAYMENT

The purchase price shall be paid by Purchaser to Seller at closing by check or cash.

CONVEYANCE

Upon completion of the conditions in this document and execution of restrictive covenants in the form attached as Exhibit A, Seller shall convey to the Purchaser its legal title to the Property by executing and delivering a standard form Quit Claim Deed ("Deed").

Purchaser agrees to accept the conveyance, which is subject to the combination of the Property with Purchaser's Adjacent Property at 13437 Zagaiski, Warren, Michigan, and the covenant to only use or sell the Property as a single-standing buildable lot, and to never use the Property for the cultivation, distribution, processing, or growth of any controlled substance, including medicinal marijuana, or for any adult, sexually-oriented business as defined in the City of Warren Codes of Ordinances, and to keep the Property maintained in a condition in compliance with the Code of Ordinances of the City of Warren. Purchaser shall execute a restrictive covenant consistent with these agreements, at the time of the closing. These covenants are intended to serve a public purpose as part of the consideration, and shall run with the land, and be binding upon subsequent owners, assigns, transferees, and heirs, unless otherwise allowed by the governing body of the City of Warren. Purchaser is solely responsible for obtaining any clearances necessary from any mortgagee or lienholder that may have a recorded interest to the Adjacent Property. Any obligation Purchaser may owe to the City of Warren must be satisfied prior to completion of the transaction.

LEGAL DESCRIPTION AND SURVEY

If necessary for a title policy without exceptions, Purchaser shall be responsible for obtaining a complete ALTA/ACSM survey showing all boundaries, easements for public utilities and driveways, and zoning ordinances, if any, and shall provide a copy to Seller and the title company prior to Closing. Purchaser shall have the right to give Seller written notice of objection to any encumbrance, lien, charge or claim upon to or against the Property as may be disclosed by the survey. Upon such notice, Seller may give Purchaser notice within 10 days of its intent to cure any such defects, at Seller's sole expense. If such notice to cure is not provided to Purchaser, Purchaser may either provide notice of termination, which shall be provided within the period of the 10th to the 15th day of its notice of objection to Seller, or Purchaser will accept the Property with the defects, and proceed with the purchase. If Purchaser does not elect to obtain a survey, Purchaser agrees to sign a waiver of a survey at closing.

TITLE POLICY

1. Commitment for Title Policy. Seller has delivered to Purchaser a title search report, and within 15 days will furnish Purchaser with a commitment for a policy of title insurance issued by a title insurance corporation, for an amount of \$1,000, and bearing date later than the acceptance of this Agreement (Title Commitment).

2. Title Objections. If objection to the title or proposed policy is made that the title is not in the condition required for performance hereunder, Purchaser must provide Seller with written notice of the objection within 10 days from receipt of the title commitment,

and the Seller shall have 20 days from the date of written notification from Purchaser of the particular defects claimed, to either; 1) commence action to remedy the title; or 2) obtain title insurance modified or amended to eliminate the objection and defect; or 3) provide written notice of termination of this agreement. If the Seller elects to remedy the title or obtain a modified title policy, Seller will provide Purchaser with written notice of its intent to pursue the remedies, and Purchaser agrees to complete the sale within 10 days of written evidence of the remedies. The closing will be delayed pending completion of such remedies. If Seller commences an action to remedy title, then Purchaser's obligation to purchase shall continue until the disposition of such action. If the title is not successfully remedied through such action, then Purchaser may terminate this agreement with no further obligation on the part of Seller or Purchaser.

ENVIRONMENTAL INSPECTIONS

Purchaser is responsible for procuring a Phase 1 environmental site assessment or evaluation, together with any other wetland studies, land reviews or other assessments of the Property, within 30 days of this Agreement. In the event any environmental or soil contamination or other adverse condition is disclosed, Purchaser shall submit a copy of the Phase I report to Seller within five days of the report. If environmental or soil contamination is present, Purchaser may terminate this Agreement, with not further obligation of either party, upon notice of termination to Seller, within 30 days of this Agreement. In the alternative, and subject to Seller's consent, Purchaser may purchase the Property notwithstanding such contamination, or provide Seller with written notice of its termination of this agreement, subject to any indemnification obligations in this agreement.

CONTINGENCY/INSPECTION PERIOD

1. In addition to other contingencies in this Agreement, Purchaser shall have 30 days after receipt of fully accepted Offer ("Inspection Period") to inspect the Property and records including, but not limited to the following:
 - a) well and septic system;
 - b) pest inspection;
 - c) search governmental records, pending violations, or notices of violations from any insurance or governmental agency;
 - d) litigation and bankruptcy search; and
 - e) baseline environmental study.

2. If Purchaser determines that it does not wish to proceed with the Purchase based upon an objection to any defective condition disclosed by one of the above inspections, Purchaser shall provide Seller with a copy of the inspection report, and Seller has the option, within 10 days' notice to Purchaser, to cure the defect within 30 days of such notice. If Seller does not provide such notice to cure, then Purchaser, upon written notice to Seller prior to the end of the Inspection period, may terminate this Agreement, and this Purchase Agreement shall be terminated. Subject to the indemnification obligation below, the parties shall have no further obligation or liabilities to the other. Purchaser shall promptly return any materials Seller furnished to it in connection with its inspection of the Property, and restore any damaged property which occurred during the inspections, within 10 days of termination, or will be responsible for the costs of such restoration.

3. If Purchaser has any outstanding obligation owed to the City, such obligation must be satisfied within 30 days of this Agreement, all taxes and water charges must be paid and any other outstanding obligation satisfied, within 30 days, or Seller, at its sole election, may either terminate this Agreement upon written notice to Purchaser, or all such charges may be paid by Purchaser at Closing, and memorialized in a settlement statement.

INDEMNIFICATION

Notwithstanding anything to the contrary in this document, Purchaser for themselves, their successors, heirs, legal representatives, and assigns, agree to indemnify, defend, hold harmless Seller against, for, and from, all liability, loss, costs or expenses (including costs of defense, investigation and reasonable attorney fees) which may result from, relate or arise out of any of Purchaser's or their contractor's or agent's use, possession, inspection, or occupancy of the Property during the time this Purchase Agreement is in effect, up to Closing. If Purchaser fails to close the transaction, Purchaser shall repair, in a commercially reasonable manner, any damage to the Property caused by the Purchaser or its employee, contractors or agents in connection with the performance of any inspection, work or other act preliminary to the Closing. These obligations shall survive closing and are supplemental to other releases and indemnifications obligations contained in this Agreement.

CLOSING

1. If this Offer is accepted by the Seller, and if title can be conveyed in the required condition, Purchaser and Seller agree to complete the sale within 20 days from the expiration of the Inspection Period or of Purchaser's acceptance of any test or remedial action or cure made by Seller as provided in this Agreement, whichever occurs later. The closing of this sale shall take place at the office of the Purchaser, unless the parties agree upon another location. The Seller shall be responsible for preparing the documents for the closing, and the closing documents shall be delivered for the Purchaser's review at least 10 days before the closing. All taxes must be paid, and all outstanding obligations Purchaser may have to Seller, must be fulfilled prior to closing.

2. At the closing, the Seller shall sign and deliver to Purchaser a quit claim deed to the Property conveying legal title subject to any interests of record. Purchaser will execute the restrictive covenants consistent with this Agreement. Purchaser will pay for closing costs, revenue stamps, transfer taxes, recording costs, and shall record the transfer affidavits. Purchaser shall pay for the title insurance premium. Each party shall pay for their own attorney and other professional fees. Each party shall sign a closing statement memorializing the transaction. At closing, Seller will have issued an owner's policy of title insurance in the standard American Land Title Association form, insuring Purchaser as the vested title owner of the Property in the amount of \$1,000. Purchaser will pay for the cost of such policy. Each party shall produce documents to evidence their authority to enter into and execute the closing documents. Purchaser is responsible for preparing and filing their own Principal Residence Exemption, if applicable.

TAXES - PRORATED ITEMS

All taxes and assessments which have become a lien upon the land at the date of this Agreement shall be paid by the Seller, except current taxes if any shall be prorated and adjusted as of the date of the Closing. Notwithstanding Public Act numbers 80 and 279 of 1994, taxes shall be deemed to be paid in advance and such taxes shall be prorated on a due date basis. Seller shall pay all assessments that are levied against the Property on or before the effective date of this Agreement, whether due in installments or otherwise, at or before closing. After closing, Purchaser shall pay all assessments after the effective date, provided Seller gave Purchaser notice of such assessments.

REPRESENTATION, WARRANTIES, AND COVENANTS

1. Purchaser represents and warrants to, and covenants with Seller, the following as of the Effective Date, which representations, warranties, and covenants shall remain true as of the Closing Date:

- a. Purchaser has the full authority to purchase the Property as provided in this Agreement and to carry out Purchaser's obligations under this Agreement;
- b. All requisite actions necessary to authorize Purchaser to enter into this Agreement and the remaining agreements provided for and to carry out its obligations have been, or by the Closing Date will have been, taken;
- c. All documents and agreements executed and delivered by Purchaser in connection with the Purchase shall be binding upon, and enforceable against, Purchaser; and
- d. No other person or entity has an interest in the Adjacent Property, or Purchaser has obtained the approval of any person or entity with an interest, to combine the properties or otherwise agree to the terms of this Agreement.

2. Purchaser agrees to accept the title to the Property "as is". Seller has made no representations or warranties with regard to the Property, surface, subsurface or any matter affecting title. Purchaser has independently investigated the title to the Property, the surface, subsurface, and any environmental issues that may arise from any pollution of the soil or groundwater, to its satisfaction, and waives and releases Seller from any claims by Purchaser, whether environmental or otherwise, with regard to the condition of the Property.

3. The foregoing obligations, representations, releases and covenants shall survive closing.

POSSESSION

The Seller shall deliver and the Purchaser shall accept possession of the Property at the time of closing, clear of occupancy by third parties.

DEPOSIT

The parties acknowledge that no down payment has been deposited in connection with this offer, and no credit for deposit money shall be made to the purchase price if the sale is completed.

This Agreement shall become a binding agreement, and shall take effect upon full execution.

NOTICES

All notices, deliveries or tenders given or made in connection herewith shall be deemed completed and legally sufficient, if mailed or delivered to the respective party for whom the same is intended at the addresses below:

Seller: Public Service Director
 City of Warren
 One City Square, Suite 300
 Warren, MI 48093

With a copy to: City Attorney
 City of Warren
 One City Square, Suite 400
 Warren, MI 48093

Purchaser: Donald and Elaine Smith
 13437 Zagaiski Ave.
 Warren, MI 48089

ADDITIONAL CONDITIONS

1. The covenants herein shall bind the heirs, administrators, executors, assigns, personal representatives and successors of the respective parties.
2. It is understood that the Property is being purchased in its present condition and will be delivered by the Seller to the Purchaser in substantially the same condition as when this Offer was made. Sellers shall take all reasonable measures to preserve and protect the Property and to keep it maintained in its current condition.
3. Seller represents and warrants that there are no pending, threatened, or existing lawsuits administrative actions, claims or demands relating to the subject Property and further holds Purchaser harmless from the same.
4. "Superfund" Act. To the best of Seller's knowledge, no land fill exists on the Property and no hazardous waste or material has been deposited on the property and the property is free from any environmental problems as set forth in the Comprehensive Environmental Response Compensation and Liability Act ("Superfund"). Seller agrees to indemnify and to hold Purchaser harmless from and against any and all loss, liability, damage or expense (including reasonable attorney's fees) resulting from any breach of warranty or misrepresentation under this section. This warranty, representation and agreement of indemnity shall not be affected or limited by any inspection made by the Purchaser pursuant to the Agreement and shall survive the Closing.
5. Representation. Seller warrants and represents that it has the authority to accept this Agreement of Sale and that it now holds good, marketable, and fee simple title to the property to be conveyed. Seller will provide evidence of the authority of the executor to enter into this Agreement on behalf of Seller.

6. Additional Documents. Each party agrees to execute any additional documents reasonably requested by the other to carry out the intent of this Agreement.

7. Hold Harmless and Indemnification. The Seller agrees to indemnify and hold Purchaser harmless from any claims, suits, damages, costs, losses and any expenses resulting or arising from or out of Seller's or its officers, directors, agents and/or employees, occupancy, possession, use and ownership of the Property during the time this Agreement is in existence. The Purchaser agrees to indemnify and hold Seller harmless from any claims, suits, damages, costs, losses and any expenses resulting and arising from and out of the negligence of its officers, directors, agents and/or employees. This provision shall survive termination or expiration of this Agreement.

8. No Broker. It is acknowledged by both parties that no Broker was utilized by either party in this transaction, and therefore no broker or advisory fees will be assessed to either party. It is further understood that no promises have been made other than those that are in writing and signed by all parties involved (no verbal agreements will be binding).

9. Survival of Representation and Warranties. The representations and warranties as set forth in this Agreement shall be continuing and survive the Closing.

10. Date of this Agreement. For the purposes of the transaction, the Agreement shall be effective the date of the signature of the last party to sign this Agreement.

11. No Prior Agreements. Sellers represent and warrant that Seller has not entered into any other Agreement for the sale of the Property, or any part thereof. Furthermore there are no agreements, oral or written, leases, easements, licenses, court decrees or judgments, third party claims, demands, or causes of action, which would be a charge, encumbrance or claim against, or restrict the use of the Property to be sold.

12. Headings. The headings of this Agreement are for purposes of reference only and shall not limit or define the meaning of the provisions of this Agreement.

13. Saturdays, Sundays and Holidays. Whenever in this Agreement it is provided that notice must be given or an act performed or payment made on a certain date, and if such date falls on a Saturday, Sunday or holiday, the date of the notice of performance or payment shall be the next following business day.

14. Waiver. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provisions, nor shall any waiver be a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

15. No Adverse Information. Seller represents and warrants that it has no adverse information with regard to the real estate which it has not disclosed to Purchaser and that there are no judicial or administrative proceedings pending or threatened against the real estate and Seller is not aware of any facts which might result in any action, suit or other proceedings.

16. Eminent Domain. If before closing, the real estate is taken by eminent domain, Purchaser may terminate this Agreement. If Purchaser terminates, neither Seller nor

Purchaser shall have any further obligation and the earnest money deposit will be promptly returned to Purchaser. If Purchaser does not terminate, this Agreement will remain in effect and Seller will assign to Purchaser all of Seller's rights to receive any awards that may be made for such taking.

17. Cooperation. The parties agree to cooperate with each other in carrying out the transaction, in obtaining and delivering all required closing documents, and obtaining the required governmental approvals, and agree to use their best efforts to expeditiously accomplish same. In addition, Seller agrees to cooperate in the platting of the property including, but not limited to signature when required and providing existing documents.

18. Risk. All risk of loss or damage to the property shall be upon Purchaser until closing.

19. Access. Seller represents and warrants that there exists access to the Premises for vehicular and pedestrian ingress and egress from public roads and there does not exist any fact or condition which would result in the termination or impairment of that access.

20. Any action arising under this Agreement shall be brought in a Court whose jurisdiction includes and is located in the County of Macomb, Michigan. Such actions shall be governed by and subject to the laws of the State of Michigan.

21. This Offer to Purchase is subject to the parties' attorney approval. No representation or recommendation is made by the Presenter as to the legal sufficiency, legal effect or tax consequences of this Offer to Purchase or the transaction relating thereto; the parties shall rely solely upon the advice of their own legal counsel as to the legal and tax consequences of this Offer to Purchase. All Purchasers of real estate should have their title examined by an attorney.

22. In the event, prior to closing, Seller shall desire to restructure this transaction as a tax deferred exchange for property identified by Seller, pursuant to §1031 of the Internal Revenue Code, Purchaser, as an accommodation to Seller, shall enter into and execute any such amendatory documentation as Seller may reasonably request; provided however, that Purchaser shall not incur any additional cost, expense, risk or potential liability whatsoever on account thereof. Purchaser shall have no liability to Seller whatsoever in the event the subject transaction is found, held or adjudicated not to qualify as or as a part of a tax deferred exchange pursuant to §1031 of the Internal Revenue Code. Notwithstanding the foregoing, no failure to close of any transaction involving any premises to be exchanged shall affect Seller's obligation to convey the Subject Premises as and when required hereunder.

WITNESSED BY:

PURCHASER:

By: _____
Donald Smith

By: _____
Elaine Smith

WITNESSED BY:

ID 58777

SELLER:

By: _____
James R. Fouts, Mayor

By: _____
Paul Wojno, City Clerk

EXHIBIT A

DECLARATION OF RESTRICTIVE COVENANTS

The City of Warren, a Michigan municipal corporation located at One City Square, Warren, Michigan ("the Grantor"), and Donald and Elaine Smith, whose address is 13437 Zagaiski, Warren, Michigan 48089 (collectively, "the Grantee"), agree to the property restrictions contained in this document.

The parties stipulate that:

Grantor conveyed to Grantee real property (Property), located in the City of Warren, Michigan, described as follows:

Lot 45 – Maple Grove Subdivision No.1, as recorded in Liber 7, Page 29 of Plats, Macomb County Records.
Parcel Identification No. 13-23-430-015
Commonly known as 13445 Zagaiski

The Property has been vacant for several years. As part of the consideration, Grantor approved the conveyance of the Property to Grantee, in part, to further certain public purposes, such as enhancing the quality of the surrounding neighborhood, reducing congestion, increasing setback areas, improving the aesthetics of the area, and restoring the Property to a responsible owner.

Grantee is the owner of the adjacent residential lot at 13437 Zagaiski, legally described as: Lot 50 – Mapleton Subdivision No. 1, as recorded in Liber 50, Page 58 of Plats, Macomb County Records, Parcel No. 13-23-430-014 ("Existing Lot"). Grantee agrees, within 60 days of the sale, to have the Property combined with the Existing Lot as one parcel with one ownership interest. The Existing Lot, combined with the Property, shall be referred to in this document as the Expanded Property.

As part of the consideration for the Property, Grantee, for themselves, their heirs, successors and representatives and any person claiming an interest in the Property, agree with the Grantor City of Warren that the conveyance of the Property is made subject to the following restrictions and limitations as to the use of the Property.

1. The Property shall not be used or developed as a stand-alone building site. The use and occupancy of the Property is further subject to the terms of the Resolution of the Warren City Council dated March 22, 2016.
2. The Property shall be combined with the Existing Lot, commonly known as 13437 Zagaiski, Warren, Michigan, Lot 50 – Mapleton Subdivision No. 1, as recorded in Liber 50, Page 58 of Plats, Macomb County Records, Parcel No. 13-23-430-014. The Property and the Existing Lot, together are referred to in this document as the Expanded Property, and shall be used and occupied as one single residential lot and ownership interest. The Property shall not be developed, used, owned or occupied for any purpose independently from the Expanded Property. The Property and Existing Lot shall remain combined as the Expanded Property, and may not be partitioned or divided except with the approval the Warren City Council.
3. The Expanded Property shall be owned and occupied for strictly private, single-family residential purposes for one household in connection with the Existing Lot.
4. The Expanded Property shall be used, owned and occupied with only one residential dwelling house and garage in accordance with local ordinances. The Property shall not be used as a separate residential buildable lot, although a shed may be permissible with an approved permit.
5. The use and development of the Expanded Property shall comply with the Zoning Ordinances of the City of Warren.
6. The Expanded Property shall never be used, occupied, maintained or developed for the growth, cultivation, processing, sale, distribution or production of marijuana or other controlled substance, including medical marijuana. Grantor understands that the stated restrictions or activities may be otherwise legally permissible on the Property, and expressly waives the right to the exercise of such uses or activities upon the Property.
7. The Expanded Property shall never be used, occupied, maintained or developed for any sexually oriented business or adult business, as defined or classified within the City of Warren Code of Ordinances or the City of Warren Code of Zoning Ordinances, and any amendments or replacements to such sections, or any similar or prurient businesses or activities that may be offensive to or incompatible with the character of the surrounding neighborhood.
8. The Expanded Property shall be used, occupied, developed and maintained in accordance with the City of Warren Code of Ordinances and other applicable laws, codes, or regulations, or conditions of the local governing body or zoning board of review or planning commission concerning the property.
9. The provisions of this Agreement may be enforceable by the City of Warren and its successor, assigns or receivers, or third parties affected by any violation of this Agreement, by proceedings at law or in equity against any violation or attempted violation of this Agreement, either to restrain and enjoin the violation or to recover damages from Grantee, including her heirs, devisees, assigns and transferees for any violation of the above restrictions but only with respect to the

March 11, 2016



DEPARTMENT OF HUMAN RESOURCES
One City Square, Suite 410
Warren, MI 48093-5286
(586) 574-4670
www.cityofwarren.org

Kelly Colegio, Secretary
City of Warren City Council

RE: Request for additional appropriation in the amount of \$5,587.95 for payment to BASIC for preparation and filing of 1773 health coverage information 1094-c and 1095-c returns required by federal healthcare reform.

Dear Council Secretary Colegio:

The Administration previously submitted a recommendation and request that BASIC, a company designated and identified by TMR & Associates as an agent qualified to assist the City in the health coverage reporting process, be authorized to prepare and distribute the City's 1094-C and 1095-C forms mandated by Section 6056 of the federal health care reform.

On September 8, 2015, the undersigned recommended and requested that BASIC be retained to process an estimated 1000 or so informational health care returns, and requested an amount not to exceed \$20,000.00 to provide this service. After a great deal of work by Marilyn Warren of the Insurance Division, and the staff at BASIC, the work of preparing and filing **1773** informational returns has now been completed.

The total costs for this service of preparing and filing a total of 1773 returns is \$25,587.95. **The "per unit" costs remained exactly the amount quoted in the attached contract, but the total costs increased because the city was required to submit 773 more returns than was originally estimated.**

At the time the Administration requested approval of this contract in September, 2015, it was indicated that "[t]he price quoted by BASIC is for complete services for 900 individuals. ***It is likely that the number will be somewhat in excess of 900, possibly up to 1500 given the number of individuals who have moved off and on the city's coverage in the past year.***"

Unfortunately the actual number of returns that had to be filed exceeded the estimate by several hundred individuals, and the City has incurred additional costs in the amount of \$5,587.95, which the Administration requests be approved for payment.

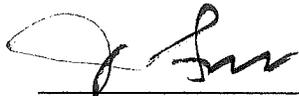
The Administration respectfully requests that the City Council adopt and approve an additional appropriation in the amount of \$5,587.95.

Sincerely,



Phillip Easter
Human Resources Director

APPROVED:



James R. Fouts, Mayor

Resolution approving request for additional appropriation in the amount of \$5,587.95 for payment to BASIC for preparation and filing of 1773 health coverage information 1094-c and 1095-c returns required by federal healthcare reform.

A meeting of the City Council of the City of Warren, County of Macomb, Michigan held on Tuesday, March 22, 2016 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 having previously submitted a recommendation and request that BASIC, a company designated and identified by TMR & Associates as an agent qualified to assist the City in the health coverage reporting process, be authorized to prepare and distribute the City's 1094-C and 1095-C forms mandated by Section 6056 of the federal health care reform upon the terms and conditions contained in the attached agreement, and,

2. On September 8, 2015, the undersigned recommended and requested that BASIC be retained to process an estimated 1000 or so informational health care returns, and requested an amount not to exceed \$20,000.00 to provide this service. After a great deal of work by Marilyn Warren of the Insurance Division, and the staff at BASIC, the work of preparing and filing **1773** informational returns has now been completed.

3. The total costs for this service of preparing and filing a total of 1773 returns is \$25,587.95. **The "per unit" costs remained exactly the amount quoted in the attached contract, but the total costs increased because the city was required to submit 773 more returns than was originally estimated.**

BASIC Corporate

9246 Portage Industrial Drive
 Portage, MI 49024

1-269-488-6238

ACAInvoice@basiconline.com

Invoice

Date	Invoice #
3/11/2016	119488

Bill To
City of Warren Brittany Dallas One City Square STE 410 Warren, MI 48093

Account #	P.O. No.	Terms	Due Date
118101		Due on receipt	3/11/2016

Quantity	Description	Rate	Amount
1,773	ACA Elevate Option 1 - Per Eligible EE Fee at Final Yearly Form Generation	3.55	6,294.15
1		0.00	0.00
773	ACA Elevate Option 1 - Full time employee fee (at time of set up) - adjusted to final count	3.55	2,744.15
1	(actual FTE count 1773 - original FTE count 1000 = 773)	0.00	0.00
1		0.00	0.00
1,773	ACA Elevate Option 1 - Combined Filing & Mail Fee	7.05	12,499.65

To receive invoices via e-mail please send your request to ACAInvoice@basiconline.com. Please include the client name, line of service and preferred e-mail address(es).

Total \$21,537.95

Payments/Credits \$0.00

Balance Due \$21,537.95

estimated cost	\$20,000.00	(based on estimated 1000 returns)
original set up fees	\$4,050.00	
balance	\$15,950.00	
actual cost	\$21,537.95	(based on 1773 ACA returns)
additional authorization requested	\$5,587.95	

CITY OF WARREN
Office of the Council Secretary

Item 10j

INTER-OFFICE COMMUNICATION

DATE: September 8, 2015

TO: Phil Easter, Human Resource/Risk Manager

SUBJECT: Request for an additional appropriation of funds for the Human Resources Department in the amount of \$20,000.00 to provide funding for professional services to prepare and file health coverage information as mandated by the Federal Healthcare Reform. CONSIDERATION AND ADOPTION OF A RESOLUTION.

At a regular meeting of the City Council held Tuesday, September 8, 2015 Council by formal motion APPROVED the above listed item.

Trusting this information to be of value.



Scott C. Stevens
Council Secretary
Mayor Pro Tem

cc: Mayor
Clerk
Attorney

RESOLUTION AMENDING GENERAL APPROPRIATION
FOR FISCAL 2016 BUDGET

A Regular Meeting of the City Council of the City of Warren, County of Macomb, Michigan held September 8, 2015, at 7:00 o'clock p.m. Eastern Day/Sav Time in the Council Chambers at the Warren Community Center.

PRESENT: Council Members Boccomino, Colegio, Green, Sadowski, Warner,
St. Pierre, Jr.

ABSENT: Council Members Stevens

The following preamble and resolution were offered by Council Member Sadowski and supported by Council Member Warner.

WHEREAS, the budget for fiscal year July 1, 2015 to June 30, 2016 was adopted by Council on May 12, 2015, and

WHEREAS, the Human Resources Director has indicated a need to this Council for an additional appropriation of funds in the amount of \$20,000.00 to provide funding for professional services needed to prepare and file information mandated by the federal healthcare reform.

NOW, THEREFORE, BE IT RESOLVED, that the City Council by amending the original General Appropriation Resolution for the Fiscal 2016 Budget, approves the additional appropriation of funds to the following budget line items in the General Fund Budget for fiscal 2016 in the amount of \$20,000.00.

<u>Account Number</u>	<u>Account Title</u>	<u>Amount</u>
<u>Transfer to:</u> 1220-80100	Professional Services	<u>\$20,000.00</u>
<u>Transfer from:</u> 101-39601	General Fund Contingency	<u>\$20,000.00</u>

BE IT FURTHER RESOLVED, that the City Council hereby revises the estimated appropriations for the General Fund Budget for fiscal 2016 in the amount of \$20,000.00.

CITY OF WARREN
Office of the Council Secretary

Item 10k

INTER-OFFICE COMMUNICATION

DATE: September 8, 2015

TO: Phil Easter, Human Resource/Risk Manager

SUBJECT: CONSIDERATION AND ADOPTION OF A RESOLUTION approving a contract with BASIC to prepare and file health coverage information 1094-C and 1095-C returns required by Federal Healthcare Reform in the amount of \$20,000.00.

At a regular meeting of the City Council held Tuesday, September 8, 2015 Council by formal motion APPROVED the above listed item.

Trusting this information to be of value.



Scott C. Stevens
Council Secretary
Mayor Pro Tem

cc: Mayor
Clerk
Attorney

**RESOLUTION APPROVING CONTRACT WITH BASIC FOR
PREPARATION AND FILING OF HEALTH COVERAGE
INFORMATION RETURNS**

A meeting of the City Council of the City of Warren, County of Macomb, Michigan held on Tuesday, September 8, 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 Boccomino, Colegio, Green, Sadowski,
Warner, St. Pierre, Jr.

ABSENT: Councilmember Stevens

The following resolution was offered by Councilmember Green and supported by Councilmember Sadowski.

1. The Administration having submitted a recommendation and request that BASIC, a company designated and identified by TMR & Associates as an agent qualified to assist the City in the health coverage reporting process, be authorized to prepare and distribute the City's 1094-C and 1095-C forms mandated by Section 6056 of the federal health care reform upon the terms and conditions contained in the attached agreement, and,

2. The Administration having presented information to the City Council in support of the request to approve the this recommendation,
NOW THEREFORE;

IT IS RESOLVED, that City Council does hereby adopt and approve this resolution, and does hereby approve the administration's recommendation and request that BASIC, a company designated by TMR & Associates, be authorized to prepare and distribute the City's 1094-C and 1095-C forms mandated by Section 6056 of the federal health care reform upon the terms and conditions contained in the attached agreement, at a total cost **not to exceed** \$20,000.00.

AYES: Green, Sadowski, Boccomino, Colegio, Warner,

St. Pierre, Jr.

NAYS: _____

RESOLUTION DECLARED ADOPTED.



SCOTT C. STEVENS, Secretary of the Council

CERTIFICATION

State of Michigan)

)ss

County of Macomb

I, PAUL WOJNO, duly elected Clerk of the City of Warren, Macomb County, Michigan, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Council of the City of Warren, at its meeting held on Tuesday, September 8, 2015.

PAUL WOJNO
Clerk of the City of Warren

CITY OF WARREN
Office of the Council Secretary

Item 101

INTER-OFFICE COMMUNICATION

DATE: September 8, 2015

TO: Wilbert "Skip" McAdams, Fire Commissioner

SUBJECT: Request of the Fire Department to award bid ITB-W-9145 for HVAC Duct Cleaning Services at Fire Stations to Danboise Mechanical, Inc., in an amount not to exceed \$13,312.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.

At a regular meeting of the City Council held Tuesday, September 8, 2015 Council by formal motion APPROVED the above listed item.

Trusting this information to be of value.



Scott C. Stevens
Council Secretary
Mayor Pro Tem

cc: Mayor
Clerk
Attorney

WARREN CITY COUNCIL
REGULAR MEETING
September 8, 2015
Page 10

- j) Request for an additional appropriation of funds for the Human Resources Department in the amount of \$20,000.00 to provide funding for professional services to prepare and file health coverage information as mandated by the Federal Healthcare Reform. CONSIDERATION AND ADOPTION OF A RESOLUTION.

Motion:

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

Roll Call:

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

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

- k) CONSIDERATION AND ADOPTION OF A RESOLUTION approving a contract with BASIC to prepare and file health coverage information 1094-C and 1095-C returns required by Federal Healthcare Reform in the amount of \$20,000.00.

Motion:

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

Roll Call:

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

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

- l) Request of the Fire Department to award bid ITB-W-9145 for HVAC Duct Cleaning Services at Fire Stations to Danboise Mechanical, Inc., in an amount not to exceed \$13,312.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.



Client Information

BASIC SALES
9246 Portage Industrial Dr
Portage MI 49024

P 800-444-1922 ext 3
F 800-658-7248

[https://upload.basiconline.com/?
los=New](https://upload.basiconline.com/?los=New)

Please type or print all information

COMPANY INFORMATION

Date completed: September 17, 2015

Legal Company Name: City of Warren

Current Client – information below on file (if any changes please complete/update below)

DBA/AKA: _____

Employees refer to your company as: City of Warren

Website: www.cityofwarren.org

Mailing Address: One City Square, Suite 410

City, State, Zip: Warren, Michigan 48093

Physical Address (if different): same

City, State, Zip: _____

Main Phone: _____ Fax: _____

Please indicate service(s) provided by BASIC.

C - Current service
N - New service

- _____ COBRA
- _____ Dep. Verification
- _____ FMLA
- _____ FSA
- _____ HR Outsourcing
- _____ HR Services
- _____ HRA
- _____ HRIS
- _____ HSA
- _____ Parking
- _____ Payroll
- _____ Retiree Billing
- _____ Unemployment
- xx _____ Compliance

EMPLOYER CONTACT INFORMATION (Please add agent under referral source only)

Executive Name: James R. Fouts

Title: Mayor Phone: 586 574 4525 Ext: _____

Email Address: jfouts@cityofwarren.org

Authorized Representative: Phil Easter

This is the person contracts will be emailed to for signature

Title: Human Resources Manager Phone: 586 574 4654 Ext: _____

Email Address: peaster@cityofwarren.org

Required for contracts

HR Manager/Director: same

Title: _____ Phone: _____ Ext: _____

Email Address: _____

Billing Contact: Brittany Dallas

Title: HR Assistant Phone: 586 574 4656 Ext: _____

Email Address: bdallas@cityofwarren.org

REFERRAL SOURCE (How did you hear about BASIC)

Company Name: TMR

Contact Name: _____

Email Address: _____

Phone: _____



**ACA Elevate
Option 1-
Year-end Filing Only**

BASIC SALES
9246 Portage Industrial Dr
Portage MI 49024

P 800-444-1922 ext 3
F 800-658-7248

Upload via our secure site
<https://upload.basiconline.com/?loc=New>

Please type or print all information

COMPANY INFORMATION – all information requested below is required

Company Name/Plan Sponsor: City of Warren
 Company Contact Person: Phillip Easter
 Title: Human Resources Manager
 Phone: 586 574 4654 Email: peaster@cityofwarren.org
 Tax ID: 38-6006931 Total Number of Employees: _____
 Total Number of eligible Full Time Equivalent (FTE) Employees: 1000 approximately
 CS or SIC Code: _____ or Nature of Business: Michigan municipality

Filing as a Controlled Group: Yes No

If yes, please list members (please use separate sheet if more than space allows)

Member Name	Tax ID#	Filing Separately	
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Group Health Benefits Offered:

Fully Insured Self-Insured* Both

Select ACA Additional Service Options:

Electronic Filing to IRS 1095-C Mailing Combined filing & Mailing

Calculating amount due with initial engagement:

Option 1

Set-up Fee: \$ 500.00

Per eligible FTE Employee 1st yearly intake fee:

*if self-insured please enter # eligible for benefits in FTE employee field)

\$ 3.55 x 1000 approximately FTE employees = \$ 0.00

Total Initial Due: \$ 0.00

Note: Per Employee Service Billing fees may be adjusted based on number of employees reported above compared to number of employees reported on employer filing setup form.

	9246 Portage Industrial Dr. Portage, MI 49024	COMPLIANCE PAYMENT
		DATE:

COMPANY NAME: City of Warren

<input type="checkbox"/>	Direct Debit Payment	
Please complete and sign this form to allow direct debit payment		
	Bank Name:	
	Account Number:	
	9 Digit Routing Number:	
	Authorized By: (please print or type name)	
	Title:	Human Resources Manager
	Contact Phone:	
By completing this form, you are authorizing BASIC to obtain payment for the following:		
<input type="checkbox"/>	Startup fees only	<input type="checkbox"/> Startup & ongoing administration fees
AUTHORIZED SIGNATURE:		DATE

<input type="checkbox"/>	Credit Card Payment			
Please complete and sign this form to initiate credit card payment				
	Cardholder's Name:			
	Type of Credit Card:	<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard	<input type="checkbox"/> American Express
		<input type="checkbox"/> Discover		
	Credit Card Number:			
	Expiration Date:		CSV:	
	Authorized By: (please print or type name)			
	Title:			
	Contact Phone:			
By completing this form, you are authorizing BASIC to obtain payment for the following:				
<input type="checkbox"/>	Startup fees only	<input type="checkbox"/>	Startup & ongoing administration fees	
AUTHORIZED SIGNATURE:				DATE

INITIAL PAYMENT AMOUNT: \$ 0.00

SERVICE: ACA Elevate 1



**Affordable Care Act (ACA) COMPLIANCE
SERVICE AGREEMENT**

This Agreement between Benefit Administrative Services International Corporation, a/k/a BASIC ("Service Provider"), and City of Warren, ("Employer").

RECITALS

A. Employer has contracted with BASIC to provide Affordable Care Act (ACA) / Internal Revenue Service (IRS) 6055 / 6056 Compliance Services referred to, all or in part, as "ACA Compliance Services" which may include preparation and filing of ACA/IRS 6055 / 6056 tax forms and mandated Employee Notices to be mailed by BASIC or provided to the Employer for IRS filing and distribution to Employees as required under Regulation. BASIC's specific ACA Compliance Services are identified on other documents. In all cases, BASIC is limited to providing ACA Compliance Services as specified in writing and agreed to by the Employer and BASIC as they appear on the signed proposals, and the Employer Intake and Set-up Forms or other documents that are mutually agreed upon and signed by both parties.

B. For the purposes of providing Compliance Services, BASIC is an independent contractor and not a Health Benefit Plan Administrator ("Plan Administrator"), the Employer or a named fiduciary, functional fiduciary for specified Group Health and Welfare Benefit Plans. Employer understands that BASIC is an independent contractor with respect to all services provided under this Agreement. BASIC does not collect or hold any employee or employer contributions, or plan assets. Payments made by Employer for ACA Compliance Services are solely for the purpose of providing ACA Compliance Services as identified on the Client Intake Form or as amended in writing and agreed to by BASIC and the Employer. Employer understands that BASIC is not a law firm and not a CPA firm and is not providing tax or legal advice. The products, services, reports and filings created or transacted to the IRS by BASIC under this agreement may have legal and IRS consequences. Any questions are to be directed by the Employer to their tax and legal advisors at the Plan Sponsor's expense.

C. Employer wishes to engage BASIC for the purpose of providing ACA Compliance Services as determined and established on the Employer Intake and Set-up forms. Employer agrees to timely provide to BASIC all required Group Health and Welfare Benefit information, applicable current and past employee information and other required Employer information which BASIC relies upon to provide ACA Compliance Services. BASIC shall use ordinary care and diligence in the performance of its duties as identified and understood by BASIC, from information provided by the Employer on the Employer Intake and Set-up Forms. ACA Compliance Services provided by BASIC are subject to change upon written notice to the employer or as required under law. BASIC, as an independent contractor, may change any features, brand, third party providers, attributes of an ACA Compliance Service or any element of its services or processes from time to time provided that such changes do not have a material adverse impact on ACA Compliance Services offered under this Agreement.

C. NOW, in consideration of the mutual covenants contained herein, the execution of the Agreement, and other consideration, the adequacy and receipt of which is hereby acknowledged, the parties hereto agree as follows:

**ARTICLE I
BASIC Services Provided**

1.01 BASIC ACA Elevate 1 And BASIC ACA Elevate 2 Compliance Services

(a) By Definition, the Terms, Plan Administrator, Administrator, Health and Welfare Plan Sponsor, Functional Fiduciary or Named Fiduciary, and Plan Assets are defined under the Employee Retiree Income Security Act, as amended. These terms refer to the Employer or entity responsible for the Group Health and Welfare Benefit Program(s) (referred to as Plan) and are not obligations that are established or transferable to BASIC.

(b) BASIC will use ordinary care and diligence in the performance of its duties under this Agreement by creating or completing documents, notices, predetermined forms and performing other specified related services meeting ACA requirements on behalf of the Employer. BASIC will assist the Employer in completing notices, forms and IRS filings using employee data information and other employer information that is required and provide to BASIC by the Employer. These items, created by BASIC, may be used by the Employer to distribute to their employees, meeting ACA compliance requirements and for IRS filings. Or, as specified on the Employer Set-up and Intake Forms, BASIC will mail employees the appropriate forms and notices and file with the IRS on behalf of the Employer. Additionally, if in the event of a federal agency audit, BASIC will provide Employer audit support by submitting to the Employer all records and documents prepared by BASIC on behalf of the Employer. And if needed, for a specified fee, BASIC's representative, will participate with Employer representatives during an audit. This obligation ends anytime the Employer or BASIC terminates this relationship and copies of all Employer documents maintained by BASIC are electronically provided to the Employer.

(c) The Employer acknowledges that BASIC is not rendering any legal or accounting services or advice and that all Documents, Notices, Forms and Tax Filings prepared by BASIC are prepared subject to the direction of and with the approval of the Employer and its legal counsel, CPA or other advisors. BASIC will make reasonable efforts to inform the Employer of changes in the law, but the legal and tax status of the Plan and IRS filing requirements is a matter for determination by the Employer and not by BASIC.

(d) In the event any modification, amendment or change to controlling regulations or at the request of the Employer, and communicated to BASIC, BASIC will make changes to documents and provide notice to the Employer on all such amendments, modifications or changes. BASIC shall have no obligation to administer any such changes and is not responsible to provide notice to the Employees or Plan Participants unless specified on the Employer Set-up and Intake Forms.

(e) BASIC will maintain electronic records and history of recent documents and forms created by them. These records are accessible by the Employer for their use at any time, providing they maintain current client status for services being performed. BASIC has no obligation to maintain records on behalf of its clients at termination of service. BASIC will provide electronic copies of data files, records and documents to the Employer within 30 days of the service termination date.

1.03 Miscellaneous Services.

(a) BASIC will communicate with the Employer on a regular basis through educational webinars, newsletters and direct communication with the employer's designated contacts any regulatory or other compliance changes affecting ACA Compliance known to BASIC and affecting this ACA Compliance Service Agreement.

(b) BASIC will participate in the preparation of forms, documents and other items that are in BASIC's opinion, necessary for the effective administration of services being provided to the Employer under this agreement.

(c) BASIC is not responsible for distributing information to Employer's Employees or for Employer's IRS Filings unless authorized to do so and as specified on the Employer Intake and Set-up forms.

ARTICLE II Employer's Duty

2.01 Employer's Duty

(a) Employer is the Health and Welfare Plan Sponsor and Named Fiduciary of the Plan as those terms are defined in ERISA. As such, the Employer is responsible for the general management and administration and management of the Health and Welfare Benefit Programs and Plans, including but not limited to the following:

1. Employer has complete and final discretion over the design and administration of Plans with sole and total final legal authority over the Group Health and Welfare Benefit Programs.

2. Employer is responsible for providing complete, accurate and in a timely manner, all relevant, required and requested information and documents to BASIC in a standard format required by BASIC. BASIC shall rely on the timely delivery of all documents and data provided by the Employer and believes that all documents and data submitted by the Employer or their representative(s) as being accurate. BASIC is not responsible for reviewing for, or verifying the accuracy of documents or data submitted by the Employer. BASIC is not responsible for detecting any misrepresentations, illegal acts of

the Health and Welfare Plan Sponsor (Employer). BASIC has no responsibility for failing to providing services specified at times when the Employer, or its employees or representatives fail to provide required documents or data timely, in the agreed upon format. Failure to provide required documents and data included but not limited to those mentioned in this Agreement timely will result in a delinquent status. Delinquency status may create delays or service interruption. BASIC has no responsibility and is not liable for failure to provide services for which the Employer is in delinquent status.

3. BASIC is responsible for creating documents, forms and filings based on information provided by the Employer, its employees and representatives. The Employer is responsible for IRS Filings, providing information to Employees and meeting other requirements unless agreed to by Employer and BASIC and identified on the Employer Intake and Set-up Forms – whereas BASIC will conduct these specified services on behalf of the Employer. BASIC and the Employer is responsible for executing and abiding by the terms of the Business Associate Agreement provided with other materials.

4. The Employer is responsible for providing to BASIC the information necessary to complete its obligations timely by due date, without extensions.

5. The Employer shall within the timeline requirements and established by regulations provide BASIC with any revisions, updates and changes to Employee Data and Employer Information. BASIC will timely update Documents, prepare filings and forms for mailing/distribution to employees when applicable.

ARTICLE III Administrative Charges

3.01 Administrative Charge for Services

(a) As compensation for the administrative services rendered by BASIC under this Agreement during an Agreement period, the Employer will pay BASIC fees for services, which are established. BASIC reserves the right to change fees at any time during the Agreement period, as defined below with thirty (30) day written notice to the Employer before any changes take effect. Such fees shall be remitted to BASIC upon receipt of the billing statement. A current fee schedule is included or attached to this Agreement.

(b) BASIC reserves the right to apply additional fees for any services deemed outside of its contracted services. BASIC shall notify the Employer in writing of the amount of the fee and the reason for the additional charge.

(c) Not less than thirty (30) days prior to the end of the first and each succeeding Agreement period, BASIC may specify in writing a revision of the administrative charges for the following period.

ARTICLE IV Termination and Modification of Agreement

4.01 Termination of Agreement.

(a) The initial term of this Agreement will coincide with or exceed the ACA Compliance filing requirements on or before April 1, 2016 and may continue thereafter based on ACA Compliance Services performed. Following the initial term, this Agreement may be terminated by either party by sending written notice by US mail to the other party. Unless mutually agreed by the parties to the contrary, termination will be effective thirty-one (31) days after receipt of notice or the date specified in the notice, after the initial period and no earlier than April 1, 2016. In the event of such termination by either party, BASIC will provide an electronic copy of all records maintained by BASIC and discontinue services under this agreement. Employer access to data records maintained by BASIC will end.

(b) BASIC retains the right to immediately terminate this Agreement, by giving written notice of termination to the Employer upon the occurrence of one or more of the following:

1. Upon failure of the Employer to pay the administrative charges required by Section 3.01 when due; or,

2. Employer has no right to software or other service solutions used to create, prepare or process Employee notices, forms, IRS Tax Filings or to other Software as Solution (SAS) systems.

Employer has sole and exclusive rights to obtain electronic copies of all data files, IRS Tax Filing documents and other Employer records stored by BASIC only.

(c) In the event neither the Employer nor BASIC terminate the Agreement as set forth in subsections 4.01(a) or 4.01(b) above, this Service Agreement shall automatically renew from Agreement period to the next year Agreement period.

ARTICLE V General Provisions

5.01 BASIC's Liability

(a) BASIC's liability under this Agreement is limited to the performance of the services described in Article I and agrees to perform these services in accordance with the procedures prescribed by BASIC. The Employer shall be liable for and shall protect and defend at its cost, save, hold harmless and indemnify BASIC and its agents and employees from and against all fines, penalties, losses, damages, costs, expenses, attorney's fees and court costs suffered by BASIC, its agents and employees for which BASIC may be held or become liable except to the extent prohibited by law and except to the extent occasioned by BASIC's act or omission. BASIC shall have no liability for any damages, fines, penalties, fees or other charges invoked against the Employer that result from decisions, errors or omissions created by, or as a result of Employer actions, activities or other failures to perform or provide information to BASIC timely, or at all. The Employer shall protect, defend at its costs, save, and hold harmless and indemnify BASIC from any such fines, penalties, fees, damages, costs, expenses, attorneys' fees and court costs.

(b) The Employer shall also assume the liability for any assessment of tax based upon the any noncompliance of the Employer's Plan including all fines, penalties, losses, damages, costs, expenses, attorney's fees and court costs incurred in connection with such assessment.

5.02 Confidentiality

(a) All files, data and information relating to the business of either party in the possession of the other party will be deemed confidential and will not be disclosed except upon lawful order of a court or public authority which order compels obedience under penalty of contempt or fine or impairment or loss of the right to do business. In the event of any such disclosure, the disclosing party shall immediately notify the other party in writing detailing the circumstances of and extent of such disclosure. This excludes any requirements that BASIC has to share information with any outside providers of service in performance of ACA Compliance Services. BASIC assures that all Employer and Employee data, files, records in paper, electronic or other form is maintained confidentially and not disclosed in accordance with HIPAA Privacy and Security Laws and other state and federal privacy laws.

5.03 Governing law and Arbitration.

(a) This Agreement shall be governed by and interpreted in accordance with the laws of Michigan. In the event that any disagreement or controversy arises under the terms and conditions of this Agreement, then and in that event such disagreement or controversy shall be submitted to the American Arbitration Association, Commercial Arbitration Division and shall be arbitrated in Kalamazoo County pursuant to the rules, procedures and regulations of the American Arbitration Association. The decision of the arbitrator shall be final and binding on the parties hereto.

5.04 Other provisions:

(a) Notices. Any notice to be given hereunder to any Party hereto shall be in writing and delivered personally or by registered or certified national mail service or by any overnight courier service, postage or fees prepaid, addressed to the respective Party at the address set forth in this Agreement.

(b) Amendment; Entire Agreement. The Addendum(s) to this Agreement are incorporated herein by reference as if set out herein in their entirety. This Agreement, including the Addendum(s) to this Agreement constitutes the entire agreement between the Parties hereto relating to the subject matter hereof, and supersedes all prior or contemporaneous negotiations, agreements, representations and understandings, whether oral or written, related to the subject matter. This Agreement may be amended only by mutual written agreement of the Parties and no amendment, modification, change, waiver or discharge hereof shall be valid unless in writing and

signed by an authorized representative of the Party against which such amendment, modification, change, waiver, or discharge is sought to be enforced.

(c) Section Headings. The Section headings herein are for convenience only and are not intended to affect the meaning or interpretation of this Agreement.

(d) Counterparts. This Agreement may be executed in several counterparts, all of which taken together shall constitute one single agreement between the Parties hereto.

(e) Severability. In the event that any provision of this Agreement conflicts with the law under which this Agreement is to be construed or if any such provision is held invalid or unenforceable by a court with jurisdiction over the Parties, such provision shall be deemed to be restated to reflect as nearly as possible the original intentions of the Parties in accordance with applicable law. The remaining provisions of this Agreement and the application of the challenged provision to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each such provision shall be valid and enforceable to the full extent permitted by law.

(f) Consents and Approval. Except where expressly provided as being in the sole discretion of a Party, where agreement, approval, acceptance, consent, confirmation, notice or similar action by either Party is required under this Agreement, such action shall not be unreasonably delayed or withheld. An approval or consent given by a Party under this Agreement shall not relieve the other Party from responsibility for complying with the requirements of this Agreement, nor shall it be construed as a waiver of any rights under this Agreement, except as and to the extent otherwise expressly provided in such approval or consent.

(g) Further Assurances. Each Party covenants and agrees that, subsequent to the execution and delivery of this Agreement and without any additional consideration, each Party shall execute and deliver any further legal instruments and perform any acts that are or may become necessary to effectuate the purposes of this Agreement.

(h) Performance of Responsibilities. Except as otherwise provided in this Agreement, each Party covenants that it shall perform its responsibilities under this Agreement in a manner that does not infringe, or constitute an infringement or misappropriation of, any patent, copyright, trademark, trade secret or other proprietary rights of any third party; provided, however, that the performing Party shall not have any obligation or liability to the extent any infringement or misappropriation is caused by (i) modifications made by the other Party or its contractors or subcontractors, without the knowledge or approval of the performing Party; (ii) the other Party's combination of the performing Party's work product or Materials with items not furnished, specified or reasonably anticipated by the performing Party or contemplated by this Agreement; (iii) a breach of this Agreement by the other Party; (iv) the failure of the other Party to use corrections or modifications provided by the performing Party offering equivalent features and functionality, or (v) Third Party Software, except to the extent that such infringement or misappropriation arises from the failure of the performing Party to obtain the necessary licenses or required consents or to abide by the limitations of the applicable Third Party Software licenses. Each Party further covenants that it will not use or create materials in connection with the Services which are libelous, defamatory or obscene.

(i) Covenant of Good Faith. Each Party agrees that, in its respective dealings with the other Party under or in connection with this Agreement, it shall act in good faith.

(j) Waiver; No Oral Modification. No waiver by BASIC of any breach by Employer of any of the provisions of this Agreement shall be deemed a waiver of any preceding or succeeding breach of this Agreement. No such waiver shall be effective unless it is in writing signed by the Parties hereto, and then only to the extent expressly set forth in such writing. No modification of this Agreement shall be effective unless it is in writing and signed by the Parties hereto, and then only to the extent set forth in such writing.

(k) No Assignment. No benefit or duty under this Agreement shall be subject in any manner to anticipation, alienation, sale, transfer, assignment, pledge, encumbrance or charge, and any attempt to do so shall be void.

5.05 Entire Agreement and Effective Date.

(a) This writing shall constitute the entire Agreement of the parties. This Agreement supersedes all prior or contemporaneous written or oral understandings and agreements, and may not be added to, modified or waived in whole or in part except by a writing signed by both parties hereto.

(b) This Agreement shall be effective the date this agreement is signed by both parties.

(c) Exclusivity - Employer has no right to assign this Agreement to any third party

(d) For purposes of this agreement, a signed copy delivered by facsimile or electronically shall be treated by the parties as an original of this agreement and shall be given the same force and effect.

(e) An electronic signature captured within a software system will result in a legally binding contract under applicable state law.

(f) Whenever written notice is required under the terms of this Agreement, it shall be delivered to the appropriate party by first class mail at the following addresses:

BASIC
9246 Portage Industrial Dr.
Portage, MI 49024

Company Name: City of Warren

In Witness Whereof, the parties hereto have caused this Agreement to be executed as of the date first above written.

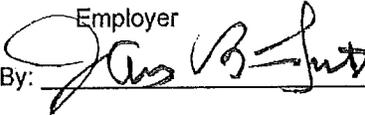
BASIC

Date: _____

By: _____

Title: _____

Date: 9/17/2015

Employer
By: 

Title: Mayor

Revised 07/01/2015



Pricing – Appendix 1

Option 1 – Year-end Filing Only

Setup fee	<u>\$ 500.00</u>
Per Eligible FTE Employee fee	<u>\$ 3.55</u>
Per FTE Employee Year-end filing fee (to be billed at year-end)	<u>\$ 3.55</u>

Additional Services that may apply for Option 1

- \$ 2.35 Per FTE employee – Electronic Filing to IRS
- \$ 5.70 Per FTE employee – 1095-C Mailing
- \$ 7.05 Per FTE employee – Combined filing & mailing

Note: Per FTE Employee Service Billing fees may be adjusted based on number of FTE employees reported above compared to number of FTE employees reported on the employer filing setup form.

EMPLOYER TO INITIAL WITH ACCEPTANCE OF FEES HERE ape



BUSINESS ASSOCIATE AGREEMENT

This Business Associate Agreement, is entered into as of September 17th, by and between City of Warren Health Plan (the "Plan" or "Covered Entity"); and Benefit Administration Services International Corporation (the "Business Associate").

WITNESSETH:

WHEREAS, the Covered Entity previously has entered into an agreement (the "Agreement") with the Business Associate, whereby the Business Associate has agreed to provide certain services to the Plan;

WHEREAS, to provide such services to the Plan, the Business Associate must have access to certain protected health information ("Protected Health Information" or "PHI"), as defined in the Standards for Privacy of Individually Identifiable Health Information (the "Privacy Standards") set forth by the U.S. Department of Health and Human Services ("HHS") pursuant to the Health Insurance Portability and Accountability Act of 1996, ("HIPAA") and amended by the Health Information Technology for Economic and Clinical Health Act ("HITECH Act"), part of the American Recovery and Reinvestment Act of 2009 ("ARRA"), the Genetic Information Nondiscrimination Act of 2008 ("GINA"), and the final regulations to such Acts promulgated in January 2013;

WHEREAS, to comply with the requirements of the Privacy Standards, the Covered Entity must enter into this Business Associate Agreement with the Business Associate.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

I. Definitions

The following terms used in this Agreement shall have the same meaning as those terms in the Privacy Rules: Breach, Data Aggregation, Designated Record Set, Disclosure, Health Care Operations, Individual, Minimum Necessary, Notice of Privacy Practices, Secretary, Subcontractor, and Use. If other terms are used, but not otherwise defined under this Business Associate Agreement, such terms shall then have the same meaning as those terms in the Privacy Rule.

- (a) **Business Associate**. "Business Associate" shall generally have the same meaning as the term "business associate" at 45 CFR 160.103.
- (b) **Covered Electronic Transactions**. "Covered Electronic Transactions" shall have the meaning given the term "transaction" in 45 CFR §160.103.
- (c) **Covered Entity**. "Covered Entity" shall generally have the same meaning as the term "covered entity" at 45 CFR 160.103.
- (d) **Electronic Protected Health Information**. "Electronic Protected Health Information" shall have the same meaning as the term "electronic protected health information" in 45 CFR §160.103.
- (e) **Genetic Information**. "Genetic Information" shall have the same meaning as the term "genetic information" in 45 CFR §160.103.
- (f) **HIPAA Rules**. "HIPAA Rules" shall mean the Privacy, Security, Breach Notification, and Enforcement Rules at 45 CFR Part 160 and Part 164.
- (g) **Individual**. "Individual" shall have the same meaning as the term "individual" in 45 CFR §160.103 and shall include a person who qualifies as a personal representative in accordance with 45 CFR §164.502(g).
- (h) **Privacy Rule**. "Privacy Rule" shall mean the Standards for Privacy of Individually Identifiable Health Information at 45 CFR Part 160 and Part 164, subparts A and E.

- (i) **Protected Health Information (PHI)**. "Protected Health Information (PHI)" shall have the same meaning as the term "protected health information" in 45 CFR §160.103, limited to the information created or received by Business Associate from or on behalf of a Covered Entity pursuant to this Agreement.
- (j) **Required By Law**. "Required By Law" shall have the same meaning as the term "required by law" in 45 CFR §164.103.
- (k) **Secretary**. "Secretary" shall mean the Secretary of the Department of Health and Human Services or his designee.
- (l) **Standards for Electronic Transactions Rule**. "Standards for Electronic Transactions Rule" means the final regulations issued by HHS concerning standard transactions and code sets under the Administration Simplification provisions of HIPAA, 45 CFR Part 160 and Part 162.
- (m) **Security Incident**. "Security Incident" shall have the same meaning as the term "security incident" in 45 CFR §164.304.
- (n) **Security Rule**. "Security Rule" shall mean the Security Standards and Implementation Specifications at 45 CFR Part 160 and Part 164, subpart C.
- (o) **Subcontractor**. "Subcontractor" shall have the same meaning as the term "subcontractor" in 45 CFR §160.103.
- (p) **Transaction**. "Transaction" shall have the meaning given the term "transaction" in 45 CFR §160.103
- (q) **Unsecured Protected Health Information**. "Unsecured Protected Health Information" shall have the meaning given the term "unsecured protected health information" in 45 CFR §164.402.

II. Safeguarding Privacy and Security of Protected Health Information

(a) **Permitted Uses and Disclosures**. The Business Associate is permitted to use and disclose Protected Health Information that it creates or receives on the Covered Entity's behalf or receives from the Covered Entity (or another business associate of the Covered Entity) and to request Protected Health Information on the Covered Entity's behalf (collectively, "Covered Entity's Protected Health Information") only:

(i) **Functions and Activities on the Covered Entity's Behalf**. To perform those services referred to in the services agreement.

(ii) **Business Associate's Operations**. For the Business Associate's proper management and administration or to carry out the Business Associate's legal responsibilities, provided that, with respect to disclosure of the Covered Entity's Protected Health Information, either:

(A) The disclosure is Required by Law; or

(B) The Business Associate obtains reasonable assurance from any person or entity to which the Business Associate will disclose the Covered Entity's Protected Health Information that the person or entity will:

(1) Hold the Covered Entity's Protected Health Information in confidence and use or further disclose the Covered Entity's Protected Health Information only for the purpose for which the Business Associate disclosed the Covered Entity's Protected Health Information to the person or entity or as Required by Law; and

(2) Promptly notify the Business Associate (who will in turn notify the Covered Entity in accordance with the breach notification provisions) of any instance of which the person or entity becomes aware in which the confidentiality of the Covered Entity's Protected Health Information was breached.

(C) To de-identify the information in accordance with 45 CFR 164.514(a) – (c) as necessary to perform those services required under the Agreement.

(iii) **Minimum Necessary.** The Business Associate will, in its performance of the functions, activities, services, and operations specified above, make reasonable efforts to use, to disclose, and to request only the minimum amount of the Covered Entity's Protected Health Information reasonably necessary to accomplish the intended purpose of the use, disclosure or request, except that the Business Associate will not be obligated to comply with this minimum-necessary limitation if neither the Business Associate nor the Covered Entity is required to limit its use, disclosure or request to the minimum necessary. The Business Associate and the Covered Entity acknowledge that the phrase "minimum necessary" shall be interpreted in accordance with the HITECH Act.

(b) **Prohibition on Unauthorized Use or Disclosure.** The Business Associate will neither use nor disclose the Covered Entity's Protected Health Information, except as permitted or required by this Agreement or in writing by the Covered Entity or as Required by Law. This Agreement does not authorize the Business Associate to use or disclose the Covered Entity's Protected Health Information in a manner that will violate Subpart E of 45 CFR Part 164 if done by the Covered Entity.

(c) **Information Safeguards.**

(i) **Privacy of the Covered Entity's Protected Health Information.** The Business Associate will develop, implement, maintain, and use appropriate administrative, technical, and physical safeguards to protect the privacy of the Covered Entity's Protected Health Information. The safeguards must reasonably protect the Covered Entity's Protected Health Information from any intentional or unintentional use or disclosure in violation of the Privacy Rule and limit incidental uses or disclosures made to a use or disclosure otherwise permitted by this Agreement.

(ii) **Security of the Covered Entity's Electronic Protected Health Information.** The Business Associate will develop, implement, maintain, and use administrative, technical, and physical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of Electronic Protected Health Information that the Business Associate creates, receives, maintains, or transmits on the Covered Entity's behalf as required by the Security Rule. The Business Associate will comply with Subpart C of 45 CFR Part 164 with respect to Electronic Protected Health Information, to prevent use or disclosure of protected health information other than as provided for by the Agreement.

(iii) **No Transfer of PHI Outside United States.** Business Associate will not transfer Protected Health Information outside the United States without the prior written consent of the Covered Entity. In this context, a "transfer" outside the United States occurs if Business Associate's workforce members, agents, or subcontractors physically located outside the United States are able to access, use, or disclose Protected Health Information.

(iv) **Policies and Procedures.** The Business Associate shall maintain written policies and procedures, conduct a risk analysis, and train and discipline its workforce.

(d) **Subcontractors and Agents.** In accordance with 45 CFR 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, the Business Associate will ensure that any of its Subcontractors and agents that create, receive, maintain, or transmit Protected Health Information on behalf of the Business Associate agree to the same restrictions, conditions, and requirements that apply to the Business Associate with respect to such information.

(e) **Prohibition on Sale of Records.** As of the effective date specified by HHS in final regulations to be issued on this topic, the Business Associate shall not directly or indirectly receive remuneration in exchange for any Protected Health Information of an individual unless the Covered Entity or Business Associate obtained from the individual, in accordance with 45 CFR §164.508, a valid authorization that includes a specification of whether the Protected Health Information can be further exchanged for remuneration by the entity receiving Protected Health Information of that individual, except as otherwise allowed under the HITECH Act.

(f) **Prohibition on Use or Disclosure of Genetic Information.** Business Associate shall not use or disclose Genetic Information for underwriting purposes in violation of the HIPAA rules.

(g) **Penalties For Noncompliance.** The Business Associate acknowledges that it is subject to civil and criminal enforcement for failure to comply with the privacy rule and security rule under the HIPAA Rules, as amended by the HITECH Act.

III. Compliance with Electronic Transactions Rule

If the Business Associate conducts in whole or part Electronic Transactions on behalf of the Covered Entity for which HHS has established standards, the Business Associate will comply, and will require any Subcontractor or agent it involves with the conduct of such Transactions to comply, with each applicable requirement of the Electronic Transactions Rule. The Business Associate shall also comply with the National Provider Identifier requirements, if and to the extent applicable.

IV. Obligations of the Covered Entity

The Covered Entity shall notify the Business Associate of:

(a) Any limitation(s) in its notice of privacy practices of the Covered Entity in accordance with 45 CFR §164.520, to the extent that such limitation may affect the Business Associate's use or disclosure of Protected Health Information;

(b) Any changes in, or revocation of, permission by the Individual to use or disclose Protected Health Information, to the extent that such changes may affect the Business Associate's use or disclosure of Protected Health Information; and

(c) Any restriction to the use or disclosure of Protected Health Information that the Covered Entity has agreed to in accordance with 45 CFR §164.522, to the extent that such restriction may affect the Business Associate's use or disclosure of Protected Health Information.

V. Permissible Requests by the Covered Entity

The Covered Entity shall not request the Business Associate to use or disclose Protected Health Information in any manner that would not be permissible under the Privacy Rule if done by the Covered Entity.

VI. Individual Rights

(a) **Access.** The Business Associate will, within twenty-five (25) calendar days following the Covered Entity's request, make available to the Covered Entity or, at the Covered Entity's direction, to an individual (or the individual's personal representative) for inspection and obtaining copies of the Covered Entity's Protected Health Information about the individual that is in the Business Associate's custody or control, so that the Covered Entity may meet its access obligations under 45 CFR §164.524. Effective as of the date specified by HHS, if the Protected Health Information is held electronically in a designated record set in the Business Associate's custody or control, The Business Associate will provide an electronic copy in the form and format specified by the Covered Entity if it is readily producible in such format; if it is not readily producible in such format, the Business Associate will work with the Covered Entity to determine an alternative form and format as specified by the Covered Entity to meet its electronic access obligations under 45 CFR 164.524.

(b) **Amendment.** The Business Associate will, upon receipt of written notice from the Covered Entity, promptly amend or permit the Covered Entity access to amend any portion of the Covered Entity's Protected Health Information in a designated record set as directed or agreed to by the Covered Entity, so that the Covered Entity may meet its amendment obligations under 45 CFR §164.526.

(c) **Disclosure Accounting.** The Business Associate will maintain and make available the information required to provide an accounting of disclosures to the Covered Entity as necessary to satisfy the Covered Entity's obligations under 45 CFR §164.528.

(i) **Disclosures Subject to Accounting.** The Business Associate will record the information specified below ("Disclosure Information") for each disclosure of the Covered Entity's Protected Health Information, not excepted from disclosure accounting as specified below, that the Business Associate makes to the Covered Entity or to a third party.

(ii) **Disclosures Not Subject to Accounting.** The Business Associate will not be obligated to record Disclosure Information or otherwise account for disclosures of the Covered Entity's Protected Health Information if the Covered Entity need not account for such disclosures under the HIPAA Rules.

(iii) **Disclosure Information.** With respect to any disclosure by the Business Associate of the Covered Entity's Protected Health Information that is not excepted from disclosure accounting under the HIPAA Rules, the Business Associate will record the following Disclosure Information as applicable to the type of accountable disclosure made:

(A) **Disclosure Information Generally.** Except for repetitive disclosures of the Covered Entity's Protected Health Information as specified below, the Disclosure Information that the Business Associate must record for each accountable disclosure is (1) the disclosure date, (2) the name and (if known) address of the entity to which the Business Associate made the disclosure, (3) a brief description of the Covered Entity's Protected Health Information disclosed, and (4) a brief statement of the purpose of the disclosure.

(B) **Disclosure Information for Repetitive Disclosures.** For repetitive disclosures of the Covered Entity's Protected Health Information that the Business Associate makes for a single purpose to the same person or entity (including the Covered Entity), the Disclosure Information that the Business Associate must record is either the Disclosure Information specified above for each accountable disclosure, or (1) the Disclosure Information specified above for the first of the repetitive accountable disclosures; (2) the frequency, periodicity, or number of the repetitive accountable disclosures; and (3) the date of the last of the repetitive accountable disclosures.

(iv) **Availability of Disclosure Information.** The Business Associate will maintain the Disclosure Information for at least 6 years following the date of the accountable disclosure to which the Disclosure Information relates (3 years for disclosures related to an Electronic Health Record, starting with the date specified by HHS). The Business Associate will make the Disclosure Information available to the Covered Entity within twenty-five (25) calendar days following the Covered Entity's request for such Disclosure Information to comply with an individual's request for disclosure accounting. Effective as of the date specified by HHS, with respect to disclosures related to an Electronic Health Record, the Business Associate shall provide the accounting directly to an individual making such a disclosure request, if a direct response is requested by the individual. To the extent the Business Associate is to carry out one or more of Covered Entity's obligation(s) under Subpart E of 45 CFR Part 164, comply with the requirements of Subpart E that apply to the covered entity in the performance of such obligation(s); and make its internal practices, books, and records available to the Secretary for purposes of determining compliance with the HIPAA Rules.

(d) **Restriction Agreements and Confidential Communications.** The Covered Entity shall notify the Business Associate of any limitations in the notice of privacy practices of Covered Entity under 45 CFR §164.520, to the extent that such limitation may affect the Business Associate's use or disclosure of Protected Health Information. The Business Associate will comply with any agreement that the Covered Entity makes that either (i) restricts use or disclosure of the Covered Entity's Protected Health Information pursuant to 45 CFR §164.522(a), or (ii) requires confidential communication about the Covered Entity's Protected Health Information pursuant to 45 CFR §164.522(b), provided that the Covered Entity notifies the Business Associate in writing of the restriction or confidential communication obligations that the Business Associate must follow. The Covered Entity will promptly notify the Business Associate in writing of the termination of any such restriction agreement or confidential communication requirement and, with respect to termination of any such restriction agreement, instruct the Business Associate whether any of the Covered Entity's Protected Health Information will remain subject to the terms of the restriction agreement. Effective February 17, 2010 (or such other date specified as the effective date by HHS), the Business Associate will comply with any restriction request if: (i) except as otherwise required by law, the disclosure is to a health plan for purposes of carrying out payment or health care operations (and is not for purposes of carrying out treatment); and (ii) the Protected Health Information pertains solely to a health care item or service for which the health care provider involved has been paid out-of-pocket in full.

VII. Breaches and Security Incidents

(a) *Reporting.*

(i) **Impermissible Use or Disclosure.** The Business Associate will report to Covered Entity any use or disclosure of Protected Health Information not permitted by this Agreement not more than twenty-five (25) calendar days after Business Associate becomes aware of such non-permitted use or disclosure.

(ii) **Privacy or Security Breach.** The Business Associate will report to the Covered Entity any use or disclosure of the Covered Entity's Protected Health Information not permitted by this Agreement of which it becomes aware, including breaches of Unsecured Protected Health Information as required by 45 CFR

Associate will complete these obligations as promptly as possible, but not later than thirty (30) calendar days following the effective date of the termination or other conclusion of this Agreement.

(ii) Procedure When Return or Destruction Is Not Feasible. The Business Associate will identify any of the Covered Entity's Protected Health Information, including any that the Business Associate has disclosed to Subcontractors or agents as permitted under this Agreement, that cannot feasibly be returned to the Covered Entity or destroyed and explain why return or destruction is infeasible. The Business Associate will limit its further use or disclosure of such information to those purposes that make return or destruction of such information infeasible. The Business Associate will complete these obligations as promptly as possible, but not later than thirty (30) calendar days following the effective date of the termination or other conclusion of this Agreement.

(iii) Continuing Privacy and Security Obligation. The Business Associate's obligation to protect the privacy and safeguard the security of the Covered Entity's Protected Health Information as specified in this Agreement will be continuous and survive termination or other conclusion of this Agreement.

IX. Miscellaneous Provisions

(a) Definitions. All terms that are used but not otherwise defined in this Agreement shall have the meaning specified under HIPAA, including its statute, regulations and other official government guidance.

(b) Inspection of Internal Practices, Books, and Records. The Business Associate will make its internal practices, books, and records relating to its use and disclosure of the Covered Entity's Protected Health Information available to the Covered Entity and to HHS to determine compliance with the HIPAA Rules.

(c) Amendment to Agreement. This Agreement may be amended only by a written instrument signed by the parties. In case of a change in applicable law, the parties agree to negotiate in good faith to adopt such amendments as are necessary to comply with the change in law.

(d) No Third-Party Beneficiaries. Nothing in this Agreement shall be construed as creating any rights or benefits to any third parties.

(e) Regulatory References. A reference in this Business Associate Agreement to a section in the Privacy Rule means the section as in effect or as amended.

(f) Survival. The respective rights and obligations of the Business Associate Agreement shall survive the termination of this Agreement.

(g) Interpretation. Any ambiguity in this Agreement shall be resolved to permit the Covered Entity to comply with the HIPAA Rules.

(h) Notices. All notices hereunder shall be in writing and delivered by hand, by certified mail, return receipt requested or by overnight delivery. Notices shall be directed to the parties at their respective addresses set forth in the first paragraph of this Business Associate Agreement or below their signature, as appropriate, or at such other addresses as the parties may from time to time designate in writing.

(i) Entire Agreement; Modification. This Business Associate Agreement represents the entire agreement between the Business Associate and the Covered Entity relating to the subject matter hereof. No provision of this Business Associate Agreement may be modified, except in writing, signed by the parties.

(j) Indemnification. Each Party agrees to indemnify, defend and hold harmless each other Party, its affiliates and each of their respective directors, officers, employees, agents or assigns from and against any and all actions, causes of actions, claims, suits and demands whatever, and from all damages, liabilities, costs, charges, debts and expenses whatever (including reasonable attorneys' fees and expenses related to any litigation or other defense of any claims), which may be asserted or for which they may now or hereafter become subject arising in connection with (i) any misrepresentation, breach of warranty or non-fulfillment of any undertaking on the part of the Party to the Agreement and (ii) any claims, demands, awards, judgments, actions, and proceedings made by any person or organization arising out of any way connected with the Party's performance.

(k) Assistance in Litigation or Administrative Proceedings. The Business Associate shall make itself, and any subcontractors, employees or agents assisting the Business Associate in the performance of its obligations under

this Agreement, available to the Covered Entity, at no cost to the Covered Entity, to testify as witnesses, or otherwise, in the event of litigation or administrative proceedings being commenced against the Covered Entity, its directors, officers, or employees based upon a claimed violation of HIPAA, the HIPAA regulations, or other laws relating to security and privacy, except where the Business Associate or its subcontractors, employees, or agents are named as an adverse party.

(l) **Binding Effect.** This Business Associate Agreement shall be binding upon the parties hereto and their successors and assigns. For purposes of this agreement, a signed copy delivered by facsimile or electronically shall be treated by the parties as an original of this agreement and shall be given the same force and effect.

(m) **Governing Law, Jurisdiction, and Venue.** This Agreement shall be governed by the law of Michigan except to the extent preempted by federal law.

(n) **Severability.** The invalidity or unenforceability of any provisions of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect.

(o) **Construction and Interpretation.** The section headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement. This Agreement has been negotiated by the parties at arm's-length and each of them has had an opportunity to modify the language of the Agreement. Accordingly, the Agreement shall be treated as having been drafted equally by the parties and the language shall be construed as a whole and according to its fair meaning. Any presumption or principle that the language is to be construed against any party shall not apply. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

(p) **Electronic Signature.** An electronic signature captured within a software system will result in a legally binding contract under applicable state law.

In Witness Whereof, the parties hereto have caused this Agreement to be executed as of the date first above written.

BUSINESS ASSOCIATE:

Benefit Administration Services
International Corporation

By: Frederick Teutsch

Title: President

9246 Portage Industrial Dr.
Portage, MI 49024

COVERED ENTITY:

City of Warren HEALTH PLAN
(Employer name)

By: [Signature]

Title: Mayor

Date: September 17, 2015

(Revised 6.18.14)

this Agreement, available to the Covered Entity, at no cost to the Covered Entity, to testify as witnesses, or otherwise, in the event of litigation or administrative proceedings being commenced against the Covered Entity, its directors, officers, or employees based upon a claimed violation of HIPAA, the HIPAA regulations, or other laws relating to security and privacy, except where the Business Associate or its subcontractors, employees, or agents are named as an adverse party.

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Benefit Administration Services
International Corporation

By: Frederick Teutsch

Title: President

9246 Portage Industrial Dr.
Portage, MI 49024

COVERED ENTITY:

City of Warren _____ HEALTH PLAN
(Employer name)

By: Jon R. [Signature]

Title: Mayor

Date: September 17, 2015

(Revised 6.18.14)

BASIC Corporate

9246 Portage Industrial Drive
Portage MI 49024

269-488-6294

wmagnuson@basiconline.com

Invoice

Date	Invoice #
9/22/2015	101175

Bill To
City of Warren Brittany Dallas One City Square STE 410 Warren MI 48093

Account #	P.O. No.	Terms	Due Date
		Net 15	10/7/2015

Quantity	Description	Rate	Amount
1	ACA Elevate Option 1 - Setup fee for Year End Filing	500.00	500.00
1,000	ACA Elevate Option 1 - Full time equivalent fee (at time of set up) Initial Invoice	3.55	3,550.00

To receive invoices via e-mail please send your request to wmagnuson@basiconline.com. Please include the client name, line of service and preferred e-mail address(es).

Total \$4,050.00

Payments/Credits \$0.00

Balance Due \$4,050.00



CITY CONTROLLER'S OFFICE

ONE CITY SQUARE, SUITE 425
WARREN, MI 48093-5289
(586) 574-4600
FAX (586) 574-4614
www.cityofwarren.org

MARCH 11, 2016

TO: KELLY COLEGIO, SECRETARY, WARREN CITY COUNCIL
SUBJECT: RECOMMENDATION TO AWARD ANNUAL ROCKWELL AUTOMATION HARDWARE AND SOFTWARE SUPPORT SERVICES; SOL-W-9379.

The Purchasing Division concurs with the Waste Water Treatment Plant (WWTP) and recommends that City Council waive the bidding procedure and authorize one year of Rockwell Automation Hardware and Software Support Services to the sole source provider, McNaughton-McKay Electric Company, 1357 E. Lincoln Avenue, Madison Heights, MI 48071-4134 in the amount of \$23,356.00.

The support services provided by McNaughton-McKay are required in order to successfully migrate the SCADA system to a new server platform this year. In addition, the services provide automatic updates for all of the current Rockwell software that is utilized at the treatment plant. These services provide technical support to our staff, as needed, for any issues, both hardware and software related, that are encountered on site.

McNaughton-McKay is the only distributor appointed and authorized to sell Rockwell Software products and all service offerings in the geographic area that the City of Warren is located. A sole-source letter from Rockwell is attached for your review.

If approved by your honorable body, the award will be effective through January 9, 2017.

Funding for this purchase is available in the 2016 Water and Sewer System Professional Service Account # 1580-80100.

Respectfully Submitted,

Craig Treppa
Purchasing Agent

Approved By:	Signature	Date
Budget Director:		3/11/2016
Controller:		
MAYOR:		3-15-16



WASTE WATER TREATMENT PLANT
32360 Warkop
Warren, Michigan 48093
(586) 264-2530

David M. Monette
Division Head

MEMO TO: Mr. Craig Treppa, Purchasing Agent
Office of the Controller

FROM: David Monette, Division Head
Division of Waste Water Treatment

SUBJECT: Sole Source Purchase of Annual Rockwell Automation Hardware and Software Support Services

DATE: March 2, 2016

The Waste Water Treatment Plant is in need of renewing its contract for Rockwell hardware and software support services. These services are only available from McNaughton-McKay Electric Company, 1357 E. Lincoln Ave, Madison Heights, MI 48071-4134. McNaughton-McKay is the only Rockwell authorized representative that can provide these services in southeast Michigan. Please find a sole source letter from McNaughton-McKay attached for your use.

The support services are required to successfully migrate the treatment plant SCADA system to a new server platform later this year, the services provide automatic updates for all of the current Rockwell software utilized at the treatment plant, and the services provide instant technical support to our staff as needed for any software and hardware issues encountered on site.

Attached is the quote for the needed services (#3800308929) as provided by McNaughton- McKay. Please take the steps necessary to authorize approval for this sole source service in the amount of \$23,356.00.

Funds for this expenditure are available in the 2016 Water and Sewer System Professional Services, Account# 1580-80100.

Your usual fine cooperation is appreciated.

A handwritten signature in blue ink, appearing to read "David Monette". The signature is written in a cursive style and is positioned above a horizontal line.

David Monette, Division Head
Division of Waste Water Treatment

mvc
attachments: Sole Source Letter, Quote 3800308929
cc: Jason Tobolski, WWTP

Detroit District Office
1441 W. Long Lake Road
Troy, MI 48098
248-696-1200

**Rockwell
Automation**

Tuesday, February 23, 2016

Mr. Jason Tobolski
City of Warren WWTP
32360 Warkop Avenue
Warren, MI 48093

Re: *McNaughton-McKay Electric Company*

Dear *Mr. Tobolski*,

This is to confirm that *McNaughton-McKay Electric Company* currently is the only distributor appointed and authorized to sell Allen-Bradley Standard Controls, Drives, PLC/MMI, Rockwell Software products and all services offerings in the geographic area in which your *City of Warren Wastewater Treatment Plant* facility is located. As a matter of Company policy, full factory product and sales support is made available only to the local authorized distributor, and it is Rockwell Automation's practice and policy to always promote and recommend the use of that distributor to customers in that geographic area. Rockwell Automation discourages the use of other non-authorized sources, including distributors who may hold an Allen-Bradley appointment in another locale.

Should you have any questions regarding the above, please do not hesitate to contact either *McNaughton-McKay Electric Company, Inc.* at 248-399-7500 or our local Rockwell Automation sales office at 248-696-1200.

Very truly yours,

Kevin Ives
Channel Sales Manager





CITY OF WARREN
32360 WARKOP AVE
WARREN, MI 48093

Act Now to Continue Uninterrupted
Technical Support & Product Updates

To renew TechConnectSM support for another year, please reference the attached quote. To change service levels, add products or place an order, contact your local Rockwell Automation distributor. With a TechConnect program, your plant can always be connected to Rockwell Automation's world-class phone and electronic technical support. Whether you need help installing, configuring and maintaining equipment and software, obtaining current software updates, diagnosing and fixing operating problems, or performing basic programming tasks, we deliver the tools and answers you need to get and keep your industrial automation systems up and running.

TECHCONNECT PROGRAM DELIVERABLES:

Welcome Kit. Materials include your service agreement (complete program details & authorization number), wallet cards, user's guide, and list of the software licenses at your site supported by the TechConnect agreement.

Technical Support. Real-time phone¹ and electronic support directly connects you with a product specialist who can help you install and configure, troubleshoot and diagnose.

Technical Reference Library on DVD. Updated annually, this electronic technical library puts user manuals and technical notes for Rockwell Automation products at your finger tips. Advanced search and on-demand printing capabilities make this portable resource the most convenient way to access technical information on the plant floor or off site.

Software Updates. For each software license covered by your TechConnect agreement, the latest revision is available for download 24x7x365 from our Web site with media shipments available upon request². Upon renewal of your TechConnect agreement, we will automatically send update media for any supported license at your site that is not at the current revision.

Training Advisor. Assess the knowledge of your work force and build your tailored training plan with an expert online consultant. With the purchase of a TechConnect Support contract, your business location is entitled to one manager/administrator license for the length of the TechConnect Support contract.

¹ Excludes Self-Assist customers.

² Software updates are made available on disc for select products.

TechConnect Support Options

Self-Assist Support	WELCOME KIT Essential support agreement information / Support authorization number / Local support telephone number / User guide
	SOFTWARE MAINTENANCE I Software update downloads
	ONLINE SUPPORT CENTER ACCESS Knowledgebase tech notes / Interactive forums / Product notifications / Manage service tickets / Submit questions via email
Product Support*	REAL-TIME, PRODUCT-LEVEL PHONE SUPPORT Standard product and programming software / Telephone and live chat support available in more than 20 languages
	TRAINING ADVISOR An online assessment tool to help you determine the knowledge of your work force and to build a tailored training plan
	SOFTWARE MAINTENANCE II Software update media / Emergency software replacement
System Support*	REAL-TIME, SYSTEM-LEVEL SUPPORT Standard product and programming software / Advanced software / Proactive followup / Single-point resolution
	REMOTE DESKTOP TROUBLESHOOTING Remote connection to your system, allowing Rockwell Automation engineers access troubleshoot issues collaboratively
	GENIUS WEBINARS Extend and apply knowledge gained via access to on-demand library of online technical seminars
Application Support*	REAL-TIME APPLICATION-LEVEL SUPPORT Designated support team / Dedicated telephone and email / Documentation and code familiarization / Application knowledge management / Periodic performance reviews
	SURVEILLANCE AND ALARMING AND DATA ARCHIVING Device and/or process monitoring and alarming at Rockwell Automation facility or remotely / Access to historical data for troubleshooting
	APPLICATION-LEVEL ADMINISTRATION Emergency backup / Performance tuning / Guaranteed field service call-out

* Optional 24x7x365 upgrade

NOTE: You may select different TechConnect Support service levels for different areas of your plant or application. Please consult your local Rockwell Automation sales representative or distributor for details.



TechConnect Support Quotation

Quote Number: 3800308929

Quote Expires: 1/12/2016

Customer:

CITY OF WARREN
32360 WARKOP AVE
WARREN, MI 48093

Appointed Distributor:

Jerry Brown-Lacy
McNaughton-McKay Electric Co
1357 E LINCOLN AVE
MADISON HEIGHTS, MI 48071-4134

Support Start Date: 1/10/2016

Support Expiration Date: 1/9/2017

Contracts List

Item	Product	Qty	List Price	Sell Mult	Ext Net
1	9800-DC8AUTOB Automation Control Hardware, Product Support, 8-5, M-F, 5-10 TOTAL DEVICES	1	\$1,490.00	0.8	\$1,192.00
2	9800-DC8LEHDWA Legacy Hardware, Product Support, 8-5, M-F, 1-5 TOTAL DEVICES	1	\$1,130.00	0.8	\$904.00
3	9800-DC8APP Application Software, Product Support, 8-5, M-F	1	\$586.00	0.8	\$468.81
4	9800-DC8HMICOM HMI Software, Product Support, 8-5, M-F	1	\$25,989.00	0.8	\$20,791.19
*Grand Total					Net: \$23,356.00

Multi-Year Option

Multi-Year Option - Fixed Price 3-Year Contract

One-Time Payment or Billed Annually - Single PO for 3-Year Amount Required

\$70,068.00

Attached to this quote is a list of software packages registered to this site and covered by this support agreement. The above quoted price(s) is based on that list. During the term of this support agreement (including any Multi-Year term), Rockwell Automation reserves the right to periodically review the list of supported products registered to this site, and to make commensurate adjustments to the above quoted price(s) by way of supplemental billings in the event there are significant additions to the number of support products.

All prices are quoted in local currency. Prices and other commercial terms of sale are suggested only if support agreement is purchased through the local authorized Rockwell Automation distributor.

Cancellation of service is subject to a 25% charge, including reimbursement for direct costs. Cancellation is null and void if updates cannot be returned unopened, or if remaining term of service is less than 2 months.

***Important:** For support agreements that are renewed following their expiration date:

- If a contract renews within 60 days of expiration, Rockwell Automation will back date the support agreement regardless of whether service was used.
- If a contract renews more than 60 days after expiration, Rockwell Automation will not back date the support agreement but will instead use the actual date as the new "start" date, regardless of whether service was used.
 - The customer will be charged a 30% reinstatement fee.
 - If the customer's TechConnect support agreement has never included support for the product family in question, then the commercial "waive reinstatement" program applies for the respective packages.

For software packages that are removed from support and later reinstated, often referred to as 'frozen' and 'unfrozen', a 1.3 multiplier will be applied to each individual serial number, excluding Automation, Drives and Motion family products.

Important: This quote is for *TechConnect* technical support. The entitlements of the program are detailed in the accompanying letter.

TechConnect Support Quotation

Quote Number: 3800308929

Quote Expires: 1/12/2016

Customer:

CITY OF WARREN
32360 WARKOP AVE
WARREN, MI 48093

Appointed Distributor:

Jerry Brown-Lacy
McNaughton-McKay Electric Co
1357 E LINCOLN AVE
MADISON HEIGHTS, MI 48071-4134

Software Listing

The following packages have been included in quote 3800308929

Software Listing Report

Product	Description	Status	Install Count
9800-DC8AUTOB	Automation Control Hardware		5
9324-RL0300ENE			3
1012130664	RSLogix 500 Standard Edition Software		1
1012256026	RSLogix 500 Standard Edition Software		1
1012256027	RSLogix 500 Standard Edition Software		1
9324-RLD300ENE			1
1203123704	Studio 5000 Standard Edition Software		1
9310-WED200ENE			1
1835086345	RSLogix Emulate 5000		1
9800-DC8LEHDWA	Legacy Hardware		1
9324-RL5300ENE			3
1112063186	RSLogix 5 Design and Config std Edn sfw		1
1112063196	RSLogix 5 Design and Config std Edn sfw		1
1112114942	RSLogix 5 Design and Config std Edn sfw		1
2711-ND3			1
2301087865	PanelView Accessory		1
9800-DC8APP	Application Software		1
9323-1003ENE	RSTUNE PID LOOP TUNER FOR PLC-5 AND SLC 500 PROCESSORS (STANDARD EDITION)		1
1003002151	RSTune Software		1



9800-DC8HMICOM	HMI Software		32
9301-2SE2300	RSVIEW32 WORKS 1500 SOFTWARE		2
1320007267	RSView32 Works 1500 Tag 1 User Lic sfw		1
1320007658	RSView32 Works 1500 Tag 1 User Lic sfw		1
9301-2SE2400	RSVIEW32 WORKS 32000 SOFTWARE		3
1340013613	RSView32 Works 32000 Tag 1 User Lic sfw		1
1340025470	RSView32 Works 32000 Tag 1 User Lic sfw		1
1432006117	RSView32 Works 32000 Tag 1 User Lic sfw		1
9301-2SE3300	RSVIEW32 RUNTIME 1500 SOFTWARE		1
1400012595	RSView32 RT 1500 Tag 1 User License sfw		1
9301-2SE3500	RSVIEW32 RUNTIME 100000 SOFTWARE		1
1211000622	RSView32 RT 100000 Tag 1 User Lic sfw		1
9305-RSVADDCENE	RSVIEW32 ACTIVE DISPLAY SYSTEM DEDICATED CLIENT SOFTWARE		7
1432006118	RSView32 ADS 1 Ded Client Lic EN sfw		1
1432006988	RSView32 ADS 1 Ded Client Lic EN sfw		1
1432006989	RSView32 ADS 1 Ded Client Lic EN sfw		1
1432006990	RSView32 ADS 1 Ded Client Lic EN sfw		1
1432006991	RSView32 ADS 1 Ded Client Lic EN sfw		1
1432006992	RSView32 ADS 1 Ded Client Lic EN sfw		1
1432006993	RSView32 ADS 1 Ded Client Lic EN sfw		1
9305-RSVADFCENE	RSVIEW32 ACTIVE DISPLAY SYSTEM FLOATING CLIENT SOFTWARE		11
1224007526	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224007531	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224008473	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224008474	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224008475	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224008476	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224008477	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224016313	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224016314	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224016315	RSView32 ADS 1 Cncr Client Lic EN sfw		1
1224016316	RSView32 ADS 1 Cncr Client Lic EN sfw		1
9305-RSVADSENE	RSVIEW32 ACTIVE DISPLAY SYSTEM SERVER SOFTWARE		2
1219007495	RSView32 ADS Server English Software		1
1219007496	RSView32 ADS Server English Software		1
9355-WABENE	RSLINX CLASSIC PROFESSIONAL SOFTWARE		2
1008065774	RSLINX CLASSIC PROFESSIONAL - ENGLISH		1
1008065785	RSLINX CLASSIC PROFESSIONAL - ENGLISH		1
9355-WABOEMENE	RSLINX CLASSIC OEM SOFTWARE		3
1005038239	LnX Classic OEM Data Management EN sfw		1
1005038251	LnX Classic OEM Data Management EN sfw		1
1005140831	LnX Classic OEM Data Management EN sfw		1

1 Commitment for Services Sales through Distribution

General. This Commitment ("Commitment") covers purchase by Distributor's customer ("Customer") from Distributor of services described in the Statement of Work (the "Work") to be provided by Rockwell Automation, Inc. and/or its affiliates ("Rockwell Automation"). Its terms are integral to the Statement of Work. In other words, Customer purchases the Work subject to the terms contained in this Commitment (as well as other terms that may be included elsewhere in the Statement of Work). These terms apply directly to Customer and Rockwell Automation. Previously negotiated and signed terms and conditions with Customer that include provisions between Rockwell Automation and Customer for sale of services through distribution supersede these terms.

Warranty. Rockwell Automation warrants that the Work will be performed in a workmanlike manner conforming to standard industry practice. Rockwell Automation must receive written notification of non-conforming Work within 30 days after the Work are provided. If the Work are confirmed to be non-conforming, Rockwell Automation will, at its option, re-perform the non-conforming Work or provide a refund or credit processed through Distributor in the amount paid for the non-conforming Work. THESE ARE THE EXCLUSIVE REMEDIES FOR ANY BREACH OF WARRANTY OR BREACH OF CONTRACT ARISING FROM WARRANTED NON-CONFORMING SERVICES. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, WHETHER EXPRESSED, IMPLIED, OR STATUTORY, INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, OR PERFORMANCE OR APPLICATION WARRANTIES, OR INFRINGEMENT, WHETHER EXTENDING FROM ROCKWELL AUTOMATION OR DISTRIBUTOR.

NEITHER ROCKWELL AUTOMATION NOR CUSTOMER WILL BE LIABLE TO THE OTHER FOR BUSINESS INTERRUPTION OR LOSS OF PROFIT, REVENUE, MATERIALS, OR THE LIKE (WHETHER DIRECT OR INDIRECT) OR FOR ANY INCIDENTAL, INDIRECT, OR CONSEQUENTIAL DAMAGES. EACH PARTY'S MAXIMUM CUMULATIVE LIABILITY TO EACH OTHER FOR ALL OTHER CLAIMS AND LIABILITIES WILL NOT EXCEED THE LESSER OF \$1,000,000 OR THE COST OF THE SERVICES. ROCKWELL AUTOMATION DISCLAIMS ALL LIABILITY FOR TO GRATUITOUS ASSISTANCE PROVIDED BY ROCKWELL AUTOMATION BUT NOT REQUIRED BY THE STATEMENT OF WORK. THESE DISCLAIMERS AND LIMITATIONS OF LIABILITY WILL APPLY REGARDLESS THE FORM OF ACTION, WHETHER CONTRACT, TORT, OR OTHERWISE, AND EXTEND TO THE BENEFIT OF ROCKWELL AUTOMATION'S VENDORS AND APPOINTED DISTRIBUTOR.

Software. To the extent Rockwell Automation provides or incorporates any software code that is not licensed under separate terms, Rockwell Automation grants Customer the nonexclusive, royalty free, non-transferable right and license to use the software code as set forth in the Work.

Government Clauses and Contracts. No government contract clauses, specification, or regulations apply to the Work, except to the extent agreed in writing by Rockwell Automation.

Independent Terms. Rockwell Automation is not a party to or bound by any contract between Customer and Distributor, including by Distributor's acceptance of a Customer purchase order. Distributor is an independent enterprise, not an agent or representative of Rockwell Automation, and is not authorized to bind Rockwell Automation.

Effective Date. This Commitment will become effective when Customer purchases the Work from Distributor. Customer agrees that by purchasing the Work it accepts the Statement of Work and Commitment. Absent such purchase, this Commitment will become null and void. No addition or modification to the Commitment and Statement of Work, including terms appearing in Customer's purchase order or requisition, will bind Rockwell Automation unless mutually agreed to in writing.

**RESOLUTION FOR SOLE PROCUREMENT OF HARDWARE AND SOFTWARE
SUPPORT SERVICES**

Document No: SOL-W-9379

Product or Service: Hardware and Software Support and Updates

Requesting Department: Public Service - WWTP

At a Regular Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 2016 at 7 p.m. Eastern Daylight Savings 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 _____.

Upon performing a diligent inquiry, Dave Monette, Division Head, has determined that it is necessary in the interests of the Waste Water Treatment Plant and the City, to acquire equipment and software support services from a sole source provider. A sole source acquisition is necessary since the Waste Water Treatment Plant has standardized the control of its automated processes through the utilization of Rockwell automated controllers and software, and Rockwell is only represented by one distributor in southeast Michigan.

McNaughton-McKay Electric Company has been selected as the sole source provider for all Rockwell hardware and software support services necessary to trouble shoot, maintain and update all Rockwell products at the Waste Water Treatment Plant.

Those items include all primary logic controllers that operate the automated equipment process equipment, the software that drives the logic controllers, and the human to machine interfaces that allow operator control of all processes.

The Purchasing Agent has conducted a review and concurs with the sole procurement.

Funds in the amount of \$23,356.00 are available in Account # 1580-80100 of the 2016 Water and Sewer Budget.

IT IS RESOLVED, that the sole source purchase through McNaughton-McKay Electric Company is hereby accepted by City Council with service to be provided for one budget year after the execution of a purchase order for the services included in the Tech Connect Support Quotation 3800308929 dated January 12, 2016.

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 Tech Connect Quotation and this resolution

- Contract
- Resolution

and in such form that meets with the satisfaction of the City Attorney if review is required.

AYES: Councilmembers: _____

NAYS: Councilmembers: _____



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

March 11, 2016

Kelly Colegio
City Council Secretary

RE: CONSIDERATION and ADOPTION of a RESOLUTION to Award Bid and Approve Contract for City Project P-16-611, Regal Drive Pavement Rehabilitation (13 Mile Road to Approximately 300' North of Parkside Drive), ITB-W-9240, to the low bidder, Fiore Enterprises, LLC in the total bid amount not to exceed \$431,138.95, and authorizing the Mayor and Clerk to execute a Contract

Sealed bids were received and publicly read aloud on March 9, 2016, for the Regal Drive Pavement Rehabilitation City Project P-16-611 (ITB-W-9240). This project was publicly advertised on the Michigan Inter-Governmental Trade Network (MITN) on February 24, 2016.

The project consists of the removal and replacement of the deteriorated pavement sections along Regal Drive from 13 Mile Road to approximately 300 feet north of Parkside Drive. This project also includes miscellaneous drainage and ADA ramp improvements, as well as related restoration.

The low bidder is Fiore Enterprises, LLC in the low bid amount of \$431,138.95 as can be seen in the attached tabulation of bids.

Fiore Enterprises, LLC has successfully completed similar work in the City of Warren and the surrounding Metro area.

It is the Engineering Division's recommendation that the Warren City Council award the Contract P-16-611, Regal Drive Pavement Rehabilitation to the low bidder, Fiore Enterprises, LLC in the total bid amount not to exceed \$431,138.95.

The form of the contract document and the proposed City Council resolution authorizing approval of the contract award has been reviewed and approved by the Acting City Attorney.

The availability of funding for this contract, as stated in the attached City Council Resolution, has been confirmed and approved by the Budget Director.

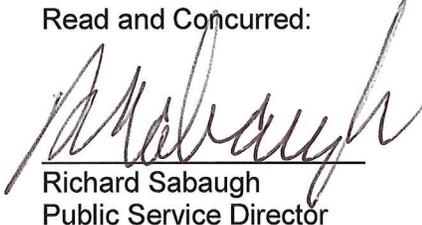
Please place this item on the March 22, 2016 or next available City Council agenda for consideration.

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

Sincerely,


James VanHavermaat, P.E.
City Engineer

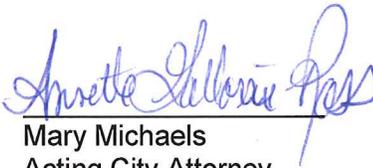
Read and Concurred:


Richard Sabaugh
Public Service Director

Funding Approval:


Renee Jones-Rezak
Budget Director

Contract Form Approval:


Mary Michaels
Acting City Attorney

Recommended to Council:


James R. Fouts
Mayor

JVH/tgg

Attachment: Tabulation of Bids and Recommendation, City Council Resolution

Tabulation of Bids Summary

Bid Opening: March 9, 2016

Regal Drive Pavement Rehabilitation

P-16-611 (ITB-W-9240)

Fiore Enterprises, LLC	\$431,138.95	
Florence Cement Co.	\$436,794.50	*
Lacaria Concrete Construction	\$440,687.50	*
Warren Contractors & Develop	\$458,714.75	
V.I.L. Construction, Inc.	\$461,846.00	
Century Cement Co., Inc.	\$498,085.00	
Angelo Iafrate Construction	\$517,648.00	
Zuniga Cement Construction	\$533,816.25	
Mark Anthony Contracting	Not Read- No Bid Bond	

* Corrected by Engineer

Engineer's Estimate	\$430,843.00
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Tabulation of Bids

**P-16-611 (ITB-W-9240)
Regal Drive Pavement Rehabilitation**

Bid Opening: March 9, 2016



Pay Item	Unit	Quantity	Fiore Enterprises, LLC 3411 W. Fort St. Detroit, MI 48216		Florence Cement Co. 12585 23 Mile Road Shelby Twp., MI 48315		Lacaria Concrete Const. 3720 Central Detroit, MI 48120		Warren Contractors & Dev 14979 Technology Dr Shelby Twp, MI 48315	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1 AUDIO VISUAL	LS	1	\$925.00	\$925.00	\$1,000.00	\$1,000.00	\$3,500.00	\$3,500.00	\$1,500.00	\$1,500.00
2 TRAFFIC CONTROL DEVICES AND MAINTENANCE	LS	1	\$7,500.00	\$7,500.00	\$30,000.00	\$30,000.00	\$8,500.00	\$8,500.00	\$3,850.00	\$3,850.00
3 SOIL EROSION AND SEDIMENTATION CONTROL MEASURES	LS	1	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00
4 MAINTENANCE GRAVEL	TONS	100	\$29.00	\$2,900.00	\$25.00	\$2,500.00	\$20.00	\$2,000.00	\$20.00	\$2,000.00
5 REMOVE 12" STORM SEWER	LF	55	\$12.50	\$687.50	\$14.00	\$770.00	\$35.00	\$1,925.00	\$15.00	\$825.00
6 REMOVE EXISTING 6" TO 8" THICK CONCRETE PAVEMENT INCLUDING INTEGRAL CURB AND GUTTER	SY	4,310	\$10.20	\$43,962.00	\$10.00	\$43,100.00	\$25.00	\$107,750.00	\$18.00	\$77,580.00
7 REMOVE EXISTING CONCRETE APPROACH	SF	2,005	\$1.00	\$2,005.00	\$1.25	\$2,506.25	\$2.50	\$5,012.50	\$1.75	\$3,508.75
8 REMOVE EXISTING CONCRETE SIDEWALK AND/OR RAMP	SF	260	\$1.00	\$260.00	\$2.00	\$520.00	\$2.50	\$650.00	\$1.75	\$455.00
9 REMOVE EXISTING DRAINAGE STRUCTURE	EA	3	\$375.00	\$1,125.00	\$250.00	\$750.00	\$400.00	\$1,200.00	\$330.00	\$990.00
10 REMOVE EXISTING TREE, 24"-36" DIA	EA	1	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$700.00	\$700.00	\$1,000.00	\$1,000.00
11 UNDERCUT-EXCAVATE UNSUITABLE SUBGRADE MATERIAL & BACKFILL WITH 21AA AGGREGATE (CIP)	CY	200	\$45.00	\$9,000.00	\$60.00	\$12,000.00	\$20.00	\$4,000.00	\$40.00	\$8,000.00
12 INSTALL 4' DIA CATCH BASIN, COMPLETE	EA	1	\$2,900.00	\$2,900.00	\$2,300.00	\$2,300.00	\$2,500.00	\$2,500.00	\$3,800.00	\$3,800.00
13 INSTALL 2' DIA CATCH BASIN, COMPLETE	EA	2	\$1,750.00	\$3,500.00	\$2,200.00	\$4,400.00	\$2,200.00	\$4,400.00	\$3,150.00	\$6,300.00

Tabulation of Bids

**P-16-611 (ITB-W-9240)
Regal Drive Pavement Rehabilitation**

Bid Opening: March 9, 2016



Pay Item	Unit	Quantity	Fiore Enterprises, LLC 3411 W. Fort St. Detroit, MI 48216		Florence Cement Co. 12585 23 Mile Road Shelby Twp., MI 48315		Lacaria Concrete Const. 3720 Central Detroit, MI 48120		Warren Contractors & Dev 14979 Technology Dr Shelby Twp, MI 48315	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
14	EA	2	\$175.00	\$350.00	\$250.00	\$500.00	\$650.00	\$1,300.00	\$300.00	\$600.00
15	EA	2	\$335.00	\$670.00	\$250.00	\$500.00	\$650.00	\$1,300.00	\$350.00	\$700.00
16	VF	0.5	\$200.00	\$100.00	\$300.00	\$150.00	\$300.00	\$150.00	\$200.00	\$100.00
17	EA	2	\$675.00	\$1,350.00	\$800.00	\$1,600.00	\$350.00	\$700.00	\$600.00	\$1,200.00
18	LF	55	\$65.50	\$3,602.50	\$50.00	\$2,750.00	\$100.00	\$5,500.00	\$105.00	\$5,775.00
19	LF	1,730	\$12.25	\$21,192.50	\$11.00	\$19,030.00	\$15.00	\$25,950.00	\$10.40	\$17,992.00
20	STA	8.6	\$3,450.00	\$29,670.00	\$2,550.00	\$21,930.00	\$1,500.00	\$12,900.00	\$3,500.00	\$30,100.00
21	SYD	2,951	\$11.50	\$33,936.50	\$8.30	\$24,493.30	\$16.00	\$47,216.00	\$8.50	\$25,083.50
22	SY	1,665	\$3.10	\$5,161.50	\$13.75	\$22,893.75	\$16.00	\$26,640.00	\$1.70	\$2,830.50
23	SY	2,657	\$43.00	\$114,251.00	\$38.10	\$101,231.70	\$27.00	\$71,739.00	\$44.00	\$116,908.00
24	SY	1,665	\$43.00	\$71,595.00	\$40.00	\$66,600.00	\$27.00	\$44,955.00	\$44.00	\$73,260.00

Tabulation of Bids

P-16-611 (ITB-W-9240)

Regal Drive Pavement Rehabilitation

Bid Opening: March 9, 2016



Pay Item	Unit	Quantity	Fiore Enterprises, LLC 3411 W. Fort St. Detroit, MI 48216		Florence Cement Co. 12585 23 Mile Road Shelby Twp., MI 48315		Lacaria Concrete Const. 3720 Central Detroit, MI 48120		Warren Contractors & Dev 14979 Technology Dr Shelby Twp, MI 48315	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
25 JOINT SEALING EXISTING PAVEMENT	LF	300	\$1.10	\$330.00	\$1.60	\$480.00	\$3.00	\$900.00	\$5.50	\$1,650.00
26 INSTALL CONCRETE APPROACH, 6" THICK, MDOT GRADE P1	SF	2,005	\$7.00	\$14,035.00	\$6.60	\$13,233.00	\$2.50	\$5,012.50	\$5.50	\$11,027.50
27 INSTALL CONCRETE SIDEWALK, 4" THICK	SF	155	\$4.25	\$658.75	\$6.30	\$976.50	\$2.50	\$387.50	\$5.50	\$852.50
28 INSTALL ADA CONCRETE SIDEWALK RAMP, 7" THICK	SF	110	\$8.50	\$935.00	\$8.00	\$880.00	\$6.00	\$660.00	\$5.50	\$605.00
29 INSTALL A.D.A. COMPLIANT DETECTABLE WARNING DEVICE	LF	10	\$40.00	\$400.00	\$60.00	\$600.00	\$60.00	\$600.00	\$49.50	\$495.00
30 INSTALL PAVEMENT MARKING, OVERLAY COLD PLASTIC, 6 INCH, CROSSWALK	LF	56	\$13.25	\$742.00	\$9.00	\$504.00	\$30.00	\$1,680.00	\$10.00	\$560.00
31 INSTALL PAVEMENT MARKING, OVERLAY COLD PLASTIC, 18 INCH, STOP BAR	LF	14	\$30.55	\$427.70	\$14.00	\$196.00	\$40.00	\$560.00	\$15.50	\$217.00
32 REPLACEMENT TREE, 1 1/2" DIA	EA	1	\$300.00	\$300.00	\$1,000.00	\$1,000.00	\$700.00	\$700.00	\$500.00	\$500.00
33 INSTALL CLASS "A" SOD ON 3" OF TOPSOIL, COMPLETE	SY	1,000	\$6.50	\$6,500.00	\$10.00	\$10,000.00	\$8.00	\$8,000.00	\$7.50	\$7,500.00
34 TELEWISE EXISTING 36" STORM SEWER	LF	40	\$17.50	\$692.00	\$10.00	\$400.00	\$35.00	\$1,400.00	\$20.00	\$800.00
35 ADDITIONAL TRAFFIC CONTROL SIGNS	SF	100	\$4.75	\$475.00	\$5.00	\$500.00	\$3.00	\$300.00	\$5.50	\$550.00
36 MACOMB COUNTY SOIL EROSION PERMIT FEE ALLOWANCE	LS	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00

Tabulation of Bids

**P-16-611 (ITB-W-9240)
Regal Drive Pavement Rehabilitation**

Bid Opening: March 9, 2016



Pay Item	Unit	Quantity	Fiore Enterprises, LLC 3411 W. Fort St. Detroit, MI 48216		Florence Cement Co. 12585 23 Mile Road Shelby Twp., MI 48315		Lacaria Concrete Const. 3720 Central Detroit, MI 48120		Warren Contractors & Dev 14979 Technology Dr Shelby Twp, MI 48315	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
37	EA	5	\$500.00	\$2,500.00	\$250.00	\$1,250.00	\$500.00	\$2,500.00	\$500.00	\$2,500.00
38	HR	10	\$500.00	\$5,000.00	\$475.00	\$4,750.00	\$500.00	\$5,000.00	\$360.00	\$3,600.00
39	LS	1	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
40	EA	1	\$28,000.00	\$28,000.00	\$27,000.00	\$27,000.00	\$20,000.00	\$20,000.00	\$31,000.00	\$31,000.00
Total Bid Amount				\$431,138.95		\$436,794.50		\$440,687.50		\$458,714.75

* Corrected by Engineer
** Bid submitted by Mark Anthony Contracting was not read - No Bid Bond

ALTERNATE PAY ITEM	UNIT	QUANTITY	TOTAL PRICE		TOTAL PRICE		TOTAL PRICE			
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
41	SY	2,951	\$	28,034.50	\$	21,542.30	\$	38,563.00	\$	21,542.30
42	SYD	1,665	\$	4,495.50	\$	21,228.75	\$	21,645.00	\$	2,497.50

Tabulation of Bids

P-16-611 (ITB-W-9240)

Regal Drive Pavement Rehabilitation

Bid Opening: March 9, 2016



Pay Item	Unit	Quantity	V.I.L. Construction, Inc.		Century Cement Co. Inc.		Angelo Iafrate Const.		Zumiga Cement Const.	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1 AUDIO VISUAL	LS	1	\$1,850.00	\$1,850.00	\$5,000.00	\$5,000.00	\$950.00	\$950.00	\$2,700.00	\$2,700.00
2 TRAFFIC CONTROL DEVICES AND MAINTENANCE	LS	1	\$16,000.00	\$16,000.00	\$10,000.00	\$10,000.00	\$35,000.00	\$35,000.00	\$22,000.00	\$22,000.00
3 SOIL EROSION AND SEDIMENTATION CONTROL MEASURES	LS	1	\$500.00	\$500.00	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$3,500.00	\$3,500.00
4 MAINTENANCE GRAVEL	TONS	100	\$10.00	\$1,000.00	\$10.00	\$1,000.00	\$45.00	\$4,500.00	\$20.00	\$2,000.00
5 REMOVE 12" STORM SEWER	LF	55	\$20.00	\$1,100.00	\$30.00	\$1,650.00	\$35.00	\$1,925.00	\$30.00	\$1,650.00
6 REMOVE EXISTING 6" TO 8" THICK CONCRETE PAVEMENT INCLUDING INTEGRAL CURB AND GUTTER	SY	4,310	\$17.50	\$75,425.00	\$15.00	\$64,650.00	\$13.00	\$56,030.00	\$11.00	\$47,410.00
7 REMOVE EXISTING CONCRETE APPROACH	SF	2,005	\$4.00	\$8,020.00	\$2.00	\$4,010.00	\$1.50	\$3,007.50	\$2.00	\$4,010.00
8 REMOVE EXISTING CONCRETE SIDEWALK AND/OR RAMP	SF	260	\$5.00	\$1,300.00	\$2.00	\$520.00	\$1.50	\$390.00	\$1.75	\$455.00
9 REMOVE EXISTING DRAINAGE STRUCTURE	EA	3	\$650.00	\$1,950.00	\$800.00	\$2,400.00	\$450.00	\$1,350.00	\$450.00	\$1,350.00
10 REMOVE EXISTING TREE, 24"-36" DIA	EA	1	\$2,650.00	\$2,650.00	\$1,500.00	\$1,500.00	\$2,200.00	\$2,200.00	\$2,500.00	\$2,500.00
11 UNDERCUT-EXCAVATE UNSUITABLE SUBGRADE MATERIAL & BACKFILL WITH 21AA AGGREGATE (CIP)	CY	200	\$45.00	\$9,000.00	\$50.00	\$10,000.00	\$52.00	\$10,400.00	\$35.00	\$7,000.00
12 INSTALL 4' DIA CATCH BASIN, COMPLETE	EA	1	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$2,400.00	\$2,400.00	\$1,850.00	\$1,850.00
13 INSTALL 2' DIA CATCH BASIN, COMPLETE	EA	2	\$2,500.00	\$5,000.00	\$3,000.00	\$6,000.00	\$2,050.00	\$4,100.00	\$1,650.00	\$3,300.00



Tabulation of Bids

**P-16-611 (ITB-W-9240)
Regal Drive Pavement Rehabilitation**

Bid Opening: March 9, 2016

Pay Item	Unit	Quantity	V.I.L. Construction, Inc. 6670 Sims Drive Sterling Heights, MI 48313		Century Cement Co. Inc. 12600 Sibley Rd Riverview, MI 48193		Angelo Iafrate Const. 26300 Sherwood Ave Warren, MI 48091		Zumiga Cement Const. 22500 Ryan Rd Warren, MI 48091	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
14	EA	2	\$650.00	\$1,300.00	\$300.00	\$600.00	\$375.00	\$750.00	\$175.00	\$350.00
15	EA	2	\$650.00	\$1,300.00	\$300.00	\$600.00	\$225.00	\$450.00	\$345.00	\$690.00
16	VF	0.5	\$500.00	\$250.00	\$300.00	\$150.00	\$250.00	\$125.00	\$385.00	\$192.50
17	EA	2	\$800.00	\$1,600.00	\$1,000.00	\$2,000.00	\$900.00	\$1,800.00	\$385.00	\$770.00
18	LF	55	\$125.00	\$6,875.00	\$75.00	\$4,125.00	\$50.00	\$2,750.00	\$85.00	\$4,675.00
19	LF	1,730	\$11.00	\$19,030.00	\$15.00	\$25,950.00	\$17.00	\$29,410.00	\$14.50	\$25,085.00
20	STA	8.6	\$3,000.00	\$25,800.00	\$5,000.00	\$43,000.00	\$3,500.00	\$30,100.00	\$4,500.00	\$38,700.00
21	SYD	2,951	\$9.50	\$28,034.50	\$10.00	\$29,510.00	\$10.50	\$30,985.50	\$10.50	\$30,985.50
22	SY	1,665	\$5.00	\$8,325.00	\$2.00	\$3,330.00	\$5.00	\$8,325.00	\$9.50	\$15,817.50
23	SY	2,657	\$42.00	\$111,594.00	\$50.00	\$132,850.00	\$45.00	\$119,565.00	\$53.50	\$142,149.50
24	SY	1,665	\$42.00	\$69,930.00	\$50.00	\$83,250.00	\$52.00	\$86,580.00	\$56.00	\$93,240.00



Tabulation of Bids

**P-16-611 (ITB-W-9240)
Regal Drive Pavement Rehabilitation**

Bid Opening: March 9, 2016

Pay Item	Unit	Quantity	V.L.L. Construction, Inc. 6670 Sims Drive Sterling Heights, MI 48313		Century Cement Co. Inc. 12600 Sibley Rd Riverview, MI 48193		Angelo Iafrate Const. 26300 Sherwood Ave Warren, MI 48091		Zumiga Cement Const. 22500 Ryan Rd Warren, MI 48091	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
25 JOINT SEALING EXISTING PAVEMENT	LF	300	\$5.50	\$1,650.00	\$3.00	\$900.00	\$1.00	\$300.00	\$4.50	\$1,350.00
26 INSTALL CONCRETE APPROACH, 6" THICK, MDOT GRADE P1	SF	2,005	\$5.25	\$10,526.25	\$7.00	\$14,035.00	\$7.00	\$14,035.00	\$7.75	\$15,538.75
27 INSTALL CONCRETE SIDEWALK, 4" THICK	SF	155	\$5.25	\$813.75	\$5.00	\$775.00	\$6.00	\$930.00	\$6.50	\$1,007.50
28 INSTALL ADA COMPLIANT SIDEWALK RAMP, 7" THICK	SF	110	\$5.25	\$577.50	\$8.00	\$880.00	\$9.00	\$990.00	\$8.00	\$880.00
29 INSTALL A.D.A. COMPLIANT DETECTABLE WARNING DEVICE	LF	10	\$48.00	\$480.00	\$60.00	\$600.00	\$40.00	\$400.00	\$40.00	\$400.00
30 INSTALL PAVEMENT MARKING, OVERLAY COLD PLASTIC, 6 INCH, CROSSWALK	LF	56	\$11.00	\$616.00	\$15.00	\$840.00	\$9.00	\$504.00	\$50.00	\$2,800.00
31 INSTALL PAVEMENT MARKING, OVERLAY COLD PLASTIC, 18 INCH, STOP BAR	LF	14	\$16.00	\$224.00	\$20.00	\$280.00	\$14.00	\$196.00	\$65.00	\$910.00
32 REPLACEMENT TREE, 1 1/2" DIA	EA	1	\$500.00	\$500.00	\$500.00	\$500.00	\$700.00	\$700.00	\$450.00	\$450.00
33 INSTALL CLASS "A" SOD ON 3" OF TOPSOIL, COMPLETE	SY	1,000	\$8.00	\$8,000.00	\$1.00	\$1,000.00	\$14.00	\$14,000.00	\$12.00	\$12,000.00
34 TELEWISE EXISTING 36" STORM SEWER	LF	40	\$50.00	\$2,000.00	\$2.00	\$80.00	\$12.50	\$500.00	\$45.00	\$1,800.00
35 ADDITIONAL TRAFFIC CONTROL SIGNS	SF	100	\$5.00	\$500.00	\$6.00	\$600.00	\$10.00	\$1,000.00	\$8.00	\$800.00
36 MACOMB COUNTY SOIL EROSION PERMIT FEE ALLOWANCE	LS	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00



PUBLIC SERVICE DEPARTMENT
ENGINEERING DIVISION

Tabulation of Bids

P-16-611 (ITB-W-9240)

Regal Drive Pavement Rehabilitation

Bid Opening: March 9, 2016

Pay Item	Unit	Quantity	V.L.L. Construction, Inc. 6670 Sims Drive Sterling Heights, MI 48313		Century Cement Co, Inc. 12600 Sibley Rd Riverview, MI 48193		Angelo Iafrate Const. 26300 Sherwood Ave Warren, MI 48091		Zaniga Cement Const. 22500 Ryan Rd Warren, MI 48091	
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
37 REPAIR MIS-MARKED WATER SERVICE UP TO 2" DIA	EA	5	\$25.00	\$125.00	\$500.00	\$2,500.00	\$650.00	\$3,250.00	\$100.00	\$500.00
38 CREW DOWNTIME FOR LOCATING MIS-MARKED/ UNMARKED SERVICES OR FOR OTHER UNFORSEEN FIELD CONDITIONS	HR	10	\$50.00	\$500.00	\$500.00	\$5,000.00	\$425.00	\$4,250.00	\$100.00	\$1,000.00
39 ALLOWANCE FOR UNFORSEEN FIELD CONDITIONS	LS	1	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
40 MOBILIZATION, BONDS & INSURANCE (NOT TO EXCEED 7% OF CONSTRUCTION COST)	EA	1	\$25,000.00	\$25,000.00	\$20,000.00	\$20,000.00	\$33,000.00	\$33,000.00	\$33,000.00	\$33,000.00
Total Bid Amount				\$461,846.00		\$498,085.00		\$517,648.00		\$533,816.25

* Corrected by Engineer

** Bid submitted by Mark Anthony Contracting was not read - No Bid Bond

ALTERNATE PAY ITEM	UNIT	QUANTITY	TOTAL PRICE		TOTAL PRICE	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
41 INSTALL 6" THICK MDOT 21AA CRUSHED CONCRETE BASE (CIP) FOR MAINLINE PAVING	SY	2,951	7.50 \$	22,132.50 \$	9.00 \$	\$26,559.00 \$
42 INSTALL 6" THICK MDOT 21AA CRUSHED CONCRETE BASE (CIP)	SYD	1,665	4.75 \$	7,908.75 \$	2.00 \$	\$3,330.00 \$
					8.50 \$	\$25,083.50 \$
					4.00 \$	\$6,660.00 \$
					8.00 \$	\$13,320.00 \$

**RESOLUTION TO AWARD BID AND APPROVE CONTRACT
FOR
CITY PROJECT P-16-611
REGAL DRIVE PAVEMENT REHABILITATION
(13 MILE ROAD TO APPROXIMATELY 300 FEET NORTH OF PARKSIDE DRIVE)
(ITB-W-9240)**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 2016 at _____ 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 _____.

On March 9, 2016, bids were received for City Project P-16-611, Regal Drive Pavement Rehabilitation, ITB-W-9240, pursuant to the standard sealed bid procedure.

The City Council has received and reviewed the bids as listed on the attached tabulation.

The City Engineer has recommended that the contract for City Project P-16-611, Regal Drive Pavement Rehabilitation be awarded to the low bidder Fiore Enterprises, LLC in the total bid amount not to exceed \$431,138.95.

Funding is available in the 2011 Local Street Road Repairs and Replacement Special Revenue Fund (\$431,138.95).

The Contract documents include the Project Drawings, the Supplemental Specifications, the Advertisement, the Proposal, the Appendix and the City of Warren form documents entitled Instructions to Bidders, Contract, Performance Bond, Payment Bond for Labor, Material and Equipment Rental, Maintenance and Guarantee Bond, Certificate of Worker's Compensation Insurance, General Conditions, Specifications for Concrete Pavement, Specifications for Concrete Sidewalks and Drive Approaches and the Specifications for Sanitary and Storm Sewers.

THEREFORE, IT IS RESOLVED, pursuant to the recommendation of the City Engineer, that the City Council by formal motion approves the award of contract P-16-611, Regal Drive Pavement Rehabilitation to the low bidder Fiore Enterprises, LLC in the total bid amount not to exceed \$431,138.95.

IT IS FURTHER RESOLVED, that upon approval of the final contract in a form that meets with the approval of the City Attorney, together with all required insurance certificates, bonds and required documents, the Mayor and City Clerk are authorized to execute the contract with Fiore Enterprises, LLC, 3411 W. Fort Street, Detroit, Michigan 48216 to complete City Project P-16-611, Regal Drive Pavement Rehabilitation, consistent with the terms of the bid for City Project P-16-611, Regal Drive Pavement Rehabilitation, and the City of Warren Engineering Contract Documents.

AYES: Councilpersons: _____

NAYS: Councilpersons: _____

RESOLUTION DECLARED ADOPTED this _____ day of _____, 2016.

KELLY COLEGIO
Secretary of the Council
Mayor Pro Tem

MAR 11 2016



PUBLIC SERVICE DEPARTMENT

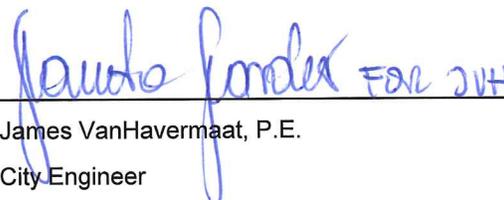
ENGINEERING DIVISION

"As Read Bids"
for
Contract P-16-611 (ITB-W-9240)
Regal Drive Pavement Rehabilitation
(13 Mile Road to Approximately 300 Feet North of Parkside Drive)

Bid Opening: Wednesday, March 9, 2016

Bidder	Signed	Bid Bond	Certified Check	Amount of Bid
Angelo Iafrate	yes	5%		\$517,648.00
Century Cement	yes	5%		\$498,085.00
Fiore Enterprises	yes	5%		\$431,138.95
Florence Cement	yes	5%		\$437,793.50
Lacaria Concrete	yes	5%		\$435,983.50
Mark Anthony Contracting	yes	None		Not Read
V.I.L. Contractors	yes	5%		\$461,846.00
Warren Contractors & Devel.	yes	5%		\$458,714.75
Zuniga Cement	yes	5%		\$533,816.25

- cc: **City Controller**
City Clerk
City Treasurer
Public Service
Purchasing
Council Secretary



James VanHavermaat, P.E.
City Engineer



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

March 2, 2016

Council Secretary Colegio

RE: Request of the Engineering Division to Award Bid and Approve Contract for City Project JS-16-609, 2016 Joint and Crack Sealing Program (ITB-W-9238) with Scodeller Construction, Inc., the Low Bidder, in an amount not to exceed \$355,500.00 and authorizing the Mayor and Clerk to execute a Contract. CONSIDERATION AND ADOPTION OF A RESOLUTION

Sealed bids were received and publicly read aloud on March 2, 2016 for the 2016 Joint and Crack Sealing Program. This project was publicly advertised on the Michigan Inter-Governmental Trade Network (MITN) on February 17, 2016.

The project consists of performing cleaning and sealing of joints and random cracks in various streets throughout the City.

The low bidder is Scodeller Construction, Inc. in the total bid amount of \$355,500.00 as can be seen in the attached tabulation of bids.

Scodeller Construction, Inc. has successfully completed similar work in the City and in the Metro area.

It is the Engineering Division's recommendation that the Warren City Council award the contract to Scodeller Construction, Inc. in an amount not to exceed \$355,500.00.

The availability of the funding for this contract, as stated in the attached City Council resolution, has been confirmed and approved by the Budget Director.

The form of the contract document and the proposed City Council resolution authorizing approval of the contract award has been reviewed and approved by the City Attorney.

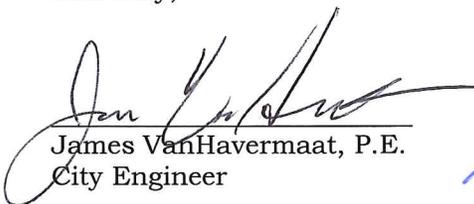
Please place this item on the next available City Council agenda for consideration.

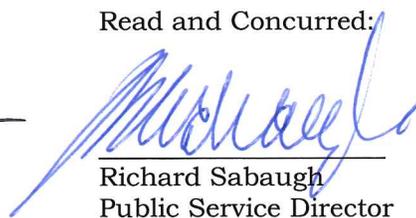
Should you have any questions regarding this matter, I can be reached in my office at (586) 759-9302.

Sincerely,

Read and Concurred:

Funding Approval:

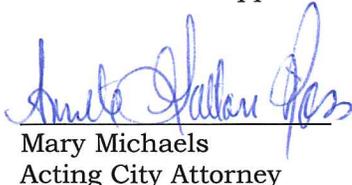

James VanHavermaat, P.E.
City Engineer

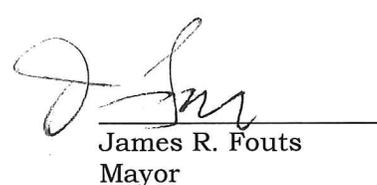

Richard Sabaugh
Public Service Director


Renee Jones-Rezak
Budget Director

Contract Form Approval:

Recommended to Council:


Mary Michaels
Acting City Attorney


James R. Fouts
Mayor

Attachment: Tabulation of Bids, City Council Resolution



PUBLIC SERVICE DEPARTMENT
ENGINEERING DIVISION

Tabulation of Bids
JS-16-609 (ITB-W-9238), 2016 Joint and Crack Sealing Program
Bid Opening Date: March 2, 2016

ITEM NO.	DESCRIPTION	UNITS	QUANTITY	Scodeller Construction, Inc. 51722 Grand River Avenue Wixom, MI 48393		Michigan Joint Sealing, Inc. 28830 W. 8 Mile Road, Ste 103 Farmington Hills, MI 48336		Carr's Outdoor Services, Inc. 48910 Ford Road Canton, MI 48187	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	CLEAN AND SEAL JOINTS AND RANDOM CRACKS, Complete	LF	400,000.0	\$ 0.80	\$ 320,000.00	\$ 0.92	\$ 368,000.00	\$ 0.94	\$ 376,000.00
2	HOT POURED RUBBER ASPHALT TYPE JOINT SEALING COMPOUND, Complete	LBS	70,000.0	\$ 0.50	\$ 35,000.00	\$ 0.49	\$ 34,300.00	\$ 0.54	\$ 37,800.00
3	JOINT SEALING INFORMATIONAL SIGNS	EA	500.0	\$ 1.00	\$ 500.00	\$ 0.01	\$ 5.00	\$ 4.00	\$ 2,000.00
TOTAL BID AMOUNT					\$ 355,500.00		\$ 402,305.00		\$ 415,800.00

**RESOLUTION TO AWARD BID AND APPROVE CONTRACT FOR
CITY PROJECT JS-16-609, 2016 JOINT AND CRACK SEALING PROGRAM**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 2016, 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 _____.

On March 2, 2016, bids were received for City Project JS-16-609, 2016 Joint and Crack Sealing Program (ITB-W-9238) pursuant to the standard sealed bid procedure.

The City Council has received and reviewed the bids as listed on the attached tabulation.

The City Engineer has recommended that the contract for City Project JS-16-609, 2016 Joint and Crack Sealing Program (ITB-W-9238) be awarded to the low bidder Scodeller Construction, Inc. in the low bid amount not to exceed \$355,500.00.

Funding for this work is available in the Fiscal 2016 Michigan Transportation Operating Funds - Major Roads Routine Maintenance, Joint Sealing Account 2463-80205 (\$266,625.00) and in the Fiscal 2016 Michigan Transportation Operating Funds - Local Roads Routine Maintenance, Joint Sealing Account 3463-80205 (\$88,875.00).

The Contract Documents include the Advertisement, the Proposal, the Supplemental Specifications, the Appendix and the City of Warren form documents entitled Instructions to

Bidders, Contract, Performance Bond, Payment Bond for Labor, Materials and Equipment Rental, Maintenance and Guarantee Bond, Certificate of Worker's Compensation Insurance, General Conditions, Standard Specifications for Joint Sealing.

THEREFORE, IT IS RESOLVED, pursuant to the recommendation of the City Engineer, and subject to execution of a written agreement by the City and Scodeller Construction, Inc., consistent with this resolution, that the City Council by formal motion approves the award of contract, JS-16-609, to Scodeller Construction, Inc. in an amount not to exceed \$355,500.00.

IT IS FURTHER RESOLVED, that upon approval of the final contract in a form that meets with the approval of the City Attorney, together with all required insurance certificates, bonds and required documents, the Mayor and City Clerk are authorized to execute the contract with Scodeller Construction, Inc., whose address is 28830 W. 8 Mile, Ste 103, Farmington Hills, MI 48336 to complete City Project JS-16-609, 2016 Joint and Crack Sealing Program in an amount not to exceed \$355,500.00, consistent with the terms of the bid for City Project JS-16-609, 2016 Joint and Crack Sealing Program and the City of Warren Engineering Contract Documents.

AYES: Councilpersons: _____

NAYS: Councilpersons: _____

RESOLUTION DECLARED ADOPTED this _____ day of _____, 2016.

Kelly Colegio
Secretary of the Council
Mayor Pro Tem

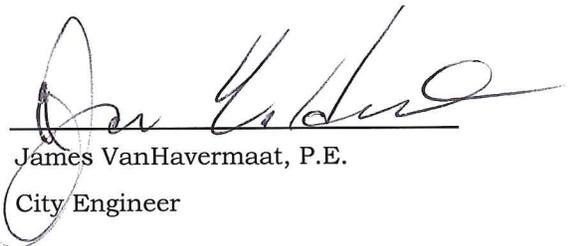
"As Read Bids"

***Contract JS-16-609 (ITB-W-9238)
2016 Joint and Crack Sealing Program***

March 2, 2016

Bidder	Signed	Bid Bond	Certified Check	Amount of Bid
Carr's Outdoor Services, Inc.	X	5%		\$415,800.00
Michigan Joint Sealing, Inc.	X	5%		\$402,305.00
Scodeller Construction, Inc.	X	5%		\$355,500.00

cc: City Controller
City Clerk
City Treasurer
Public Service
Purchasing
Council Secretary
Water Division



James VanHavermaat, P.E.
City Engineer



**PUBLIC SERVICE DEPARTMENT
ENGINEERING DIVISION**

One City Square, Suite 300
Warren, Michigan 48093-2390
(586) 759-9300
Fax (586) 759-9318
www.cityofwarren.org

DATE: March 9, 2016
TO: Kelly Colegio, City Council Secretary
RE: **CONSIDERATION AND ADOPTION OF A RESOLUTION to approve Contract Modification No. 1 and Final to City Contract WP-15-597, Suburban Drive and Newport Drive Pavement Reconstruction (Angelo lafrate Construction Co.), increasing to the original contract amount by \$222,940.64 resulting in a final contract amount of \$1,637,131.99 and to approve and issue Payment No. 5 and Final in the amount of \$344,405.02 to Angelo lafrate Construction Co.**

Attached hereto is a copy of the proposed Contract Modification No. 1 and Final to the City Contract WP-15-597, Suburban Drive and Newport Drive Pavement Reconstruction.

The contract modification is for changes to the contract work after project award due to additional work outside the scope of the original project and for adjustment of final project quantities and balancing the original pay items to as-constructed quantities.

The total change in contract price due to the addition of Pay Items No. 48, 49, 50, 51, 52, 53, 54, 55 and 56 and balancing the original pay items to as-constructed quantities is \$222,940.64 (15.77% increase) resulting in a final contract amount of \$1,637,131.99.

It is the Engineering Division's recommendation that the Warren City Council approve the Contract Modification No. 1 and Final to the City Contract WP-15-597, Suburban Drive and Newport Drive Pavement Reconstruction.

It is also recommended that Payment No. 5 and Final in the amount of \$344,405.02 be issued to Angelo lafrate Construction Co. three (3) days after City Council approval of the attached Contract Modification No. 1 and Final.

Availability of funding has been reviewed by the budget director as indicated in the attached resolution.

Please place this item on the next available 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:

Funding Approval:

James VahHavermaat, 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/TG

Attach: Contract Modification No. 1 and Final, Proposed Resolution and Payment No. 5 and Final



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

CONTRACT MODIFICATION

DATE: March 9, 2016

CONTRACT: WP-15-597, Suburban Drive & Newport Drive
Pavement Reconstruction

MODIFICATION NO.: 1 and Final

TO: Angelo Iafrate Construction Co.
26300 Sherwood Ave
Warren, MI 48091

NECESSITY FOR REVISION: Modifications to the contract work after project award due to additional work outside the scope of the original project and the adjustment of final project quantities and balancing the original pay items to as-constructed quantities.

The following work items are hereby added as part of the original contract:

Item No. 48	Additional Excavation Due to Decreasing the Width of the Median on Newport Drive	1 LS @ \$900.00/LS = \$900.00
Item No. 49	Additional Traffic Control Measures Required on Suburban to Facilitate One-Way Direction	1 LS @ \$599.60/LS = \$599.60
Item No. 50	Credit for Using Existing Sand Backfill	467.5 TON @ \$3.00/TON = \$(1,405.50)
Item No. 51	Additional Sod Restoration	2,407.1 SYD @ \$7.00/SYD = \$16,849.70
Item No. 52	Credit for Seed & Mulch on Newport Drive Berm	120.5 SYD @ \$2.50/SYD = \$(301.25)
Item No. 53	Install 2" Water Service W/Stop Valve & Box	1 EA @ \$1,175.00/EA = \$1,175.00
Item No. 54	Connect 4" to 8" Water Main	1 EA @ \$3,895.00/EA = \$3,895.00
Item No. 55	4" Gate Valve & Box	1 EA @ \$1,825.00/EA = \$1,825.00
Item No. 56	4" Water Main	32 LF @ \$84.00/LF = \$2,688.00

The adjustment in final quantities is as described in the attached table.

The total change in contract price due to the addition of Pay Items No. 48, 49, 50, 51, 52, 53, 54, 55 and 56 and balancing the original pay items to as-constructed quantities is \$222,940.64 (increase) resulting in a final contract amount of \$1,637,131.99.

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.

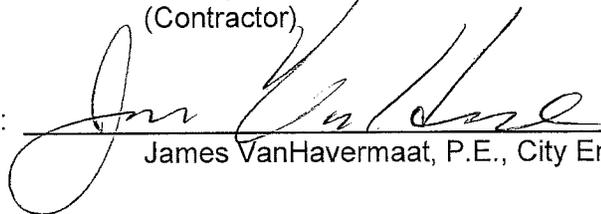
This document, including the additional pay items described above shall become an amendment to the Contract, and all provisions of the Contract will apply thereto.

The above shall be effective upon approval of the Mayor and the City Council.

Except as modified, all other terms of the Contract remain in effect.

Accepted by: 
for Angelo Iafrate Construction Co.
(Contractor)

Date: 3/2/16

Recommended by: 
James VanHavermaat, P.E., City Engineer

Date: 3/8/16

Approved by: Warren City Council

Date: _____

Approved by: _____
James R. Fouts, Mayor

Date: _____

Approved by: _____
Paul Wojno, City Clerk

Date: _____

WP-15-597
Suburban & Newport Pavement Reconstruction



Engineering Division
FINAL ADJUSTMENT OF QUANTITIES

Contractor: Angelo Iafrate Construction
Address: 26300 Sherwood Ave
City: Warren, MI 48091

ITEM NO.	DESCRIPTION	UNITS	ORIGINAL BID QUANTITY	CONTRACT UNIT PRICE	ORIGINAL BID AMOUNT	FINAL CONTRACT QUANTITY	FINAL CONTRACT AMOUNT	CHANGE CONTRACT QUANTITY	CHANGE CONTRACT AMOUNT
1	MOBILIZATION, BONDS & INSURANCE (NOT TO EXCEED 3% OF CONSTRUCTION COST)	EA	1	\$40,000.00	\$40,000.00	1.0	\$40,000.00	0.0	0.00
2	AUDIO VISUAL	EA	1	\$1,500.00	\$1,500.00	1.0	\$1,500.00	0.0	0.00
3	TRAFFIC CONTROL DEVICES	LS	1	\$40,000.00	\$40,000.00	1.1	\$42,062.50	0.1	2,062.50
4	SOIL EROSION MEASURES	LS	1	\$15,000.00	\$15,000.00	1.00	\$15,000.00	0.0	0.00
5	MAINTENANCE GRAVEL	TONS	200	\$40.00	\$8,000.00	1,461.2	\$58,448.00	1,261.2	50,448.00
6	REMOVE 12" STORM SEWER	LF	148	\$35.00	\$5,180.00	219.4	\$7,679.00	71.4	2,499.00
7	REMOVE EXISTING CONCRETE PAVEMENT WITH ASPHALT OVERLAY	SYD	8,580	\$9.15	\$78,507.00	9,057.6	\$82,877.04	477.6	4,370.04
8	REMOVE EXISTING CONCRETE APPROACH	SFT	5,425	\$1.25	\$6,781.25	7,677.8	\$9,597.25	2,252.8	2,816.00
9	REMOVE EXISTING CONCRETE SIDEWALK AND RAMP	SFT	1,450	\$6.75	\$9,787.50	7,375.6	\$49,785.30	5,925.6	39,997.80
10	REMOVE DRAINAGE STRUCTURE	EA	6	\$330.00	\$1,980.00	10.0	\$3,300.00	4.0	1,320.00
11	UNDERCUT-EXCAVATE UNSUITABLE SUBGRADE MATERIAL & BACKFILL W/21AA AGGREGATE (CIP)	CYD	100	\$50.00	\$5,000.00	1,023.1	\$51,155.00	923.1	46,155.00
12	INSTALL 4' DIA CATCH BASIN	EA	4	\$2,600.00	\$10,400.00	5.0	\$13,000.00	1.0	2,600.00
13	INSTALL 2' DIA CATCH BASIN	EA	4	\$2,300.00	\$9,200.00	5.0	\$11,500.00	1.0	2,300.00
14	INSTALL ADA COMPLIANT OR STANDARD COVER FOR MANHOLE, CATCH BASIN, INLET OR GATE WELL	EA	15	\$530.00	\$7,950.00	7.0	\$3,710.00	(8.0)	(4,240.00)
15	INSTALL STANDARD FRAME FOR MANHOLE, CATCH BASIN, INLET OR GATE WELL	EA	15	\$530.00	\$7,950.00	7.0	\$3,710.00	(8.0)	(4,240.00)
16	REBUILD 2' DIA STRUCTURE	VF	3	\$290.00	\$870.00	0.9	\$261.00	(2.1)	(609.00)
17	REBUILD 4' DIA STRUCTURE	VF	1.0	\$300.00	\$300.00	3.7	\$1,110.00	2.7	810.00
18	ADJUST 2' DIA STRUCTURE	EA	6	760	4560	4	\$3,040.00	(2.0)	(1,520.00)
19	ADJUST 4' DIA STRUCTURE	EA	1	\$800.00	\$800.00	12.0	\$9,600.00	11.0	8,800.00
20	INSTALL 12" CL IV RCP STORM SEWER	LF	104	\$72.00	\$7,488.00	147.4	\$10,612.80	43.4	3,124.80
21	STATION GRADING SUBURBAN DRIVE	STA	22	\$3,000.00	\$67,200.00	22.4	\$67,200.00	0.0	0.00
22	STATION GRADING NEWPORT DRIVE	STA	2.3	\$4,300.00	\$9,890.00	2.6	\$11,180.00	0.3	1,290.00

WP-15-597
Suburban & Newport Pavement Reconstruction



Engineering Division
FINAL ADJUSTMENT OF QUANTITIES

Contractor: Angelo Iafrate Construction
Address: 26300 Sherwood Ave
City: Warren, MI 48091

ITEM NO.	DESCRIPTION	UNITS	ORIGINAL BID QUANTITY	CONTRACT UNIT PRICE	ORIGINAL BID AMOUNT	FINAL CONTRACT QUANTITY	FINAL CONTRACT AMOUNT	CHANGE CONTRACT QUANTITY	CHANGE CONTRACT AMOUNT
23	INSTALL 6" CORRUGATED PLASTIC EDGE DRAIN	LF	4,530	\$16.00	\$72,480.00	4,626.0	\$74,016.00	96.0	1,536.00
24	INSTALL 6" THICK MDOT 21AA CRUSHED LIMESTONE BASE (CIP)	SYD	9,300	\$8.50	\$79,050.00	9,612.8	\$81,708.97	312.8	2,658.97
25	INSTALL CONCRETE PAVEMENT, 7" THICK, MDOT GRADE P1, NONREINF. WITH INTEGRAL CURB	SYD	7,850	\$40.50	\$317,925.00	8,112.4	\$328,552.20	262.4	10,627.20
26	INSTALL CONCRETE PAVEMENT PATCH, 7" THICK, MDOT GRADE P1	SYD	700	\$49.49	\$34,643.00	998.2	\$49,400.92	298.2	14,757.92
27	REMOVE AND REPLACE CONCRETE CURB & GUTTER	LF	400	\$32.00	\$12,800.00	37.2	\$1,190.40	(362.8)	(11,609.60)
28	INSTALL CONCRETE APPROACH, 6" THICK, MDOT GRADE P1	SFT	5,835	\$5.75	\$33,551.25	7,748.1	\$44,551.58	1,913.1	11,000.33
29	INSTALL CONCRETE SIDEWALK, 4"	SFT	425	\$5.00	\$2,125.00	5,974.0	\$29,870.00	5,549.0	27,745.00
30	INSTALL ADA CONCRETE SIDEWALK RAMP, 7" THICK	SFT	949	\$8.15	\$7,734.35	1,182.9	\$9,640.64	233.9	1,906.29
31	INSTALL A.D.A. COMPLIANT DETECTABLE WARNING DEVICE	LF	60	\$42.00	\$2,520.00	85.0	\$3,570.00	25.0	1,050.00
32	CONNECT NEW 8" WATER MAIN TO EXISTING 8" WATER MAIN	EA	4	\$4,200.00	\$16,800.00	4.0	\$16,800.00	0.0	0.00
33	INSTALL 8" CL 54 DI WATERMAIN W/WRAP	LF	2,413	\$88.00	\$212,344.00	2,409.7	\$212,053.60	(3.3)	(290.40)
34	INSTALL 8" GATE VALVE AND WELL	EA	6	\$4,100.00	\$24,600.00	6	\$24,600.00	0.0	0.00
35	INSTALL FIRE HYDRANT WITH VALVE AND BOX	EA	6	\$4,500.00	\$27,000.00	6.0	\$27,000.00	0.0	0.00
36	INSTALL 1" WATER SERVICE W/STOP VALVE AND BOX, LONG SIDE	EA	38	\$1,900.00	\$72,200.00	34.0	\$64,600.00	(4.0)	(7,600.00)
37	INSTALL 1" WATER SERVICE W/STOP VALVE AND BOX, SHORT SIDE	EA	28	\$1,000.00	\$28,000.00	24.0	\$24,000.00	(4.0)	(4,000.00)
38	DOWNTIME DUE TO MIS-MARKED WATER SERVICE	HR	5	\$425.00	\$2,125.00	0.0	\$0.00	(5.0)	(2,125.00)
39	REPAIR MIS-MARKED WATER SERVICE UP TO 2" DIA	EA	5	\$770.00	\$3,850.00	0.0	\$0.00	(5.0)	(3,850.00)
40	ABANDON EX. WATER MAIN & APPURTUNACES	LS	1	\$20,000.00	\$20,000.00	1.0	\$20,000.00	0.0	0.00
41	REPLACEMENT TREES, 1 1/2" DIA	EA	50	\$400.00	\$20,000.00	46.0	\$18,400.00	(4.0)	(1,600.00)
42	INSTALL CLASS "A" SOD	LS	1	\$65,000.00	\$65,000.00	1.0	\$65,000.00	0.0	0.00
43	INSTALL SEED AND MULCH	LS	1	\$10,000.00	\$10,000.00	1.0	\$10,000.00	0.0	0.00



WP-15-597
Suburban & Newport Pavement Reconstruction

Engineering Division
FINAL ADJUSTMENT OF QUANTITIES

Contractor: Angelo Iafrate Construction
Address: 26300 Sherwood Ave
City: Warren, MI 48091

ITEM NO.	DESCRIPTION	UNITS	ORIGINAL BID QUANTITY	CONTRACT UNIT PRICE	ORIGINAL BID AMOUNT	FINAL CONTRACT QUANTITY	FINAL CONTRACT AMOUNT	CHANGE CONTRACT QUANTITY	CHANGE CONTRACT AMOUNT
44	MACOMB COUNTY DEPARTMENT OF ROADS PERMIT AND INSPECTION FEE	LS	1	\$1,500.00	\$1,500.00	0.2	\$250.00	(0.8)	(1,250.00)
45	MACOMB COUNTY SOIL EROSION PERMIT AND INSPECTION FEE	LS	1	\$1,500.00	\$1,500.00	0.3	\$500.00	(0.7)	(1,000.00)
46	CREW DOWNTIME FOR LOCATING MIS-MARKED/ UNMARKED SERVICES OR FOR OTHER UNFORSEEN FIELD CONDITIONS	HR	10	\$425.00	\$4,250.00	17.3	\$7,331.25	7.3	3,081.25
47	REPAIR MIS-MARKED/UNMARKED WATER SERVICE	EA	5	\$770.00	\$3,850.00	2.0	\$1,540.00	(3.0)	(2,310.00)
48	ADDITIONAL EXCAVATION DUE TO DECREASING THE WIDTH OF THE MEDIAN ON NEWPORT DRIVE	LS	0	\$900.00	\$0.00	1.0	\$900.00	1.0	900.00
49	ADDITIONAL TRAFFIC CONTROL MEASURES REQ'D ON SUBURBAN TO FACILITATE ONE-WAY DIRECTION	LS	0	\$599.60	\$0.00	1.0	\$599.60	1.0	599.60
50	CREDIT FOR USING EXISTING SAND FOR BACKFILL	TON	0	-\$3.00	\$0.00	467.5	-\$1,402.50	467.5	(1,402.50)
51	ADDITIONAL SOD RESTORATION	SYD		\$7.00	\$0.00	2407.1	\$16,849.70	2,407.1	16,849.70
52	CREDIT FOR SEED & MULCH ON NEWPORT BERM	SYD	0	-\$2.50	\$0.00	120.5	-\$301.25	120.5	(301.25)
53	INSTALL 2" WATER SERVICE W/STOP VALVE & BOX	EA	0	\$1,175.00	\$0.00	1.0	\$1,175.00	1.0	1,175.00
54	CONNECT 4" TO 8" WATER MAIN	EA	0	\$3,895.00	\$0.00	1.0	\$3,895.00	1.0	3,895.00
55	4" GATE VALVE & BOX	EA	0	\$1,825.00	\$0.00	1.0	\$1,825.00	1.0	1,825.00
56	4" WATER MAIN	LF	0	\$84.00	\$0.00	32.0	\$2,688.00	32.0	2,688.00
Original Contract Amount					\$1,414,191.35				
Contract Modification No. 1 and Final					\$222,940.64				
Final Contract Amount					\$1,637,131.99				
Percent Change from the Original Contract Amount					15.765%				

**RESOLUTION TO APPROVE CONTRACT MODIFICATION No. 1 AND FINAL
FOR
CITY PROJECT WP-15-597
SUBURBAN DRIVE AND NEWPORT DRIVE PAVEMENT RECONSTRUCTION**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 20__, at ____ 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 _____.

Angelo lafrate Construction Company and the City of Warren entered into a contract titled WP-15-597, Suburban Drive and Newport Drive Pavement Reconstruction Project.

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, Angelo lafrate Construction Company and the City Engineer have determined mutually acceptable prices for the additional work and for the modifications to the original contract work.

The City Engineer recommends approval of the attached Contract Modification No. 1 and Final as submitted, adding Pay Items No. 48, 49, 50, 51, 52, 53, 54, 55 and 56 and balancing the original pay items to as-constructed quantities increasing the original contract amount by \$222,940.64 resulting in a final contract amount of \$1,637,131.99.

The City Engineer also recommends that Payment No. 5 and Final to Angelo lafrate Construction Company in the amount of \$344,405.02 be issued three (3) days after the approval of Contract Modification No. 1 and Final.

The City Engineer also recommends that project funding be modified as follows, to account for the additional pay items and balancing the original pay items to as-constructed quantities:

- a. Addition of \$195,291.55 from the 2011 Local Street Road Repairs and Replacement Special Revenue Fund account 9204-97400
- b. Addition of \$26,670.30 from the 2012 Water and Sewer Capital Improvement Bonds account 592044-21112
- c. Addition of \$978.79 from the 2016 Michigan Transportation Operating Fund - Local Streets Routine Maintenance Pavement Repairs account 3463-80206.

THEREFORE, IT IS RESOLVED, that the City of Warren approves modifications to the Contract titled WP-15-597, Suburban Drive and Newport Drive Pavement Reconstruction Project for changes to the original contract work after project award by adding Pay Items No. 48, 49, 50, 51, 52, 53, 54, 55 and 56 and balancing the original pay items to as-constructed quantities increasing the original contract amount by \$222,940.64, resulting in a final contract amount of \$1,637,131.99 as presented in the attached Contract Modification No. 1 and Final.

IT IS FURTHER RESOLVED, that the Mayor and Clerk of the City of Warren are authorized to execute Contract Modification No. 1 and Final to City Contract WP-15-597, Suburban Drive and Newport Drive Pavement Reconstruction Project in such form that meets with the approval of the City Attorney.

IT IS FURTHER RESOLVED, that Payment No. 5 and Final to Angelo lafrate Construction Company in the amount of \$344,405.02 be issued three (3) days after the approval of Contract Modification No. 1 and Final including releasing any interest on retainage.



PUBLIC SERVICE DEPARTMENT
ENGINEERING DIVISION

PAYMENT REQUEST

Date : March 9, 2016

To : Dave Smith, Accountant, Controller's Office
Amy Moore, Budget Analyst, Water Division

NOTE: CITY COUNCIL APPROVAL REQUIRED

From : Engineering Division

Re : Payment No. 5 and Final
Project No. WP-15-597
Location Suburban Dr. & Newport Dr.
Improvement: Pavement Reconstruction

Payee : Angelo Iafrate Construction Co.
26300 Sherwood Ave.
Warren, MI 48091

Original Contract Amount	(City Council Approval 6/9/2015)	<u>\$1,414,191.35</u>
Proposed Contract Modification No. 1 and Final		<u>\$222,940.64</u>
Final Proposed Contract Amount		<u>\$1,637,131.99</u>

Total Work performed as of 11/20/15	<u>\$1,637,131.99</u>
Less Retainage 0.00%	<u>\$0.00</u>
Net Amount Earned to Date	<u>\$1,637,131.99</u>
Amount of Previous Payment Requests	<u>\$1,292,726.97</u>

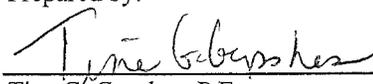
Amount Due This Estimate **\$344,405.02**

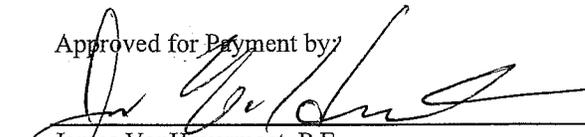
Retainage Previously Withheld	<u>\$74,574.19</u>
Retainage Change this Pay Estimate	<u>-\$74,574.19</u>

Engineering & Administration Revenue @ 7%		<u>\$24,108.35</u>
Inspection Revenue	17.1 hrs @ \$65.0/hr and 11.3 hrs @ \$90.0/hr	<u>\$2,128.50</u>
Total Revenue Generated		<u>\$26,236.85</u>

Chargeable to : 2011 Local Street Road Repairs & Replacement Special Revenue Fund	9204-97400	\$	242,022.69
2012 Water & Sewer Capital Improvement Bond	592044-21112	\$	101,093.90
2016 Michigan Transportation Operating Fund - Local Streets Routine Maintenance Pavement Repairs	3463-80206	\$	1,288.43

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:

Tina G. Gapshes, P.E.
Civil Engineer II

Approved for Payment by:

James VanHavermaat, P.E.
City Engineer

cc: Payee

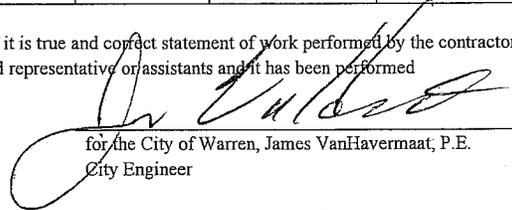
Suburban Dr & Newport Dr
 Pavement Replacement
 City Project No. WP-15-597
 Pay Estimate No. 5 and Final



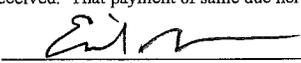
Contractor: Angelo Iafrate Construction
 Address: 26300 Sherwood Ave
 City: Warren, MI 48091

DESCRIPTION		ORIGINAL CONTRACT AMOUNT	FINAL CONTRACT AMOUNT	AMOUNT PAID TO DATE	AMOUNT THIS PAYMENT
Total Work Performed as of:	11/20/15	\$1,414,191.35	\$ 1,637,131.99	\$ 1,637,131.99	\$ 269,830.83
Less Retainage	0.00%			\$ -	\$ (74,574.19)
Net Amount Earned				\$ 1,637,131.99	\$ 344,405.02
Less Previous Payments				\$ 1,292,726.97	
Total Amount Due this Estimate				\$ 344,405.02	\$ 344,405.02
Total 2011 Local Street Road Repairs Fund Work Performed as of:	11/20/15	\$ 896,060.09	\$ 1,091,351.64	\$ 1,091,351.64	\$ 192,813.30
Less Retainage	0.00%			\$ -	\$ (49,209.39)
Net Amount Earned				\$ 1,091,351.64	\$ 242,022.69
Less Previous Payments				\$ 849,328.95	\$ -
Total 2011 Local Street Road Repairs Fund this Estimate:				\$ 242,022.69	\$ 242,022.69
Total 2012 W&S Capital Improvement Bond Work Performed as of:	11/20/15	\$ 495,964.41	\$ 522,634.71	\$ 522,634.71	\$ 77,017.53
Less Retainage (including adjustment for error on Pay Est #4)	0.00%			\$ -	\$ (24,076.37)
Net Amount Earned				\$ 522,634.71	\$ 101,093.90
Less Previous Payments				\$ 421,540.81	\$ -
Total 2012 W&S Capital Improvement Bond this Estimate:				\$ 101,093.90	\$ 101,093.90
Total 2016 Michigan Transportation Operating Fund Work Performed as of:	11/20/15	\$ 22,166.85	\$ 23,145.64	\$ 23,145.64	\$ -
Less Retainage	0.00%			\$ -	\$ (1,288.43)
Net Amount Earned				\$ 23,145.64	\$ 1,288.43
Less Previous Payments				\$ 21,857.21	\$ -
Total 2016 Michigan Transportation Operating Fund Work this Estimate:				\$ 1,288.43	\$ 1,288.43

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 VanHavermaat, 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 Angelo Iafrate Construction Co.
 Contractor

WP-15-597

Suburban & Newport Pavement Reconstruction
Estimate No. 5 and Final



Contractor: Angelo Iafrate Construction Co.
Address: 26300 Sherwood Ave
City: Warren, MI 48091

ITEM NO.	PAY ITEM DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	CONTRACT AMOUNT	QUANTITY PAID TO DATE	AMOUNT PAID TO DATE	QUANTITY THIS PAYMENT	AMOUNT THIS PAYMENT
1	MOBILIZATION, BONDS & INSURANCE (NOT TO EXCEED 3% OF CONSTRUCTION COST)	EA	1	\$40,000.00	\$40,000.00	1.0	\$40,000.00	0.00	\$0.00
2	AUDIO VISUAL	EA	1	\$1,500.00	\$1,500.00	1.0	\$1,500.00	0.00	\$0.00
3	TRAFFIC CONTROL DEVICES	LS	1	\$40,000.00	\$40,000.00	1.1	\$42,062.50	0.05	\$2,062.50
4	SOIL EROSION MEASURES	LS	1	\$15,000.00	\$15,000.00	1.00	\$15,000.00	0.00	\$0.00
5	MAINTENANCE GRAVEL	TONS	200	\$40.00	\$8,000.00	1,461.2	\$58,448.00	0.00	\$0.00
6	REMOVE 12" STORM SEWER	LF	148	\$35.00	\$5,180.00	219.4	\$7,679.00	0.00	\$0.00
7	REMOVE EXISTING CONCRETE PAVEMENT WITH ASPHALT OVERLAY	SYD	8,580	\$9.15	\$78,507.00	9,057.6	\$82,877.04	1,705.80	\$15,608.07
8	REMOVE EXISTING CONCRETE APPROACH	SFT	5,425	\$1.25	\$6,781.25	7,677.8	\$9,597.25	1,495.90	\$1,869.88
9	REMOVE EXISTING CONCRETE SIDEWALK AND RAMP	SFT	1,450	\$6.75	\$9,787.50	7,375.6	\$49,785.30	4,725.30	\$31,895.78
10	REMOVE DRAINAGE STRUCTURE	EA	6	\$330.00	\$1,980.00	10.0	\$3,300.00	0.00	\$0.00
11	UNDERCUT-EXCAVATE UNSUITABLE SUBGRADE MATERIAL & BACKFILL WITH 21AA AGGREGATE (CIP)	CYD	100	\$50.00	\$5,000.00	1,023.1	\$51,155.00	0.00	\$0.00
12	INSTALL 4' DIA CATCH BASIN	EA	4	\$2,600.00	\$10,400.00	5.0	\$13,000.00	0.00	\$0.00
13	INSTALL 2' DIA CATCH BASIN	EA	4	\$2,300.00	\$9,200.00	5.0	\$11,500.00	0.00	\$0.00
14	INSTALL ADA COMPLIANT OR STANDARD COVER FOR MANHOLE, CATCH BASIN, INLET OR GATE WELL	EA	15	\$530.00	\$7,950.00	7.0	\$3,710.00	7.00	\$3,710.00
15	INSTALL STANDARD FRAME FOR MANHOLE, CATCH BASIN, INLET OR GATE WELL	EA	15	\$530.00	\$7,950.00	7.0	\$3,710.00	7.00	\$3,710.00
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17	REBUILD 4' DIA STRUCTURE	VF	1.0	\$300.00	\$300.00	3.7	\$1,110.00	3.70	\$1,110.00
18	ADJUST 2' DIA STRUCTURE	EA	6	\$760.00	\$4,560.00	4.0	\$3,040.00	4.00	\$3,040.00
19	ADJUST 4' DIA STRUCTURE	EA	1	\$800.00	\$800.00	12.0	\$9,600.00	12.00	\$9,600.00
20	INSTALL 12" CL IV RCP STORM SEWER	LF	104	\$72.00	\$7,488.00	147.4	\$10,612.80	0.00	\$0.00
21	STATION GRADING SUBURBAN DRIVE	STA	22.4	\$3,000.00	\$67,200.00	22.4	\$67,200.00	22.40	\$67,200.00
22	STATION GRADING NEWPORT DRIVE	STA	2.3	\$4,300.00	\$9,890.00	2.6	\$11,180.00	0.00	\$0.00
23	INSTALL 6" CORRUGATED PLASTIC EDGE DRAIN	LF	4,530	\$16.00	\$72,480.00	4,626.0	\$74,016.00	0.00	\$0.00
24	INSTALL 6" THICK MDOT 21AA CRUSHED LIMESTONE BASE (CIP)	SYD	9,300	\$8.50	\$79,050.00	9,612.8	\$81,708.97	3,713.92	\$31,568.32

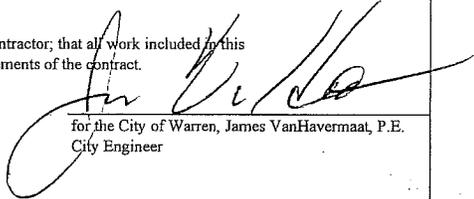
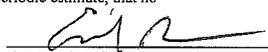


WP-15-597
 Suburban & Newport Pavement Reconstruction
 Estimate No. 5 and Final

Contractor: Angelo Iafrate Construction Co.
 Address: 26300 Sherwood Ave
 City: Warren, MI 48091

ITEM NO.	PAY ITEM DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	CONTRACT AMOUNT	QUANTITY PAID TO DATE	AMOUNT PAID TO DATE	QUANTITY THIS PAYMENT	AMOUNT THIS PAYMENT
25	INSTALL CONCRETE PAVEMENT, 7" THICK, MDOT GRADE P1, NONREINF. WITH INTEGRAL CURB	SYD	7,850	\$40.50	\$317,925.00	8,112.4	\$328,552.20	-1,076.90	-\$43,614.45
26	INSTALL CONCRETE PAVEMENT PATCH, 7" THICK, MDOT GRADE P1	SYD	700	\$49.49	\$34,643.00	998.2	\$49,400.92	978.20	\$48,411.12
27	REMOVE AND REPLACE CONCRETE CURB & GUTTER	LF	400	\$32.00	\$12,800.00	37.2	\$1,190.40	0.00	\$0.00
28	INSTALL CONCRETE APPROACH, 6" THICK, MDOT GRADE P1	SFT	5,835	\$5.75	\$33,551.25	7,748.1	\$44,551.58	-862.10	-\$4,957.08
29	INSTALL CONCRETE SIDEWALK, 4"	SFT	425	\$5.00	\$2,125.00	5,974.0	\$29,870.00	218.30	\$1,091.50
30	INSTALL ADA CONCRETE SIDEWALK RAMP, 7" THICK	SFT	949	\$8.15	\$7,734.35	1,182.9	\$9,640.64	-138.00	-\$1,124.70
31	INSTALL A.D.A. COMPLIANT DETECTABLE WARNING DEVICE	LF	60	\$42.00	\$2,520.00	85.0	\$3,570.00	0.00	\$0.00
32	CONNECT NEW 8" WATER MAIN TO EXISTING 8" WATER MAIN	EA	4	\$4,200.00	\$16,800.00	4.0	\$16,800.00	0.00	\$0.00
33	INSTALL 8" CL 54 DI WATERMAIN W/WRAP	LF	2,413	\$88.00	\$212,344.00	2,409.7	\$212,053.60	0.00	\$0.00
34	INSTALL 8" GATE VALVE AND WELL	EA	6	\$4,100.00	\$24,600.00	6.0	\$24,600.00	0.00	\$0.00
35	INSTALL FIRE HYDRANT WITH VALVE AND BOX	EA	6	\$4,500.00	\$27,000.00	6.0	\$27,000.00	0.00	\$0.00
36	INSTALL 1" WATER SERVICE W/STOP VALVE AND BOX, LONG SIDE	EA	38	\$1,900.00	\$72,200.00	34.0	\$64,600.00	0.00	\$0.00
37	INSTALL 1" WATER SERVICE W/STOP VALVE AND BOX, SHORT SIDE	EA	28	\$1,000.00	\$28,000.00	24.0	\$24,000.00	0.00	\$0.00
38	DOWNTIME DUE TO MIS-MARKED WATER SERVICE	HR	5	\$425.00	\$2,125.00	0.0	\$0.00	0.00	\$0.00
39	REPAIR MIS-MARKED WATER SERVICE UP TO 2" DIA	EA	5	\$770.00	\$3,850.00	0.0	\$0.00	0.00	\$0.00
40	ABANDON EX. WATER MAIN & APPURTUNACES	LS	1	\$20,000.00	\$20,000.00	1.0	\$20,000.00	0.55	\$11,000.00
41	REPLACEMENT TREES, 1 1/2" DIA	EA	50	\$400.00	\$20,000.00	46.0	\$18,400.00	0.00	\$0.00
42	INSTALL CLASS "A" SOD	LS	1	\$65,000.00	\$65,000.00	1.0	\$65,000.00	1.00	\$65,000.00
43	INSTALL SEED AND MULCH	LS	1	\$10,000.00	\$10,000.00	1.0	\$10,000.00	1.00	\$10,000.00
44	MACOMB COUNTY DEPARTMENT OF ROADS PERMIT AND INSPECTION FEE	LS	1	\$1,500.00	\$1,500.00	0.2	\$250.00	-2.00	-\$3,000.00
45	MACOMB COUNTY SOIL EROSION PERMIT AND INSPECTION FEE	LS	1	\$1,500.00	\$1,500.00	0.3	\$500.00	0.00	\$0.00
46	CREW DOWNTIME FOR LOCATING MIS-MARKED/ UNMARKED SERVICES OR FOR OTHER UNFORSEEN FIELD CONDITIONS	HR	10	\$425.00	\$4,250.00	17.3	\$7,331.25	0.00	\$0.00
47	REPAIR MIS-MARKED/UNMARKED WATER SERVICE	EA	5.0	\$770.00	\$3,850.00	2.0	\$1,540.00	0.00	\$0.00



ITEM NO.	PAY ITEM DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	CONTRACT AMOUNT	QUANTITY PAID TO DATE	AMOUNT PAID TO DATE	QUANTITY THIS PAYMENT	AMOUNT THIS PAYMENT
48	ADDITIONAL EXCAVATION DUE TO DECREASING THE WIDTH OF THE MEDIAN ON NEWPORT DRIVE	LS	-	\$900.00	\$0.00	1.0	\$900.00	0.00	\$0.00
49	ADDITIONAL TRAFFIC CONTROL MEASURES REQUIRED ON SUBURBAN TO FACILITATE ONE-WAY DIRECTION	LS	-	\$599.60	\$0.00	1.0	\$599.60	0.00	\$0.00
50	CREDIT FOR USING EXISTING SAND FOR BACKFILL	TON	-	-\$3.00	\$0.00	467.5	-\$1,402.50	0.00	\$0.00
51	EXTRA SOD AREAS	SYD	-	\$7.00	\$0.00	2,407.1	\$16,849.70	2,198.00	\$15,386.00
52	CREDIT FOR SEED & MULCH ON NEWPORT BERM	SYD	-	-\$2.50	\$0.00	120.5	-\$301.25	0.00	\$0.00
53	INSTALL 2" WATER SERVICE W/STOP VALVE & BOX	EA	-	\$1,175.00	\$0.00	1.0	\$1,175.00	0.00	\$0.00
54	CONNECT 4" TO 8" WATER MAIN	EA	-	\$3,895.00	\$0.00	1.0	\$3,895.00	0.00	\$0.00
55	4" GATE VALVE & BOX	EA	-	\$1,825.00	\$0.00	1.0	\$1,825.00	0.00	\$0.00
56	4" WATER MAIN	LF	-	\$84.00	\$0.00	32.0	\$2,688.00	0.00	\$0.00
Total Work Performed as of 11/20/15					\$1,414,191.35		\$1,637,131.99		\$269,830.83
Less Retainage			0.00%						\$ (74,574.19)
Net Amount Earned							\$1,637,131.99		\$344,405.02
Less Previous Payments							\$1,292,726.97		
Total Balance Due this Estimate							\$344,405.02		\$344,405.02
<p>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.</p> <p style="text-align: right;">  for the City of Warren, James VanHavermaat, P.E. City Engineer </p> <p>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.</p> <p style="text-align: right;">  for Angelo Iafate Construction Co. Contractor </p>									



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

DATE: March 9, 2016

TO: Kelly Colegio, City Council Secretary

RE: **CONSIDERATION AND ADOPTION OF A RESOLUTION to approve Contract Modification No. 1 to the City Contract PM-15-601, 2015 Pavement Marking Program, R.S. Contracting, Inc. for Extension of Contract Time from August 3, 2015 to June 30, 2016.**

Attached hereto is a copy of the proposed Contract Modification No. 1 to the City Contract PM-15-601, 2015 Pavement Marking Program (R.S. Contracting, Inc.), requesting extension of contract time from August 31, 2015 to June 30, 2016 for additional pavement markings.

The Engineering Division recommends that the Warren City Council approve the Contract Modification No. 1 to the City Contract PM-15-601, 2015 Pavement Marking Program as presented in the attached documents.

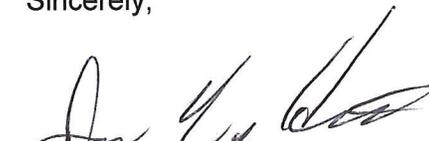
Please place this item on the first available City Council agenda for consideration.

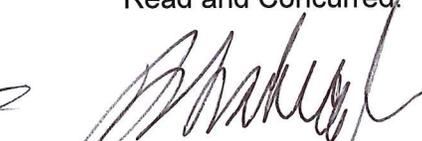
Should you have any questions regarding this matter, I can be reached in my office at (586) 759-9302.

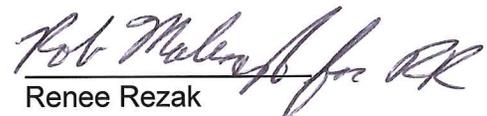
Sincerely,

Read and Concurred:

Read and Concurred:


 James VanHavermaat, P.E.
 City Engineer

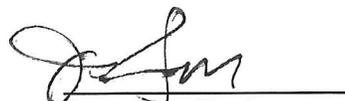

 Richard Sabaugh
 Public Service Director


 Renee Rezak
 Budget Director

Approved as to Form:

Recommended to Council:


 Mary Michaels
 Acting City Attorney


 James R. Fouts
 Mayor

Attach: Contract Modification No. 1, Proposed Resolution



PUBLIC SERVICE DEPARTMENT
 ENGINEERING DIVISION
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 Warren, MI 48093
 (586) 759-9300
 Fax (586) 759-9318
 www.cityowarren.org

CONTRACT MODIFICATION

DATE: 3/7/2016

CONTRACT: PM-15-601, 2015 Pavement Marking Program

MODIFICATION NO.: 1

TO: R.S. Contracting, Inc.
 9276 Marine City Hwy.
 Casco Twp., MI 48064

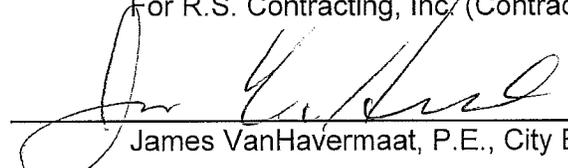
NECESSITY FOR REVISION: Extension of contract time to allow for completion of additional pavement markings.

Contract Time Extension: The Contract completion time is extended from August 3, 2015 to June 30, 2016.

This document shall become an amendment to the Contract, and all provisions of the Contract will apply thereto.

The above shall be effective upon approval of the Mayor and City Council.

Accepted by:  Date: 3/8/16
 For R.S. Contracting, Inc. (Contractor)

Recommended by:  Date: 3/7/16
 James VanHavermaat, P.E., City Engineer

Approved by: Warren City Council Date: _____

Approved by: _____ Date: _____
 James R. Fouts, Mayor

Approved by: _____ Date: _____
 Paul Wojno, City Clerk

**RESOLUTION APPROVING CONTRACT MODIFICATION NO. 1
TO CITY CONTRACT PM-15-601
2015 PAVEMENT MARKING PROGRAM
(R.S. CONTRACTING, INC.)**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 2016, 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 _____.

R.S. Contracting, Inc. and the City of Warren entered into a contract titled PM-15-601, 2015 Pavement Marking Program.

The current contract expired on August 3, 2015. Funds in the approximate amount of \$135,000 remain in the Contract. The City desires to extend the contract time to use the remaining contract funds for additional pavement markings throughout the City.

The City Engineer recommends approval of the attached Contract Modification No. 1 to the City Contract PM-15-601, 2015 Pavement Marking Program as submitted, resulting in an extension of the contract time from August 3, 2015 to June 30, 2016.

THEREFORE, IT IS RESOLVED, that the City of Warren approves Contract Modification No. 1 to the City Contract titled PM-15-601, 2015 Pavement Marking Program extending the contract time from August 3, 2015 to June 30, 2016, 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 to City Contract PM-15-601, 2015 Pavement Marking Program in such form that meets with the approval of the City Attorney.

AYES: Councilpersons _____

NAYES: Councilpersons _____

RESOLUTION DECLARED ADOPTED this _____ day of _____ 2016.

KELLY COLEGIO
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, 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 _____, 2016.

PAUL WOJNO
City Clerk

Resolution, Contract Modification No. 1
PM-15-601, 2015 Pavement Marking Program
R.S. Contracting, Inc.



**PUBLIC SERVICE DEPARTMENT
ENGINEERING DIVISION**

One City Square, Suite 300
Warren, Michigan 48093-2390
(586) 759-9300
Fax (586) 759-9318
www.cityofwarren.org

DATE: February 29, 2016

TO: Kelly Colegio, City Council Secretary

CONSIDERATION AND ADOPTION OF A RESOLUTION to approve Contract Modification No. 2 and Final for City Contract S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement (Ric-Man Construction, Inc.), decreasing the current contract amount by \$699,280.77 resulting in a final contract amount of \$9,999,056.00 and to approve and issue Payment No. 16 and Final in the amount of \$51,392.91 to Ric-Man Construction, Inc.

Attached hereto is a copy of the proposed Contract Modification No. 2 and Final to the City Contract S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement project.

The contract modification is for changes to the contract work after project award due to additional work outside the scope of the original project and for adjustment of final project quantities by balancing the original pay items to as-constructed quantities.

The total change in contract price due to the addition of Pay Item No. 70, Pay Item No. 71 and balancing the original pay items to as-constructed quantities is \$699,280.77 (6.99% decrease) resulting in a final contract amount of \$9,299,775.23.

It is the Engineering Division's recommendation that the Warren City Council approve the Contract Modification No. 2 and Final to the City Contract S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement project as presented in the attached Contract Modification No. 2 and Final.

It is also recommended that Payment No. 16 and Final in the amount of \$51,392.91 be issued to Ric-Man Construction, Inc. after three (3) days of the City Council approval of the attached Contract Modification No. 2 and Final.

Please place this item on the March 8, 2016 or the next available 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 VanHavermaat, 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/TG

Attach: Contract Modification No. 2 and Final, Proposed Resolution and Payment No. 16 and Final



PUBLIC SERVICE DEPARTMENT
ENGINEERING DIVISION
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Warren, Michigan 48093-2390
(586) 759-9300
Fax (586) 759-9318
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CONTRACT MODIFICATION

DATE: February 29, 2016

CONTRACT: S-13-567, 10 & 12 Mile Sanitary Relief Sewer and Water Main Replacement

MODIFICATION NO.: 2 and Final

TO: Ric-Man Construction, Inc.
6850 19 Mile Road
Sterling Heights, MI 48314

NECESSITY FOR REVISION: Modifications to the contract work after project award due to additional work outside the scope of the original project and the adjustment of final project quantities by balancing the original pay items to as-constructed quantities.

The following work item is hereby added as part of the original contract:

Item No. 70	Concrete Pavement Replacement, 11" Thick, Complete (12 Mile Road)	1,535.95 SYD@ $\$60.00/\text{SYD}=\$92,157.00$
Item No. 71	Concrete Pavement Replacement, 9" Thick, Complete (12 Mile Road)	473.60 SYD@ $\$43.00/\text{SYD}=\$20,364.80$

The adjustment in final quantities is as described in the attached table.

The total change in contract price due to the addition of Pay Item No. 70, Pay Item No. 71 and balancing the original pay items to as-constructed quantities is \$699,280.77 (6.99% decrease) resulting in a final contract amount of \$9,299,775.23.

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, including the additional pay items described above shall become an amendment to the Contract, and all provisions of the Contract will apply thereto.

The above shall be effective upon approval of the Mayor and the City Council.

CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
 CITY, STATE, ZIP: Sterling Heights, MI 48314

City of Warren
 10 Mile Road and 12 Mile Road Sanitary Relief Sewer
 and Water Main Replacement Project
 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
1	MOBILIZATION, BONDS, INSURANCE, PERMITS (not to exceed 3% of the amount bid)	LS	1.00	\$88,000	\$88,000.00	1.00	\$88,000.00	0.00	\$0.00
2	ON-SITE PORTABLE SANITARY FACILITIES	LS	1.00	\$2,000	\$2,000.00	1.00	\$2,000.00	0.00	\$0.00
3	PRECONSTRUCTION AUDIO-VIDEO	LS	1.00	\$2,150	\$2,150.00	1.00	\$2,150.00	0.00	\$0.00
4	TRAFFIC CONTROL COMPLETE INCLUDING INTERMITTENT LANE CLOSURES, FLAGGING, TEMPORARY STRIPING AND MARKINGS, TEMPORARY PAVING, DRIVEWAYS, RAMPS, AND APPROACHES, AND SIGNAGE AS NEEDED	LS	1.00	\$34,200	\$34,200.00	1.00	\$34,200.00	0.00	\$0.00
5	RESTORATION WITH SEED, MULCH, AND 3" OF TOPSOIL COMPLETE	LS	1.00	\$57,000	\$57,000.00	1.00	\$57,000.00	0.00	\$0.00
6	FLOW CONTROL AND BYPASS PUMPING OF EXISTING SANITARY AND STORM SEWER FLOWS COMPLETE AS NEEDED	LS	1.00	\$8,200	\$8,200.00	1.00	\$8,200.00	0.00	\$0.00
7	SOIL EROSION AND SEDIMENTATION CONTROL MEASURES AND MAINTENANCE, COMPLETE INCLUDING PERMIT COSTS	LS	1.00	\$38,700	\$38,700.00	1.00	\$38,700.00	0.00	\$0.00
10 Mile Road Sanitary Relief Sewer and Water Main Replacement:									
8	36" RCP OR FRP RELIEF SEWER PIPE BY OPEN CUT MEASURED BY ACTUAL LENGTH OF PIPE-INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, AND COMPACTED CLASS II SAND-BACKFILL AND BEDDING	LF	3101.00	\$505	\$1,566,005.00	0.00	\$0.00	0.00	\$0.00

CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
 CITY, STATE, ZIP: Sterling Heights, MI 48314

City of Warren
 10 Mile Road and 12 Mile Road Sanitary Relief Sewer
 and Water Main Replacement Project
 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
9	36" RCP OR FRP RELIEF SEWER JACK & BORE W/ STEEL CASING IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, MATERIAL HANDLING AND DISPOSAL AND GROUNDWATER CONTROL	LF	280.00	\$1,324	\$370,720.00	0.00	\$0.00	0.00	\$0.00
10	18" RCP RELIEF SEWER (CROSS-CONNECTION AT WAGNER AVE., OPEN-CUT) MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, UNCLASSIFIED EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, BEDDING, FILTER FABRIC, AND BACKFILLING	LF	40.00	\$411	\$16,440.00	40.00	\$16,440.00	0.00	\$0.00
11	5-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	7.00	\$12,725	\$89,075.00	5.00	\$63,625.00	-2.00	-\$25,450.00
12	4-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	1.00	\$8,400	\$8,400.00	1.00	\$8,400.00	0.00	\$0.00

CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
 CITY, STATE, ZIP: Sterling Heights, MI 48314

City of Warren
 10 Mile Road and 12 Mile Road Sanitary Relief Sewer
 and Water Main Replacement Project
 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
13	SPECIAL MANHOLE NO. 6 AT EAST TRUNK SEWER - CIP W/ 48" DIAM. MH RISER INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	1.00	\$75,450	\$75,450.00	1.00	\$75,450.00	0.00	\$0.00
14	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II SAND BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT.	LF	3519.00	\$99	\$348,381.00	3289.50	\$325,660.50	-229.50	-\$22,720.50
15	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, JACK AND BORE W/ STEEL CASING, COMPLETE	LF	100.00	\$390	\$39,000.00	137.50	\$53,625.00	37.50	\$14,625.00
16	INSTALL 8" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II SAND BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS, INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT	LF	662.00	\$81	\$53,622.00	633.00	\$51,273.00	-29.00	-\$2,349.00

CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
 CITY, STATE, ZIP: Sterling Heights, MI 48314

City of Warren
 10 Mile Road and 12 Mile Road Sanitary Relief Sewer
 and Water Main Replacement Project
 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
17	INSTALL 12" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	10.00	\$4,704	\$47,040.00	8.00	\$37,632.00	-2.00	-\$9,408.00
18	INSTALL 8" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	9.00	\$3,612	\$32,508.00	13.00	\$46,956.00	4.00	\$14,448.00
19	INSTALL E.J.I.W. 5BR 250 BREAKABLE FLANGE FIRE HYDRANT, INCL. VALVES, BOXES AND TEES, AND ANY 6" W.M. OR EXTENSIONS FOR VERTICAL OR HORIZONTAL POSITIONING OF THE HYDRANT, COMPLETE	EA	9.00	\$5,235	\$47,115.00	8.00	\$41,880.00	-1.00	-\$5,235.00
20	12 INCH TO 12 INCH WATER MAIN CONNECTION, COMPLETE	EA	4.00	\$1,900	\$7,600.00	3.00	\$5,700.00	-1.00	-\$1,900.00
21	8 INCH TO 8 INCH WATER MAIN CONNECTION, COMPLETE	EA	9.00	\$1,780	\$16,020.00	10.00	\$17,800.00	1.00	\$1,780.00
22	RECONNECT EXISTING WATER SERVICE, 5/8" DIA. TO 2" DIA. (LONG AND SHORT LEADS) INCLUDING TAP AND STOP BOX COMPLETE	EA	18.00	\$1,030	\$18,540.00	14.00	\$14,420.00	-4.00	-\$4,120.00
23	INSTALL NEW 1" DIA. DOMESTIC SERVICE, INCLUDING TAP AND STOP BOX, COMPLETE	EA	3.00	\$1,500	\$4,500.00	1.00	\$1,500.00	-2.00	-\$3,000.00
24	REMOVAL OR INPLACE ABANDONMENT (GROUT AND CAP) OF EXISTING UTILITIES INCLUDING SANITARY AND STORM SEWER, WATER MAIN GATE VALVES AND VALVE WELLS, HYDRANT AND ASSEMBLIES, STOP BOXES, AND ALL OTHER APPURTENANCES COMPLETE	LS	1.00	\$42,950	\$42,950.00	1.00	\$42,950.00	0.00	\$0.00
25	9" CONCRETE PAVEMENT REPLACEMENT COMPLETE INCLUDING DOWELING, TRAFFIC STRIPING AND SIGNAGE RESTORATION	SY	13391.00	\$43	\$575,813.00	0.00	\$0.00	0.00	\$0.00
26	6" CONCRETE PAVEMENT REPLACEMENT COMPLETE INCLUDING DOWELING, TRAFFIC STRIPING AND SIGNAGE RESTORATION	SY	92.00	\$56	\$5,152.00	0.00	\$0.00	-92.00	-\$5,152.00
27	CONCRETE CURB & GUTTER REPLACEMENT COMPLETE	LF	1689.00	\$33	\$55,737.00	1427.60	\$47,110.80	-261.40	-\$8,626.20

CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
 CITY, STATE, ZIP: Sterling Heights, MI 48314

City of Warren
 10 Mile Road and 12 Mile Road Sanitary Relief Sewer
 and Water Main Replacement Project
 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
28	8" CONCRETE COMMERCIAL APPROACH REPLACEMENT COMPLETE	SY	838.00	\$60	\$50,280.00	579.80	\$34,788.00	-258.20	-\$15,492.00
29	6" CONCRETE HANDICAP RAMP REPLACEMENT COMPLETE	SF	945.00	\$7	\$6,615.00	857.45	\$6,002.15	-87.55	-\$612.85
30	4" CONCRETE SIDEWALK REPLACEMENT COMPLETE	SF	11094.00	\$5	\$49,923.00	582.00	\$2,619.00	-10512.00	-\$47,304.00
31	INSTALL ADA COMPLIANT DETECTABLE WARNING DEVICE AT HANDICAP RAMP, "ARMOR TILE", OR APPROVED EQUAL (BRICK RED)	EA	15.00	\$275	\$4,125.00	5.00	\$1,375.00	-10.00	-\$2,750.00
12 Mile Road Sanitary Relief Sewer and Water Main Replacement									
32	STORM SEWER RELOCATION INCLUDING APPROX. 120 LF OF 12" RCP, CURB REMOVAL AND REPLACEMENT, 9" CONCRETE PAVEMENT REMOVAL AND REPLACEMENT, BACKFILL AND BEDDING, STANDARD CURB INLET, TAP INTO EXISTING MANHOLES IN PLACE COMPLETE	LS	1.00	\$19,800	\$19,800.00	0.00	\$0.00	-1.00	-\$19,800.00
33	48" RCP OR FRP RELIEF SEWER PIPE BY MICROTUNNEL MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION AND RESTORATION, CONSTRUCTION OF JACKING AND RECEIVING SHAFTS, EXCAVATION AND SUPPORT MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED-CLASS II SAND BACKFILL AND BEDDING	LF	4125.00	\$760	\$3,135,000.00	0.00	\$0.00	0.00	\$0.00
34	SIPHON @ SCHOENHERR DRAIN W/ STEEL CASING IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPES, PLASTIC LINER, LEAKAGE TESTING, MATERIAL HANDLING AND DISPOSAL AND GROUNDWATER CONTROL	LS	1.00	\$774,000	\$774,000.00	1.00	\$774,000.00	0.00	\$0.00

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 S-13-567

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FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
35	SIPHON - INLET & OUTLET STRUCTURES IN PLACE COMPLETE INCLUDING CASTINGS, HDPE RINGS, STRUCTURE WRAP, SIPHON HOOKUPS, PAVEMENT DEMOLITION, SHAFT EXCAVATION AND SUPPORT, MATERIAL HANDLING AND DISPOSAL, GROUNDWATER CONTROL, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, BASE, BACKFILL, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	2.00	\$80,200	\$160,400.00	2.00	\$160,400.00	0.00	\$0.00
36	18" RCP SEWER (CROSS-CONNECTIONS, OPEN-CUT) MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	140.00	\$647	\$90,580.00	194.00	\$125,518.00	54.00	\$34,938.00
37	18" RCP SEWER (LATERALS FOR FUTURE CONNECTIONS, OPEN-CUT) MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	160.00	\$565	\$90,400.00	160.00	\$90,400.00	0.00	\$0.00

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 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
38	12" RCP SEWER MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, TAPPING INTO EXISTING MANHOLE, BULKHEADING OF EXISTING 12" SEWER, MODIFICATIONS TO EXISTING MANHOLE CHANNEL, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	20.00	\$313	\$6,260.00	20.00	\$6,260.00	0.00	\$0.00
39	6-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	1.00	\$13,100	\$13,100.00	1.00	\$13,100.00	0.00	\$0.00
40	5-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	5.00	\$29,000	\$145,000.00	5.00	\$145,000.00	0.00	\$0.00

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 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
41	4-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	5.00	\$9,400	\$47,000.00	5.00	\$47,000.00	0.00	\$0.00
42	SPECIAL MANHOLE NO. 1 AT EAST TRUNK SEWER - CIP W/ 48" DIAM. MH RISER INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE	EA	1.00	\$65,000	\$65,000.00	1.00	\$65,000.00	0.00	\$0.00
43	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT.	LF	4332.00	\$88	\$381,216.00	4377.00	\$385,176.00	45.00	\$3,960.00
44	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, JACK AND BORE W/ STEEL CASING COMPLETE	LF	135.00	\$320	\$43,200.00	90.00	\$28,800.00	-45.00	-\$14,400.00

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 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
45	INSTALL 8" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT.	LF	705.00	\$81	\$57,105.00	533.00	\$43,173.00	-172.00	-\$13,932.00
46	INSTALL 12" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	10.00	\$4,700	\$47,000.00	11.00	\$51,700.00	1.00	\$4,700.00
47	INSTALL 8" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	10.00	\$3,610	\$36,100.00	9.00	\$32,490.00	-1.00	-\$3,610.00
48	INSTALL E.J.I.W. 5BR 250 BREAKABLE FLANGE FIRE HYDRANT, INCL. VALVES, BOXES AND TEES, AND ANY 6" W.M. OR EXTENSIONS FOR VERTICAL OR HORIZONTAL POSITIONING OF THE HYDRANT, COMPLETE	EA	7.00	\$5,235	\$36,645.00	7.00	\$36,645.00	0.00	\$0.00
49	12 INCH TO 12 INCH WATER MAIN CONNECTION, COMPLETE	EA	3.00	\$1,910	\$5,730.00	3.00	\$5,730.00	0.00	\$0.00
50	8 INCH TO 8 INCH WATER MAIN CONNECTION, COMPLETE	EA	11.00	\$1,780	\$19,580.00	11.00	\$19,580.00	0.00	\$0.00
51	RECONNECT EXISTING WATER SERVICE, 5/8" DIA. TO 2" DIA. (LONG AND SHORT LEADS) INCLUDING TAP AND STOP BOX COMPLETE	EA	48.00	\$1,200	\$57,600.00	48.00	\$57,600.00	0.00	\$0.00
52	INSTALL NEW 1" DIA. DOMESTIC SERVICE, INCLUDING TAP AND STOP BOX, COMPLETE	EA	3.00	\$1,500	\$4,500.00	0.00	\$0.00	-3.00	-\$4,500.00

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FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
53	REMOVAL OR INPLACE ABANDONMENT (GROUT AND CAP) OF EXISTING UTILITIES INCLUDING SANITARY AND STORM SEWER, WATER MAIN GATE VALVES AND VALVE WELLS, HYDRANT AND ASSEMBLIES, STOP BOXES, AND ALL OTHER APPURTENANCES COMPLETE	LS	1.00	\$66,000	\$66,000.00	1.00	\$66,000.00	0.00	\$0.00
54	2" ASPHALT (HMA, 4C) CAP REMOVE AND REPLACEMENT COMPLETE WITH TRAFFIC STRIPING AND SIGNAGE RESTORATION	TN	2965.00	\$111	\$329,115.00	0.00	\$0.00	-2965.00	-\$329,115.00
55	6" CONCRETE PAVEMENT REPLACEMENT COMPLETE WITH DOWELING, TRAFFIC STRIPING, AND SIGNAGE RESTORATION	SY	282.00	\$56	\$15,792.00	473.80	\$26,532.80	191.80	\$10,740.80
56	CONCRETE CURB & GUTTER REPLACEMENT COMPLETE	LF	1708.00	\$33	\$56,364.00	1401.77	\$46,258.41	-306.23	-\$10,105.59
57	8" CONCRETE COMMERCIAL APPROACH REPLACEMENT COMPLETE	SY	1271.00	\$60	\$76,260.00	1109.90	\$66,594.00	-161.10	-\$9,666.00
58	6" CONCRETE RESIDENTIAL APPROACH REPLACEMENT COMPLETE	SY	457.00	\$52	\$23,764.00	439.50	\$22,854.00	-17.50	-\$910.00
59	6" CONCRETE HANDICAP RAMP REPLACEMENT COMPLETE	SF	598.00	\$8	\$4,485.00	761.60	\$5,712.00	163.60	\$1,227.00
60	4" CONCRETE SIDEWALK REPLACEMENT COMPLETE	SF	4072.00	\$5	\$18,324.00	3522.70	\$15,852.15	-549.30	-\$2,471.85
61	INSTALL ADA COMPLIANT DETECTABLE WARNING DEVICE AT HANDICAP RAMP, "ARMOR TILE", OR APPROVED EQUAL (BRICK RED)	EA	9.00	\$275	\$2,475.00	10.00	\$2,750.00	1.00	\$275.00
Allowances/Contingencies									
62	REPAIR MIS-MARKED WATER SERVICE UP TO 2" DIAMETER (CONTINGENCY ITEM)	EA	18.00	\$1,000	\$18,000.00	1.00	\$1,000.00	-17.00	-\$17,000.00
63	HANDLING OF PETROLEUM CONTAMINATED SOIL (CONTINGENCY ITEM)	CY	1000.00	\$42	\$42,000.00	240.00	\$10,080.00	-760.00	-\$31,920.00

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 S-13-567

DATE: 2/24/2016

FINAL ADJUSTMENT OF QUANTITIES

Item No.	Description	Unit	Current Contract Quantity	Contract Unit Price	Current Contract Amount	Final Contract Quantity	Final Contract Amount	Change Contract Quantity	Change Contract Amount
64	RECOVERY SHAFT, IF MICROTUNNELING (CONTINGENCY ITEM)	EA	1.00	\$50,000	\$50,000.00	0.00	\$0.00	-1.00	-\$50,000.00
65	ALLOWANCE FOR UNFORESEEN FIELD CONDITIONS (CONTINGENCY ITEM)	LS	1.00	\$347,809	\$347,809.25	0.51	\$178,081.76	-0.49	-\$169,727.49
66	CASH ALLOWANCE FOR MCDR PERMITS & INSPECTION (CONTINGENCY ITEM)	LS	1.00	\$150,000	\$150,000.00	0.55	\$82,781.10	-0.45	-\$67,218.90
Modified Items									
67	48" RCP WITH XYPEX, COMPLETE (12 MILE ROAD)	LF	3625.00	\$719.53	\$2,608,278.40	3625.00	\$2,608,278.40	0.00	\$0.00
68	21" RCP WITH XYPEX, INCLUDING PAVEMENT RESTORATION COMPLETE (12 MILE ROAD)	LF	500.00	\$720	\$359,762.54	500.00	\$359,762.54	0.00	\$0.00
69	48" RCP WITH XYPEX, COMPLETE (10 MILE ROAD)	LF	3381.00	\$734	\$2,481,687.81	3381.00	\$2,481,687.81	0.00	\$0.00
70	12 MILE 11" PAVEMENT REPLACEMENT COMPLETE	SY	0.00	\$60	\$0.00	1535.95	\$92,157.00	1535.95	\$92,157.00
71	12 MILE 9" PAVEMENT REPLACEMENT COMPLETE	SY	0.00	\$43.00	\$0.00	473.60	\$20,364.80	473.60	\$20,364.80
Total Contract Price including Contingencies					\$9,999,056.00	93.01%	\$9,299,775.23		-\$699,280.77

Total Amount of Contract

Contract Modification and Final (Decreasing

Original Contract Amount)

Final Contract Amount

Percent Change from the Original Contract Amount

\$9,999,056.00

-\$699,280.77

\$9,299,775.23

-6.99%

**RESOLUTION TO APPROVE CONTRACT MODIFICATION No. 2 AND FINAL
FOR
CITY PROJECT S-13-567
10 MILE ROAD AND 12 MILE ROAD SANITARY RELIEF SEWER AND
WATER MAIN REPLACEMENT**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 2016, at ____ 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 _____.

Ric-Man Construction, Inc. and the City of Warren entered into a contract titled S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement project.

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, Ric-Man Construction, Inc. and the City Engineer have determined mutually acceptable prices for the additional work and for the modifications to the original contract work.

The City Engineer recommends approval of the attached Contract Modification No. 2 and Final as submitted, adding Pay Item No. 70, Pay Item No. 71 and balancing the original pay items to as-constructed quantities resulting in a \$699,280.77 decrease resulting in a final contract amount of \$9,299,775.23.

The City Engineer also recommends that Payment No. 16 and Final to Ric-Man Construction, Inc. in the amount of \$51,392.91 be issued three (3) days after the approval of Contract Modification No. 2 and Final.

THEREFORE, IT IS RESOLVED, that the City of Warren approves modifications to the Contract titled S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement for changes to the original contract work after project award adding Pay Item No. 70, Pay Item No. 71 and balancing the original pay items to as-constructed quantities decreasing the current contract amount by \$699,280.77, resulting in a final contract amount of \$9,299,775.23 as presented in the attached Contract Modification No. 2 and Final.

IT IS FURTHER RESOLVED, that the Mayor and Clerk of the City of Warren are authorized to execute Contract Modification No. 2 and Final to City Contract S-13-567, 10 Mile Road and 12 Mile Road Sanitary Relief Sewer and Water Main Replacement in such form that meets with the approval of the City Attorney.

IT IS FURTHER RESOLVED, that Payment No. 16 and Final to Ric-Man Construction, Inc. in the amount of \$51,392.91 be issued three (3) days after the approval of Contract Modification No. 2 and Final including releasing any interest on retainage.

AYES: Councilpersons: _____

NAYS: Councilpersons: _____

RESOLUTION DECLARED ADOPTED this _____ day of _____, 2016.

KELLY COLEGIO
Secretary of the Council
Mayor Pro Tem



PAYMENT REQUEST

Date : February 29, 2016

To : Amy Moore, Budget Analyst, Water Division

NOTE: CITY COUNCIL APPROVAL REQUIRED

From : Engineering Division

Re : Payment No.	<u>16 & Final</u>	Payee : <u>Ric-Man Construction, Inc.</u>
Project No.	<u>S-13-567</u>	<u>6850 19 Mile Road</u>
Location	<u>10 & 12 Mile Roads</u>	<u>Sterling Heights, MI 48314</u>
Improvement:	<u>Sanitary Relief Sewer & Water Main Replacement</u>	

Original Contract Amount (City Council Approval 10/22/2013)	\$9,999,056.00
Contract Modification No. 1 (City Council Approval 5/13/2014)	\$ -
Proposed Contract Modification No. 2 and Final	\$ (699,280.77)
Proposed Final Contract Amount	\$ 9,299,775.23

Total Work performed as of: 6/30/15	\$9,299,775.23
Less Retainage 0.00%	
Net Amount Earned	\$9,299,775.23
Amount of Previous Payment Requests	\$9,248,382.32

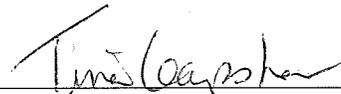
Amount Due This Estimate \$ 51,392.91

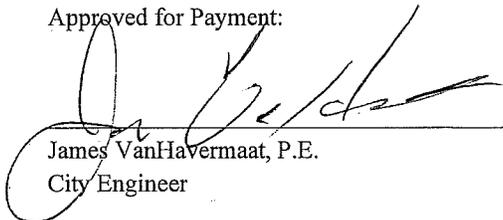
Retainage Previously Withheld	\$ 100,000.00
Retainage Change this Pay Estimate	\$ (100,000.00)

Engineering & Administration Revenue @ 3%	\$ 1,541.79
Inspection Revenue - hrs @ \$65.0/hr and - hrs @ \$90.0/hr	\$ -
Total Revenue Generated	\$ 1,541.79

Chargeable to :	Special Revenue Fund	592044-21102	\$ 51,392.91
	2013 Water & Sewer Capital Improvement Bond		

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:

 Tina G. Gapshe, P.E.
 Civil Engineer II

Approved for Payment:

 James VanHavermaat, P.E.
 City Engineer

cc: Payee

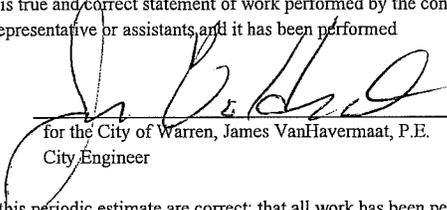
10 Mile & 12 Mile Sanitary Relief Sewer
 and Water Main Replacement
 City Project No. S-13-567
 Pay Estimate No. 16 & Final



Contractor: Ric-Man Construction, Inc.
 Address: 6850 19 Mile Road
 City: Sterling Heights, MI 48314

DESCRIPTION		AMENDED CONTRACT AMOUNT	AMOUNT PAID TO DATE	AMOUNT THIS PAYMENT
Total Work Performed as of:	6/30/15	\$ 9,299,775.23	\$ 9,299,775.23	\$ (48,607.09)
Less Retainage	0.00%		\$ -	\$ 100,000.00
Net Amount Earned			\$ 9,299,775.23	\$ 51,392.91
Less Previous Payments			\$ 9,248,382.32	
Total 2013 W & S Capital Improvement Bond this Estimate			\$ 51,392.91	\$ 51,392.91

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 VanHavermaat, 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 Ric-Man Construction, Inc.
 Contractor

City of Warren
 10 Mile Road and 12 Mile Road Sanitary Relief Sewer
 and Water Main Replacement Project
 S-13-567

CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
 CITY, STATE, ZIP: Sterling Heights, MI 48314

Pay Estimate No. 16

Pay Period: Ending August 28, 2015

Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
1	MOBILIZATION, BONDS, INSURANCE, PERMITS (not to exceed 3% of the amount bid)	LS	1.00	\$88,000	\$88,000.00	1.00	\$88,000.00	0.00	\$0.00
2	ON-SITE PORTABLE SANITARY FACILITIES	LS	1.00	\$2,000	\$2,000.00	1.00	\$2,000.00	0.00	\$0.00
3	PRECONSTRUCTION AUDIO-VIDEO	LS	1.00	\$2,150	\$2,150.00	1.00	\$2,150.00	0.00	\$0.00
4	TRAFFIC CONTROL COMPLETE INCLUDING INTERMITTENT LANE CLOSURES, FLAGGING, TEMPORARY STRIPING AND MARKINGS, TEMPORARY PAVING, DRIVEWAYS, RAMPS, AND APPROACHES, AND SIGNAGE AS NEEDED	LS	1.00	\$34,200	\$34,200.00	1.00	\$34,200.00	0.00	\$0.00
5	RESTORATION WITH SEED, MULCH, AND 3" OF TOPSOIL COMPLETE	LS	1.00	\$57,000	\$57,000.00	1.00	\$57,000.00	0.00	\$0.00
6	FLOW CONTROL AND BYPASS PUMPING OF EXISTING SANITARY AND STORM SEWER FLOWS COMPLETE AS NEEDED	LS	1.00	\$8,200	\$8,200.00	1.00	\$8,200.00	0.00	\$0.00
7	SOIL EROSION AND SEDIMENTATION CONTROL MEASURES AND MAINTENANCE, COMPLETE INCLUDING PERMIT COSTS	LS	1.00	\$38,700	\$38,700.00	1.00	\$38,700.00	0.00	\$0.00
10 Mile Road Sanitary Relief Sewer and Water Main Replacement:									
8	36" RCP OR FRP RELIEF SEWER PIPE BY OPEN CUT MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, AND COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	3101.00	\$505	\$1,566,005.00	0.00	\$0.00	0.00	\$0.00
9	36" RCP OR FRP RELIEF SEWER JACK & BORE W/ STEEL CASING IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, MATERIAL HANDLING AND DISPOSAL AND GROUNDWATER CONTROL	LF	280.00	\$1,924	\$370,720.00	0.00	\$0.00	0.00	\$0.00

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CONTRACTOR: Ric-Man Construction, Inc.
 ADDRESS: 6850 19 Mile Road
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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
10	18" RCP RELIEF SEWER (CROSS-CONNECTION AT WAGNER AVE., OPEN-CUT) MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, UNCLASSIFIED EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, BEDDING, FILTER FABRIC, AND BACKFILLING	LF	40.00	\$411	\$16,440.00	40.00	\$16,440.00	0.00	\$0.00
11	5-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	7.00	\$12,725	\$89,075.00	5.00	\$63,625.00	0.00	\$0.00
12	4-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	1.00	\$8,400	\$8,400.00	1.00	\$8,400.00	0.00	\$0.00
13	SPECIAL MANHOLE NO. 6 AT EAST TRUNK SEWER - CIP W/ 48" DIAM. MH RISER INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	1.00	\$75,450	\$75,450.00	1.00	\$75,450.00	0.00	\$0.00

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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
14	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II SAND BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT.	LF	3519.00	\$99	\$348,381.00	3289.50	\$325,660.50	0.00	\$0.00
15	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, JACK AND BORE W/ STEEL CASING, COMPLETE	LF	100.00	\$390	\$39,000.00	137.50	\$53,625.00	0.00	\$0.00
16	INSTALL 8" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II SAND BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS, INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT	LF	662.00	\$81	\$53,622.00	633.00	\$51,273.00	0.00	\$0.00
17	INSTALL 12" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	10.00	\$4,704	\$47,040.00	8.00	\$37,632.00	0.00	\$0.00
18	INSTALL 8" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	9.00	\$3,612	\$32,508.00	13.00	\$46,956.00	0.00	\$0.00
19	INSTALL E.J.I.W. 5BR 250 BREAKABLE FLANGE FIRE HYDRANT, INCL. VALVES, BOXES AND TEES, AND ANY 6" W.M. OR EXTENSIONS FOR VERTICAL OR HORIZONTAL POSITIONING OF THE HYDRANT, COMPLETE	EA	9.00	\$5,235	\$47,115.00	8.00	\$41,880.00	0.00	\$0.00
20	12 INCH TO 12 INCH WATER MAIN CONNECTION, COMPLETE	EA	4.00	\$1,900	\$7,600.00	3.00	\$5,700.00	0.00	\$0.00
21	8 INCH TO 8 INCH WATER MAIN CONNECTION, COMPLETE	EA	9.00	\$1,780	\$16,020.00	10.00	\$17,800.00	0.00	\$0.00

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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
22	RECONNECT EXISTING WATER SERVICE, 5/8" DIA. TO 2" DIA. (LONG AND SHORT LEADS) INCLUDING TAP AND STOP BOX COMPLETE	EA	18.00	\$1,030	\$18,540.00	14.00	\$14,420.00	0.00	\$0.00
23	INSTALL NEW 1" DIA. DOMESTIC SERVICE, INCLUDING TAP AND STOP BOX, COMPLETE	EA	3.00	\$1,500	\$4,500.00	1.00	\$1,500.00	0.00	\$0.00
24	REMOVAL OR INPLACE ABANDONMENT (GROUT AND CAP) OF EXISTING UTILITIES INCLUDING SANITARY AND STORM SEWER, WATER MAIN GATE VALVES AND VALVE WELLS, HYDRANT AND ASSEMBLIES, STOP BOXES, AND ALL OTHER APPURTENANCES COMPLETE	LS	1.00	\$42,950	\$42,950.00	1.00	\$42,950.00	0.00	\$0.00
25	9" CONCRETE PAVEMENT REPLACEMENT - COMPLETE INCLUDING DOWELING, TRAFFIC STRIPING AND SIGNAGE RESTORATION	SY	13391.00	\$43	\$575,813.00	0.00	\$0.00	0.00	\$0.00
26	6" CONCRETE PAVEMENT REPLACEMENT COMPLETE INCLUDING DOWELING, TRAFFIC STRIPING AND SIGNAGE RESTORATION	SY	92.00	\$56	\$5,152.00	0.00	\$0.00	0.00	\$0.00
27	CONCRETE CURB & GUTTER REPLACEMENT COMPLETE	LF	1689.00	\$33	\$55,737.00	1427.60	\$47,110.80	0.00	\$0.00
28	8" CONCRETE COMMERCIAL APPROACH REPLACEMENT COMPLETE	SY	838.00	\$60	\$50,280.00	579.80	\$34,788.00	0.00	\$0.00
29	6" CONCRETE HANDICAP RAMP REPLACEMENT COMPLETE	SF	945.00	\$7	\$6,615.00	857.45	\$6,002.15	0.00	\$0.00
30	4" CONCRETE SIDEWALK REPLACEMENT COMPLETE	SF	11094.00	\$5	\$49,923.00	582.00	\$2,619.00	0.00	\$0.00
31	INSTALL ADA COMPLIANT DETECTABLE WARNING DEVICE AT HANDICAP RAMP, "ARMOR TILE", OR APPROVED EQUAL (BRICK RED)	EA	15.00	\$275	\$4,125.00	5.00	\$1,375.00	0.00	\$0.00
12 Mile Road Sanitary Relief Sewer and Water Main Replacement									
32	STORM SEWER RELOCATION INCLUDING APPROX. 120 LF OF 12" RCP, CURB REMOVAL AND REPLACEMENT, 9" CONCRETE PAVEMENT REMOVAL AND REPLACEMENT, BACKFILL AND BEDDING, STANDARD CURB INLET, TAP INTO EXISTING MANHOLES IN PLACE COMPLETE	LS	1.00	\$19,800	\$19,800.00	0.00	\$0.00	0.00	\$0.00

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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
33	48" RCP OR FRP RELIEF SEWER PIPE BY MICROFUNNEL MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION AND RESTORATION, CONSTRUCTION OF JACKING AND RECEIVING SHAFTS, EXCAVATION AND SUPPORT MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	4105.00	\$760	\$3,135,000.00	0.00	\$0.00	0.00	\$0.00
34	SIPHON @ SCHOENHERR DRAIN W/ STEEL CASING IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPES, PLASTIC LINER, LEAKAGE TESTING, MATERIAL HANDLING AND DISPOSAL AND GROUNDWATER CONTROL	LS	1.00	\$774,000	\$774,000.00	1.00	\$774,000.00	0.00	\$0.00
35	SIPHON - INLET & OUTLET STRUCTURES IN PLACE COMPLETE INCLUDING CASTINGS, HDPE RINGS, STRUCTURE WRAP, SIPHON HOOKUPS, PAVEMENT DEMOLITION, SHAFT EXCAVATION AND SUPPORT, MATERIAL HANDLING AND DISPOSAL, GROUNDWATER CONTROL, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, BASE, BACKFILL, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	2.00	\$80,200	\$160,400.00	2.00	\$160,400.00	0.00	\$0.00
36	18" RCP SEWER (CROSS-CONNECTIONS, OPEN-CUT) MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	140.00	\$647	\$90,580.00	194.00	\$125,518.00	0.00	\$0.00

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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
37	18" RCP SEWER (LATERALS FOR FUTURE CONNECTIONS, OPEN-CUT) MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, PLASTIC LINER, LEAKAGE TESTING, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	160.00	\$565	\$90,400.00	160.00	\$90,400.00	0.00	\$0.00
38	12" RCP SEWER MEASURED BY ACTUAL LENGTH OF PIPE INSTALLED IN PLACE COMPLETE, INCLUDING MATERIAL COST OF PIPE, TAPPING INTO EXISTING MANHOLE, BULKHEADING OF EXISTING 12" SEWER, MODIFICATIONS TO EXISTING MANHOLE CHANNEL, PAVEMENT DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, EXCAVATION SUPPORT, GROUNDWATER CONTROL, FILTER FABRIC, COMPACTED CLASS II SAND BACKFILL AND BEDDING	LF	20.00	\$313	\$6,260.00	20.00	\$6,260.00	0.00	\$0.00
39	6-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	1.00	\$13,100	\$13,100.00	1.00	\$13,100.00	0.00	\$0.00
40	5-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	5.00	\$29,000	\$145,000.00	5.00	\$145,000.00	0.00	\$0.00

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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
41	4-FOOT DIAMETER MANHOLE INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE.	EA	5.00	\$9,400	\$47,000.00	5.00	\$47,000.00	0.00	\$0.00
42	SPECIAL MANHOLE NO. 1 AT EAST TRUNK SEWER - CIP W/ 48" DIAM. MH RISER INCLUDING CASTING, HDPE RINGS, STRUCTURE WRAP, MAIN AND BRANCH SEWER HOOKUPS, LEAKAGE TESTING, RUNGS, FRAME AND COVER, CHANNELIZED INVERT, ROCK BASE, BACKFILL, TEMPORARY PLUGS, AND INCIDENTALS ASSOCIATED WITH A COMPLETE AND OPERABLE MANHOLE	EA	1.00	\$65,000	\$65,000.00	1.00	\$65,000.00	0.00	\$0.00
43	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT.	LF	4332.00	\$88	\$381,216.00	4377.00	\$385,176.00	0.00	\$0.00
44	INSTALL 12" DIA. CL 54 DUCTILE IRON WATER MAIN, JACK AND BORE W/ STEEL CASING COMPLETE.	LF	135.00	\$320	\$43,200.00	90.00	\$28,800.00	0.00	\$0.00

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Item No.	Description	Unit	Contract Quantity	Contract Unit Price	Original Contract Amount	Quantity Previous	Amount Previous	Quantity This Period	Amount This Period
45	INSTALL 8" DIA. CL 54 DUCTILE IRON WATER MAIN, COMPLETE WITH COMPACTED CLASS II BEDDING AND BACKFILL, POLYETHYLENE ENCASEMENT, ALL FITTINGS AND THRUST BLOCKS INCLUDING MATERIAL COST OF PIPE, TESTING, DISINFECTION, PAVEMENT/ CONCRETE/ SIDEWALK/ CURB & GUTTER DEMOLITION, EXCAVATION, MATERIAL HANDLING AND DISPOSAL, PROTECTION OF UTILITIES, AND EXCAVATION SUPPORT.	LF	705.00	\$81	\$57,105.00	533.00	\$43,173.00	0.00	\$0.00
46	INSTALL 12" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	10.00	\$4,700	\$47,000.00	11.00	\$51,700.00	0.00	\$0.00
47	INSTALL 8" DIA. RESILIENT SEATED GATE VALVE AND WELL, COMPLETE	EA	10.00	\$3,610	\$36,100.00	9.00	\$32,490.00	0.00	\$0.00
48	INSTALL E.J.I.W. SBR 250 BREAKABLE FLANGE FIRE HYDRANT, INCL. VALVES, BOXES AND TEES, AND ANY 6" W.M. OR EXTENSIONS FOR VERTICAL OR HORIZONTAL POSITIONING OF THE HYDRANT, COMPLETE	EA	7.00	\$5,235	\$36,645.00	7.00	\$36,645.00	0.00	\$0.00
49	12 INCH TO 12 INCH WATER MAIN CONNECTION, COMPLETE	EA	3.00	\$1,910	\$5,730.00	3.00	\$5,730.00	0.00	\$0.00
50	8 INCH TO 8 INCH WATER MAIN CONNECTION, COMPLETE	EA	11.00	\$1,780	\$19,580.00	11.00	\$19,580.00	0.00	\$0.00
51	RECONNECT EXISTING WATER SERVICE, 5/8" DIA. TO 2" DIA. (LONG AND SHORT LEADS) INCLUDING TAP AND STOP BOX COMPLETE	EA	48.00	\$1,200	\$57,600.00	48.00	\$57,600.00	0.00	\$0.00
52	INSTALL NEW 1" DIA. DOMESTIC SERVICE, INCLUDING TAP AND STOP BOX, COMPLETE	EA	3.00	\$1,500	\$4,500.00	0.00	\$0.00	0.00	\$0.00
53	REMOVAL OR INPLACE ABANDONMENT (GROUT AND CAP) OF EXISTING UTILITIES INCLUDING SANITARY AND STORM SEWER, WATER MAIN GATE VALVES AND VALVE WELLS, HYDRANT AND ASSEMBLIES, STOP BOXES, AND ALL OTHER APPURTENANCES COMPLETE	LS	1.00	\$66,000	\$66,000.00	1.00	\$66,000.00	0.00	\$0.00
54	2" ASPHALT (HMA, 4C) CAP REMOVE AND REPLACEMENT COMPLETE WITH TRAFFIC STRIPING AND SIGNAGE RESTORATION	TN	2965.00	\$111	\$329,115.00	0.00	\$0.00	0.00	\$0.00

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55	6" CONCRETE PAVEMENT REPLACEMENT COMPLETE WITH DOWELING, TRAFFIC STRIPING, AND SIGNAGE RESTORATION	SY	282.00	\$56	\$15,792.00	473.80	\$26,532.80	0.00	\$0.00
56	CONCRETE CURB & GUTTER REPLACEMENT COMPLETE	LF	1708.00	\$33	\$56,364.00	1401.77	\$46,258.41	0.00	\$0.00
57	8" CONCRETE COMMERCIAL APPROACH REPLACEMENT COMPLETE	SY	1271.00	\$60	\$76,260.00	1109.90	\$66,594.00	0.00	\$0.00
58	6" CONCRETE RESIDENTIAL APPROACH REPLACEMENT COMPLETE	SY	457.00	\$52	\$23,764.00	439.50	\$22,854.00	0.00	\$0.00
59	6" CONCRETE HANDICAP RAMP REPLACEMENT COMPLETE	SF	598.00	\$8	\$4,485.00	761.60	\$5,712.00	0.00	\$0.00
60	4" CONCRETE SIDEWALK REPLACEMENT COMPLETE	SF	4072.00	\$5	\$18,324.00	3522.70	\$15,852.15	0.00	\$0.00
61	INSTALL ADA COMPLIANT DETECTABLE WARNING DEVICE AT HANDICAP RAMP, "ARMOR TILE", OR APPROVED EQUAL (BRICK RED)	EA	9.00	\$275	\$2,475.00	10.00	\$2,750.00	0.00	\$0.00
Allowances/Contingencies									
62	REPAIR MIS-MARKED WATER SERVICE UP TO 2" DIAMETER (CONTINGENCY ITEM)	EA	18.00	\$1,000	\$18,000.00	1.00	\$1,000.00	0.00	\$0.00
63	HANDLING OF PETROLEUM CONTAMINATED SOIL (CONTINGENCY ITEM)	CY	1000.00	\$42	\$42,000.00	240.00	\$10,080.00	0.00	\$0.00
64	RECOVERY SHAFT, IF MICROTUNNELING (CONTINGENCY ITEM)	EA	1.00	\$50,000	\$50,000.00	0.00	\$0.00	0.00	\$0.00
65	ALLOWANCE FOR UNFORESEEN FIELD CONDITIONS (CONTINGENCY ITEM)	LS	1.00	\$347,809	\$347,809.25	0.46	\$159,469.95	0.05	\$18,611.81
66	CASH ALLOWANCE FOR MCDR PERMITS & INSPECTION (CONTINGENCY ITEM)	LS	1.00	\$150,000	\$150,000.00	1.00	\$150,000.00	-0.45	-\$67,218.90
Modified Items									
67	48" RCP WITH XYPEX, COMPLETE (12 MILE ROAD)	LF	3625.00	\$719.53	\$2,608,278.40	3625.00	\$2,608,278.40	0.00	\$0.00
68	21" RCP WITH XYPEX, INCLUDING PAVEMENT RESTORATION COMPLETE (12 MILE ROAD)	LF	500.00	\$720	\$359,762.54	500.00	\$359,762.54	0.00	\$0.00
69	48" RCP WITH XYPEX, COMPLETE (10 MILE ROAD)	LF	3381.00	\$734	\$2,481,687.81	3381.00	\$2,481,687.81	0.00	\$0.00
70	12 MILE 11" PAVEMENT REPLACEMENT COMPLETE	SY	0.00	\$60	\$0.00	1535.95	\$92,157.00	0.00	\$0.00

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71	12 MILE 9" PAVEMENT REPLACEMENT COMPLETE	SY	0.00	\$43.00	\$0.00	473.60	\$20,364.80	0.00	\$0.00
Total Contract Price including Contingencies					\$9,999,056.00	93.49%	\$9,348,382.32	-0.49%	-\$48,607.09

Total Amount of Contract \$9,999,056.00
 Total Amount Previous \$9,348,382.32
 Total Amount Current Period -\$48,607.09
 Total Amount through August 28, 2015 \$9,299,775.23
 Less Retainage \$0.00
 Net Payable to Date \$9,299,775.23
 Less Previous Amount Paid \$9,248,382.32
Total Amount Due - Pay Estimate No. 16 - Ric-Man Construction, Inc. \$51,392.91

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.



Metco Services, Inc.
 Lakshman K. Thallapally, PE


 Ric-Man Construction, Inc.
 Steve Ezykel, Project Manager
 Steve Ezykel COO



CITY CONTROLLER'S OFFICE

ONE CITY SQUARE, SUITE 425
WARREN, MI 48093-5289
(586) 574-4600
FAX (586) 574-4614
www.cityofwarren.org

February 25, 2016

TO: KELLY COLEGIO, SECRETARY, WARREN CITY COUNCIL
SUBJECT: AWARD OF BID ITB-W-9363 FOR AUTOMOBILE AND LIGHT TRUCK TRANSMISSION REPAIR

The Purchasing Division concurs with the Department of Public Works and recommends that Bid ITB-W-9363; to furnish automobile and light truck transmission repairs for a two-year period, with the option to extend for one additional year at the same terms and conditions, be awarded to the low responsible and cost-effective bidder, Driveline Performance, 21213 Dequindre, Hazel Park, Michigan 48030 in the estimated annual amount of \$37,160.00 and a total estimated amount for a two-year period of \$74,320.00 per the prices shown on the attached bid tabulation spreadsheet.

On Wednesday, February 10, 2016 at 1:00 PM sealed bids were publicly opened for ITB-W-9363; automobile and light truck transmission repairs for the Department of Public. Two (2) vendors responded with bids, which are summarized on the attached bid tabulation pages submitted for your review.

Driveline Performance submitted the lowest bid for automobile and light truck transmission repair/rebuild service and met all specifications. Driveline submitted a firm fixed cost per transmission repair. Driveline performance is the current vendor for the City and the DPW has been pleased with their performance.

If approved by your honorable body, this award shall commence on April 16, 2016 or on the official date of City Council approval, whichever occurs later.

Funds are available in the following DPW Account: 1442-86300

Respectfully Submitted,

Craig Treppa
Purchasing Agent

Approved By:	Signature	Date
Budget Director:		2/29/16
Controller:		2/29/2016
MAYOR:		3/2/16

BID SUMMARY

City of Warren 1 City Square Warren MI 48093		BID: ITB-W-9363 Bid Opening Date: 2/10/16 Department: DPW		
Product or Service: TRANSMISSION REPAIR/REBUILD SERVICE AUTO AND LT TRUCK				
BIDDER	TERMS	YEAR ONE TOTALS	YEAR TWO TOTALS	GRAND TOTAL
DRIVELINE PERFORMANCE	NET 45	\$ 37,160.00	\$ 37,160.00	\$ 74,320.00
HAMILTON CHEVROLET	NET 30	\$ 30,395.00	\$ 30,395.00	\$ 60,790.00

Hamilton Chevrolet did not bid Ford or Chrysler Transmission Repairs/Rebuilds

TRANSMISSION REPAIR AUTO AND LIGHT TRUCK
DRIVELINE PERFORMANCE

ITEM A					
EST. QTY.	MODEL	UNIT COST TRANSMISSION RE-BUILD	ESTIMATED TOTAL	UNIT COST FOR UN-REBUILDABLE CORE	UNIT COST FOUR-WHEEL DRIVE TRANSMISSION RE-BUILD
GENERAL MOTORS					
1	4L60E	\$ 990.00	\$ 990.00	SAME	SAME
6	4L80E	\$ 990.00	\$ 5,940.00		
1	4T60-E	\$ 990.00	\$ 990.00		
2	4T65-6	\$ 990.00	\$ 1,980.00		
4	6L80E	\$ 1,250.00	\$ 5,000.00		
1	TH 125-C	\$ 990.00	\$ 990.00		
1	TH 700-R4	\$ 990.00	\$ 990.00		
FORD					
1	AOD	\$ 990.00	\$ 990.00	SAME	SAME
6	AOD-E	\$ 990.00	\$ 5,940.00		
1	AOD-EW	\$ 990.00	\$ 990.00		
1	A4LD	\$ 990.00	\$ 990.00		
1	AX4N	\$ 990.00	\$ 990.00		
1	E40D	\$ 990.00	\$ 990.00		
4	4R75E	\$ 990.00	\$ 3,960.00		
CHRYSLER					
1	A604	\$ 990.00	\$ 990.00	SAME	SAME
1	A606	\$ 990.00	\$ 990.00		
TOTAL ITEM A:			\$ 33,710.00		
ITEM B					
DESCRIPTION:		HOURLY RATE	EST. HOURS	EST. TOTAL COST	
Shop labor rate per hour for work outside of transmission complete rebuilds.		\$ 65.00	25 HOURS	\$ 1,625.00	
Shop labor rate per hour for Differential and Rear-End work.		\$ 65.00	25 HOURS	\$ 1,625.00	
Replacement of Fly-wheel for police vehicles		\$ 100.00	2	\$ 200.00	
TOTAL ITEM B:				\$ 3,450.00	
ITEM C - TOWING COST (EST. 6 PER YEAR)					
DESCRIPTION:		UNIT COST	EST. QTY	EST TOTAL COST	
Towing of vehicle from DPW (12801 Stephens) to Vendor Shop		NO COST	6	\$ -	
TOTAL YEAR ONE (ITEMS A, B, C):				\$ 37,160.00	
TOTAL YEAR TWO (ITEMS A, B, C):				\$ 37,160.00	
GRAND TOTAL YEARS ONE & TWO (ITEMS A, B, C):				\$ 74,320.00	

ITEM A					
EST. QTY.	MODEL	UNIT COST TRANSMISSION RE-BUILD	ESTIMATED TOTAL	UNIT COST FOR UN-REBUILDABLE CORE	UNIT COST FOUR-WHEEL DRIVE TRANSMISSION RE-BUILD
GENERAL MOTORS					
1	4L60E	\$ 1,330.00	\$ 1,330.00	\$ 2,610.00	\$ 1,475.00
6	4L80E	\$ 1,360.00	\$ 8,160.00	\$ 3,210.00	\$ 1,505.00
1	4T60-E	\$ 1,715.00	\$ 1,715.00	\$ 3,020.00	\$ 1,860.00
2	4T65-6	\$ 1,715.00	\$ 3,430.00	\$ 3,020.00	\$ 1,860.00
4	6L80E	\$ 1,915.00	\$ 7,660.00	\$ 3,215.00	\$ 2,060.00
1	TH 125-C	\$ 1,530.00	\$ 1,530.00	\$ 2,730.00	\$ 1,675.00
1	TH 700-R4	\$ 1,550.00	\$ 1,550.00	\$ 2,750.00	\$ 1,675.00
FORD					
1	AOD	No Bid	No Bid	No Bid	No Bid
6	AOD-E				
1	AOD-EW				
1	A4LD				
1	AX4N				
1	E40D				
4	4R75E				
CHRYSLER					
1	A604	No Bid	No Bid	No Bid	No Bid
1	A606				
TOTAL ITEM A:			\$ 25,375.00		
ITEM B					
DESCRIPTION:		HOURLY RATE	EST. HOURS	EST. TOTAL COST	
Shop labor rate per hour for work outside of transmission complete rebuilds.		\$ 85.00	25 HOURS	\$ 2,125.00	
Shop labor rate per hour for Differential and Rear-End work.		\$ 85.00	25 HOURS	\$ 2,125.00	
Replacement of Fly-wheel for police vehicles		\$ 85.00	2	\$ 170.00	
TOTAL ITEM B:				\$ 4,420.00	
ITEM C - TOWING COST (EST. 6 PER YEAR)					
DESCRIPTION:		UNIT COST	EST. QTY	EST TOTAL COST	
Towing of vehicle from DPW (12801 Stephens) to Vendor Shop		\$ 100.00	6	\$ 600.00	
TOTAL YEAR ONE (ITEMS A, B, C):				\$ 30,395.00	
TOTAL YEAR TWO (ITEMS A, B, C):				\$ 30,395.00	
GRAND TOTAL YEARS ONE & TWO (ITEMS A, B, C):				\$ 60,790.00	

February 16, 2016

TO: Craig Treppa, Purchasing Agent

RE: Transmission Repair/Rebuild

Craig,

After reviewing the bids for transmission repair/rebuild for auto and light truck, my recommendation is to award the bid to Driveline Performance. Hamilton was disqualified due to not bidding Ford or Chrysler transmission repairs/rebuilds.

Sincerely,



Gus Ghanam
Deputy Public Service Director

GG/ne

cc: File

IT IS RESOLVED, that the bid of Driveline Performance is hereby accepted by City Council. The award shall commence on April 16, 2016 or on the official date of City Council award, whichever occurs later.

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:

- 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 _____, 2016.

KELLY COLEGIO
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

FEBRUARY 25, 2016

TO: KELLY COLEGIO, SECRETARY OF WARREN CITY COUNCIL
SUBJECT: AWARD OF BID ITB-W-9369 – WATER AND SEWER SUPPLY PARTS

The Purchasing Division concurs with the Water Division and recommends that Bid ITB-W-9369, for furnishing Water and Sewer Supply Parts for a one (1) year period, be awarded to the low responsible and cost effective bidder, HD Supply Waterworks, 4901 Dewitt, Canton, MI 48188, in the annual amount not to exceed \$58,310.90.

On February 17, 2016 at 1:00 PM sealed bids for furnishing water and sewer supply parts to the Water Division were publicly opened. Bids were solicited through BidNet® (MITN). Four (4) vendors responded with bids, which are summarized on the attached bid tabulation sheets submitted for your review.

The Water Division will utilize this bid to assist in maintaining all required water service connection accessories in the Water Distribution System. The award will commence upon the official date of City Council approval.

HD Supply Waterworks has furnished water and sewer service parts for the City in the past and the Water Division has been very pleased with their service.

Funds for this purchase are available in the Water and Sewer System Budget Account: 592020-11100.

Respectfully Submitted,

Craig Treppa
Purchasing Agent

Approved By:	Signature	Date
Budget Director:		2/29/16
Controller		2/29/2016
MAYOR:		3/1/16

SUMMARY

City of Warren
1 City Square
Warren MI 48093

BID: ITB-W-9369
Bid Opening Date: 2/17/2016
Department: WATER

PRODUCT OR SERVICE: WATER AND SEWER SUPPLY PARTS

BIDDER	TERMS	TOTAL
ETNA SUPPLY COMPANY	NET 30	\$ 59,270.00
HD SUPPLY WATERWORKS	NET 30	\$ 58,310.90
MICHIGAN PIPE & VALVE	NET 45	\$ 59,592.50
PROGRESSIVE PLUMBING SUPPLY	NET 45	\$ 42,012.04

ITEM	DESCRIPTION	BRAND	EST. QTY./YEAR	U/M	ETNA SUPPLY COMPANY		HD SUPPLY WATERWORKS		MICHIGAN PIPE & VALVE		PROGRESSIVE PLUMBING SUPPLY	
					UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
1	4" C900 DR18 Water Main Pipe	Any	100	FT	\$ 1.95	\$ 195.00	\$ 1.76	\$ 176.00	\$ 1.72	\$ 172.00	No Bid	No Bid
2	6" C900 DR18 Water Main Pipe	Any	300	FT	\$ 3.80	\$ 1,140.00	\$ 3.47	\$ 1,041.00	\$ 3.36	\$ 1,008.00	No Bid	No Bid
3	8" C900 DR18 Water Main Pipe	Any	300	FT	\$ 6.55	\$ 1,965.00	\$ 5.92	\$ 1,776.00	\$ 5.75	\$ 1,725.00	No Bid	No Bid
4	12" C900 DR18 Water Main Pipe	Any	200	FT	\$ 14.05	\$ 2,810.00	\$ 12.72	\$ 2,544.00	\$ 12.36	\$ 2,472.00	No Bid	No Bid
5	16" C900 DR18 Water Main Pipe	Any	100	FT	\$ 35.00	\$ 3,500.00	\$ 27.11	\$ 2,711.00	NO BID	NO BID	No Bid	No Bid
6	4" Ductile Iron Pipe	Any	20	FT	\$ 21.75	\$ 435.00	\$ 24.66	\$ 493.20	\$ 25.85	\$ 517.00	No Bid	No Bid
7	6" Ductile Iron Pipe	Any	100	FT	\$ 17.75	\$ 1,775.00	\$ 20.02	\$ 2,002.00	\$ 23.55	\$ 2,355.00	No Bid	No Bid
8	8" Ductile Iron Pipe	Any	100	FT	\$ 24.90	\$ 2,490.00	\$ 28.07	\$ 2,807.00	\$ 33.02	\$ 3,302.00	No Bid	No Bid
9	12" Ductile Iron Pipe	Any	100	FT	\$ 40.50	\$ 4,050.00	\$ 45.68	\$ 4,568.00	\$ 53.74	\$ 5,374.00	No Bid	No Bid
10	4" x 10" PVC SCH40 DWV Pipe Bellied	Any	100	FT	\$ 1.75	\$ 175.00	\$ 1.52	\$ 152.00	\$ 1.68	\$ 168.00	\$ 1.7760	\$ 177.60
11	6" x 10" PVC SCH40 DWV Pipe Bellied	Any	1500	FT	\$ 3.20	\$ 4,800.00	\$ 2.69	\$ 4,035.00	\$ 2.84	\$ 4,260.00	\$ 3.2640	\$ 4,896.00
12	8" x 10" PVC SCH40 DWV Pipe Bellied	Any	100	FT	\$ 4.85	\$ 485.00	\$ 4.03	\$ 403.00	\$ 4.22	\$ 422.00	\$ 4.9200	\$ 492.00
13	12" x 10" PVC SCH40 DWV Pipe Bellied	Any	100	FT	\$ 11.02	\$ 1,102.00	\$ 8.99	\$ 899.00	\$ 11.83	\$ 1,183.00	\$ 9.0360	\$ 903.60
14	6" CI/PL x 6" CI/PL 5002-66RC	FERNCO	150	Each	\$ 44.60	\$ 6,690.00	\$ 46.71	\$ 7,006.50	\$ 38.27	\$ 5,740.50	\$ 34.9000	\$ 5,235.00
15	6" CI/PL x 6" CI/PL 5056-66RC	FERNCO	100	Each	\$ 34.25	\$ 3,425.00	\$ 35.79	\$ 3,579.00	\$ 49.96	\$ 4,996.00	\$ 26.7500	\$ 2,675.00
16	4" PL/PL	FERNCO	20	Each	\$ 3.50	\$ 70.00	\$ 3.48	\$ 69.60	\$ 4.09	\$ 81.80	\$ 3.7566	\$ 75.13
17	4" CL/PL	FERNCO	20	Each	\$ 3.50	\$ 70.00	\$ 3.48	\$ 69.60	\$ 4.09	\$ 81.80	\$ 3.7474	\$ 74.95
18	6" PL/PL	FERNCO	50	Each	\$ 7.45	\$ 372.50	\$ 7.44	\$ 372.00	\$ 8.75	\$ 437.50	\$ 8.0330	\$ 401.65
19	6" CL/PL	FERNCO	50	Each	\$ 7.45	\$ 372.50	\$ 7.44	\$ 372.00	\$ 8.75	\$ 437.50	\$ 7.4154	\$ 370.77
20	8" PL/PL	FERNCO	20	Each	\$ 11.50	\$ 230.00	\$ 11.44	\$ 228.80	\$ 13.46	\$ 269.20	\$ 12.3009	\$ 246.02
21	8" CL/PL	FERNCO	20	Each	\$ 11.50	\$ 230.00	\$ 11.44	\$ 228.80	\$ 13.46	\$ 269.20	\$ 12.3394	\$ 246.79
22	12" PL/PL	FERNCO	10	Each	\$ 20.00	\$ 200.00	\$ 20.06	\$ 200.60	\$ 23.59	\$ 235.90	\$ 21.6506	\$ 216.51
23	12" CL/PL	FERNCO	10	Each	\$ 20.00	\$ 200.00	\$ 20.06	\$ 200.60	\$ 23.59	\$ 235.90	\$ 19.7289	\$ 197.29
24	6" SCH 40 PVC DWV WYE HXH	Any	100	Each	\$ 24.55	\$ 2,455.00	\$ 25.00	\$ 2,500.00	\$ 25.56	\$ 2,556.00	\$ 25.7141	\$ 2,571.41

ITEM	DESCRIPTION	BRAND	EST. QTY./YEAR	U/M	ETNA SUPPLY COMPANY		HD SUPPLY WATERWORKS		MICHIGAN PIPE & VALVE		PROGRESSIVE PLUMBING SUPPLY	
					UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
25	8" SCH 40 PVC DWV WYE HXH	Any	10	Each	\$ 65.55	\$ 655.50	\$ 65.34	\$ 653.40	\$ 66.82	\$ 668.20	\$ 75.1140	\$ 751.14
26	12" SCH 40 PVC DWV WYE HXH	Any	10	Each	\$ 194.85	\$ 1,948.50	\$ 194.28	\$ 1,942.80	\$ 198.69	\$ 1,986.90	\$ 223.3390	\$ 2,233.39
27	4" SCH 40 PVC DWV 22 1/4 ELL HXH	Any	10	Each	\$ 3.65	\$ 36.50	\$ 3.81	\$ 38.10	\$ 3.29	\$ 32.90	\$ 3.9100	\$ 39.10
28	6" SCH 40 PVC DWV 22 1/4 ELL HXH	Any	100	Each	\$ 20.50	\$ 2,050.00	\$ 20.28	\$ 2,028.00	\$ 20.74	\$ 2,074.00	\$ 20.8600	\$ 2,086.00
29	8" SCH 40 PVC DWV 22 1/4 ELL HXH	Any	10	Each	\$ 38.45	\$ 384.50	\$ 41.34	\$ 413.40	\$ 42.28	\$ 422.80	\$ 47.5300	\$ 475.30
30	12" SCH 40 PVC DWV 22 1/4 ELL HXH	Any	10	Each	\$ 102.00	\$ 1,020.00	\$ 101.68	\$ 1,016.80	\$ 103.98	\$ 1,039.80	\$ 116.8900	\$ 1,168.90
31	4" SCH 40 PVC DWV 22 1/4 STREET ELL	Any	10	Each	\$ 5.20	\$ 52.00	\$ 4.98	\$ 49.80	\$ 5.09	\$ 50.90	\$ 5.1200	\$ 51.20
32	6" SCH 40 PVC DWV 22 1/4 STREET ELL	Any	100	Each	\$ 19.90	\$ 1,990.00	\$ 20.27	\$ 2,027.00	\$ 20.73	\$ 2,073.00	\$ 20.8500	\$ 2,085.00
33	8" SCH 40 PVC DWV 22 1/4 STREET ELL	Any	10	Each	\$ 68.80	\$ 688.00	\$ 46.31	\$ 463.10	\$ 47.36	\$ 473.60	\$ 53.2400	\$ 532.40
34	12" SCH 40 PVC DWV 22 1/4 STREET ELL	Any	10	Each	\$ 104.00	\$ 1,040.00	\$ 95.09	\$ 950.90	\$ 97.25	\$ 972.50	\$ 109.3200	\$ 1,093.20
35	4" SCH 40 PVC DWV 45 ELL HXH	Any	10	Each	\$ 3.80	\$ 38.00	\$ 4.86	\$ 48.60	\$ 5.45	\$ 54.50	\$ 5.0000	\$ 50.00
36	6" SCH 40 PVC DWV 45 ELL HXH	Any	100	Each	\$ 15.55	\$ 1,555.00	\$ 15.33	\$ 1,533.00	\$ 15.68	\$ 1,568.00	\$ 15.7700	\$ 1,577.00
37	8" SCH 40 PVC DWV 45 ELL HXH	Any	10	Each	\$ 34.95	\$ 349.50	\$ 39.84	\$ 398.40	\$ 40.75	\$ 407.50	\$ 45.8000	\$ 458.00
38	12" SCH 40 PVC DWV 45 ELL HXH	Any	10	Each	\$ 95.10	\$ 951.00	\$ 100.39	\$ 1,003.90	\$ 89.27	\$ 892.70	\$ 115.4100	\$ 1,154.10
39	4" SCH 40 PVC DWV 45 STREET ELL	Any	10	Each	\$ 3.80	\$ 38.00	\$ 4.64	\$ 46.40	\$ 4.75	\$ 47.50	\$ 4.7800	\$ 47.80
40	6" SCH 40 PVC DWV 45 STREET ELL	Any	100	Each	\$ 18.45	\$ 1,845.00	\$ 18.78	\$ 1,878.00	\$ 19.03	\$ 1,903.00	\$ 19.3100	\$ 1,931.00
41	8" SCH 40 PVC DWV 45 STREET ELL	Any	10	Each	\$ 34.95	\$ 349.50	\$ 43.27	\$ 432.70	\$ 44.24	\$ 442.40	\$ 49.7400	\$ 497.40
42	12" SCH 40 PVC DWV 45 STREET ELL	Any	10	Each	\$ 102.00	\$ 1,020.00	\$ 101.72	\$ 1,017.20	\$ 104.03	\$ 1,040.30	\$ 116.9400	\$ 1,169.40
43	4" SCH 40 PVC DWV 90 ELL	Any	10	Each	\$ 5.15	\$ 51.50	\$ 5.93	\$ 59.30	\$ 6.06	\$ 60.60	\$ 6.1000	\$ 61.00
44	6" SCH 40 PVC DWV 90 ELL	Any	50	Each	\$ 17.00	\$ 850.00	\$ 16.76	\$ 838.00	\$ 17.13	\$ 856.50	\$ 17.2400	\$ 862.00
45	8" SCH 40 PVC DWV 90 ELL	Any	10	Each	\$ 38.45	\$ 384.50	\$ 39.51	\$ 395.10	\$ 45.37	\$ 453.70	\$ 51.0000	\$ 510.00
46	12" SCH 40 PVC DWV 90 ELL	Any	10	Each	\$ 122.10	\$ 1,221.00	\$ 121.73	\$ 1,217.30	\$ 231.59	\$ 2,315.90	\$ 236.5000	\$ 2,365.00
47	6" SCH 40 DWV CLEANOUT ADPT SPXF MALE SPIGOT END X FIPT	Any	100	Each	\$ 9.30	\$ 930.00	\$ 9.78	\$ 978.00	\$ 10.00	\$ 1,000.00	\$ 20.3400	\$ 2,034.00
48	6" SCH 40 PVC DWV C/O MIPT PLUG	Any	100	Each	\$ 5.85	\$ 585.00	\$ 4.47	\$ 447.00	\$ 4.56	\$ 456.00	Included in price for #47	
TOTAL:						\$ 59,270.00		\$ 58,310.90		\$ 59,592.50		\$ 42,012.04



JAMES R. FOUTS, MAYOR

Water Division
12821 Stephens Road
Warren, MI 48089
(586) 759-9200

Thomas C. Pawelkowski
Superintendent

February 22, 2016

Craig Treppa, Purchasing Agent
Purchasing Division of the City of Warren

Re: ITB-W-9369 – Water & Sewer Supply Parts

Dear Mr. Treppa:

The Water Division is recommending to award this contract to HD Supply Waterworks Company for the purchase of Water and Sewer Supply parts and service accessories at an estimated cost not to exceed \$58,310.90 (See attached Bid Summary for details). As you will see, the lowest bid from Progressive Plumbing Supply has been excluded for not fulfilling the obligations of the bid contents.

The bid as presented will maintain all required water and sewer mains and service connection accessories in the Water Distribution System in the City of Warren. HD Supply Waterworks Company has supplied and furnished water and sewer service parts in the past with exceptional service.

Funds are available in the Water and Sewer System Budget in account #592020-11100.

I will be available to City Council for any questions they may have in regards to this proposal. I can be reached at my office at 586.759.9224 or my cell at 586.610.1031.

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
Michael Richards

Read & Concur:	
	2/23/16
Tom Pawelkowski, Superintendent Water Division, City of Warren	Date
	2-24-16
Richard D. Sabaugh, Director Department of Public Service	Date

RESOLUTION

Document No: ITB-W-9369
Product or Service: Water & Sewer Supply Parts
Requesting Department: Water Division

At a Regular Meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on _____, 2016 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 _____.

Sealed bids were accepted, publicly opened and read on Wednesday, February 17, 2016.

The following bid has been received by City Council:

<u>BIDDER:</u>	<u>AMOUNT:</u>
HD Supply Waterworks	\$58,310.90
ETNA Supply Group	\$59,270.00
Michigan Pipe & Valve	\$59,592.50
Progressive Plumbing Supply	\$42,012.04

Please see attached bid tabulation

The bid of HD Supply Waterworks Company has been determined to be the low responsible and cost-effective bid and fulfill the bid contents and terms for award. This

contract is termed for one (1) year with payment is rendered within 45 days of invoice.

Funds are available in account number: 592020-11100

IT IS RESOLVED, that the bid of **HD Supply Waterworks Company** is hereby accepted by City Council in an amount not to exceed **\$ 58,310.90**.

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:

- 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 _____, 2016.

Kelly Colegio
Secretary of the Council
Mayor Pro Tem

WRECKER / TOW SERVICE LICENSE



OFFICE OF THE WARREN CITY CLERK
 PAUL WOJNO
 ONE CITY SQUARE, SUITE 205
 WARREN, MI 48093-2393
 (586) 574-4557 / FAX (586) 574-4556

FEE: FIRST VEHICLE: \$40.00
 EACH ADDITIONAL VEHICLE: \$15.00
LICENSE EXPIRES: March 31, 20

10% penalty for renewal applications received after this date

I hereby apply for a license to tow any vehicle within the City of Warren in compliance with the Code of Ordinances of the City of Warren.
 (Chapter 37, Article III, Division 1 Section 551-556, Division 2, Section 571-576, Division 3, Section 577-579)

NEW RENEWAL

PLEASE COMPLETE APPLICATION IN FULL

BUSINESS NAME: ABLE TOWING, LLC. PHONE: 586-756-9500

BUSINESS ADDRESS: 6006 Rinke Warren MI 48091
street city state zip

OWNER NAME: Edward D. Hertz PHONE: 586-754-8188

HOME ADDRESS: 4418 Bayberry Ct. Warren MI 48092
street city state zip

DATE OF BIRTH: 07 / 19 / 1944

EMAIL ADDRESS: bruce@servicetowing.biz

CO-OWNER NAME: Bruce E. Hertz PHONE: 586-634-6431

CO-OWNER ADDRESS: 28363 Revere Warren MI 48092
street city state zip

APPLICANT NAME: Dennis H. Hertz PHONE: 586-979-0075

APPLICANT ADDRESS: 4782 Brockham Way Sterling Hgts MI 48310
street city state zip

DATE OF BIRTH: 12 / 07 / 1952

STATUS OF OWNERSHIP: Sole Ownership Partnership Corporation

I certify that all statements on this application are true. I understand that any false information may result in the revoking of the above license.

Signature: Dennis H. Hertz

Print Name: DENNIS H. HERTZ

Preferred Mailing Address: Business Address Owner Address

Other: 6006 Rinke Warren MI 48091
street city state zip

* In accordance with the Warren Code of Ordinances mandated in Section 18-9: No license shall be issued or renewed under the provisions of this chapter or any other ordinance of the city until any and all personal property taxes, levied and assessed against such person by the city which may be due and payable at the time of the filing of the application for such license, shall have been paid (Applies to Warren businesses only) / THIS LICENSE IS NOT TRANSFERABLE & NON-REFUNDABLE

* Note: New dwelling or new owner must obtain a new Certificate of Compliance from the Building Department

OFFICE USE ONLY

DEPARTMENT APPROVAL:

POLICE COMMISSIONER: _____ DATE: _____

BUILDING DEPARTMENT: _____ DATE: _____

(Storage Lot/Sign Ordinance Section 37-552-578)

Issued by _____ Computer Entry Paper License Plate Numbers

LAST YEAR'S LICENSE NO. _____ FEE \$ _____
 LATE FEES \$ _____

WRECKER/TOW SERVICE LICENSE NO. _____ CHECK # _____

RECEIPT # _____

LOCATION, SIZE, & SECURITY FEATURES OF STORAGE LOT FOR TOWED VEHICLES:

6006 Rinke Warren, MI 48091

1 Acre Lot Fenced & Lighted

LOCATION & HOURLY AVAILABILITY OF TOW TRUCKS: . 1 24 HOURS

6006 Rinke Warren, MI 48091

REQUIREMENTS:

- DESCRIPTION OF TOWING VEHICLES LISTED ON ATTACHED FORM
- LIST OF ALL EMPLOYEES DRIVING ANY TOW TRUCKS & THEIR CDL NUMBERS ON ATTACHED FORM
- YOUR ATTACHED NOTARIZED STATEMENT: (Pursuant to Public Act No. 391 of 1919, MCL 256.541 et seq.) completed by the business owner to accept responsibility for any and all personal property left in towed, along with the location where security for towed vehicles will be provided.
- COPIES OF YOUR INSURANCE CERTIFICATES:
 - A) Garage keeper's policy, a garage keeper's legal liability policy covering fire, theft, windstorm, vandalism, and explosion in the amount of \$10,000.00 with each vehicle suffering damage being deemed a separate claim.
 - B) Garage liability policy, a garage keeper's legal liability policy covering the operation of the owner's business, equipment, or other vehicles for any bodily injury or property damage
 - C) Notice of change or cancellation. Each policy required under this section must contain an endorsement by the carrier providing ninety (90) days notice to both the city and the insured if there is any material change or cancellation.
 - D) Copies needed of abover certificates to be on file in the City Clerk's Office. The City of Warren must be listed as the Certificate Holder & Additional Insured
- COPY OF YOUR MICHIGAN STATE SALES TAX LICENSE
- COPY OF YOUR DRIVER'S LICENSE

PAUL WOJNO
1 CITY SQUARE
WARREN, MI 48093-2393

NOTARIZED STATEMENT

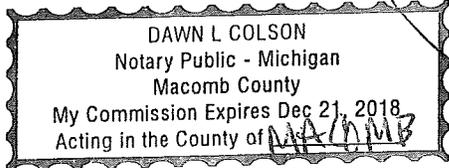
Date: 2-2-16

I, Dennis H. Hertz, agree to assume responsibility for personal property left in vehicles towed by ABLE TOWING, LLC. provided the (company name)

owner of the the towed vehicle can show proof that said personal property was in the vehicle at the time of towing or while in our storage facility. Security for towed vehicles will be provided at:

6006 Rinke Warren, MI 48091

Dennis H. Hertz
(Signature of Owner)



Subscribed and Sworn to before me this 2nd day of FEB, 2016
Dawn L. Colson
Notary Public of MACOMB County, State of Michigan.
My commission expires 12-21, 2018

BUSINESS NAME: ABLE TOWING, LLC.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. 206
 Make & Model: Ford F550 Flatbed
 Year: 2015
 Vin. No. 1FDUF5QJFEB62960
 License No. BA 36114
 Mileage: 15110

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. _____
 Make & Model: _____
 Year: _____
 Vin. No. _____
 License No. _____
 Mileage: _____

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. 202
 Make & Model: Ford F550 Flatbed
 Year: 2015
 Vin. No. BA 36113
 License No. _____
 Mileage: 12075

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. _____
 Make & Model: _____
 Year: _____
 Vin. No. _____
 License No. _____
 Mileage: _____

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. 1
 Make & Model: INTERNATIONAL FLATBED
 Year: 2005
 Vin. No. HTYMAAM95H180246
 License No. BA - 40246
 Mileage: 205803

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. _____
 Make & Model: _____
 Year: _____
 Vin. No. _____
 License No. _____
 Mileage: _____

PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. _____
 Make & Model: _____
 Year: _____
 Vin. No. _____
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 Wrecker No. _____
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 Vin. No. _____
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PLATE NO. ISSUED BY CLERK: _____
 Wrecker No. _____
 Make & Model: _____
 Year: _____
 Vin. No. _____
 License No. _____
 Mileage: _____

SERVICE TOWING CO., INC.

MICHIGAN'S LARGEST RECOVERY UNIT

"Tested @ 75 Ton Lift" • 24 Hour Service

6006 RINKE • WARREN, MI 48091

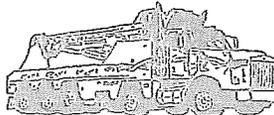
(586) 756-9500
Phone

(888) 756-9501
Toll Free

(586) 754-5044
Fax

TAX ID

38-2178326



BIG or Small We Haul All, "Anything, Anytime, Anywhere"

WRECKER / TOW SERVICE LICENSE



OFFICE OF THE WARREN CITY CLERK
 PAUL WOJNO
 ONE CITY SQUARE, SUITE 205
 WARREN, MI 48093-2393
 (586) 574-4557 / FAX (586) 574-4556

FEES: FIRST VEHICLE: \$40.00
 EACH ADDITIONAL VEHICLE: \$15.00
LICENSE EXPIRES: March 31, 20____

10% penalty for renewal applications received after this date

I hereby apply for a license to tow any vehicle within the City of Warren in compliance with the Code of Ordinances of the City of Warren. (Chapter 37, Article III, Division 1 Section 551-556, Division 2, Section 571-576, Division 3, Section 577-579)

NEW RENEWAL

PLEASE COMPLETE APPLICATION IN FULL

BUSINESS NAME: ABLE TOWING, LLC. PHONE: 586-756-9500

BUSINESS ADDRESS: 6006 Rinke Warren MI 48091
street city state zip

OWNER NAME: Edward D. Hertz PHONE: 586-754-8188

HOME ADDRESS: 4418 Bayberry Ct. Warren MI 48092
street city state zip

DATE OF BIRTH: 07 / 19 / 1944

EMAIL ADDRESS: bruce@servicetowing.biz

CO-OWNER NAME: Bruce E. Hertz PHONE: 586-634-6431

CO-OWNER ADDRESS: 28363 Revere Warren MI 48092
street city state zip

APPLICANT NAME: Dennis H. Hertz PHONE: 586-979-0075

APPLICANT ADDRESS: 4782 Brockham Way Sterling Hgts MI 48310
street city state zip

DATE OF BIRTH: 12 / 07 / 1952

STATUS OF OWNERSHIP: Sole Ownership Partnership Corporation

I certify that all statements on this application are true. I understand that any false information may result in the revoking of the above license.

Signature: Dennis H. Hertz

Print Name: DENNIS H. HERTZ

Preferred Mailing Address: Business Address Owner Address

Other: 6006 Rinke Warren MI 48091
street city state zip

* In accordance with the Warren Code of Ordinances mandated in Section 18-9: No license shall be issued or renewed under the provisions of this chapter or any other ordinance of the city until any and all personal property taxes, levied and assessed against such person by the city which may be due and payable at the time of the filing of the application for such license, shall have been paid (Applies to Warren businesses only) / THIS LICENSE IS NOT TRANSFERABLE & NON-REFUNDABLE

* Note: New dwelling or new owner must obtain a new Certificate of Compliance from the Building Department

OFFICE USE ONLY

DEPARTMENT APPROVAL:

POLICE COMMISSIONER: _____ DATE: _____

BUILDING DEPARTMENT: _____ DATE: _____

(Storage Lot/Sign Ordinance Section 37-552-578)

Issued by _____ Computer Entry Paper License Plate Numbers

LAST YEAR'S LICENSE NO. _____ FEE \$ _____

WRECKER/TOW SERVICE LICENSE NO. _____ LATE FEES \$ _____

CHECK # _____

RECEIPT # _____

LOCATION, SIZE, & SECURITY FEATURES OF STORAGE LOT FOR TOWED VEHICLES:

6006 Rinke Warren, MI 48091

1 Acre Lot Fenced & Lighted

LOCATION & HOURLY AVAILABILITY OF TOW TRUCKS: . 1 24 HOURS

6006 Rinke Warren, MI 48091

REQUIREMENTS:

- DESCRIPTION OF TOWING VEHICLES LISTED ON ATTACHED FORM
- LIST OF ALL EMPLOYEES DRIVING ANY TOW TRUCKS & THEIR CDL NUMBERS ON ATTACHED FORM
- YOUR ATTACHED NOTARIZED STATEMENT: (Pursuant to Public Act No. 391 of 1919, MCL 256.541 et seq.) completed by the business owner to accept responsibility for any and all personal property left in towed, along with the location where security for towed vehicles will be provided.
- COPIES OF YOUR INSURANCE CERTIFICATES:
 - A) Garage keeper's policy, a garage keeper's legal liability policy covering fire, theft, windstorm, vandalism, and explosion in the amount of \$10,000.00 with each vehicle suffering damage being deemed a separate claim.
 - B) Garage liability policy, a garage keeper's legal liability policy covering the operation of the owner's business, equipment, or other vehicles for any bodily injury or property damage
 - C) Notice of change or cancellation. Each policy required under this section must contain an endorsement by the carrier providing **ninety (90) days notice** to both the city and the insured if there is any material change or cancellation.
 - D) Copies needed of abover certificates to be on file in the City Clerk's Office. The City of Warren must be listed as the Certificate Holder & Additional Insured
- COPY OF YOUR MICHIGAN STATE SALES TAX LICENSE
- COPY OF YOUR DRIVER'S LICENSE

PAUL WOJNO
1 CITY SQUARE
WARREN, MI 48093-2393

NOTARIZED STATEMENT

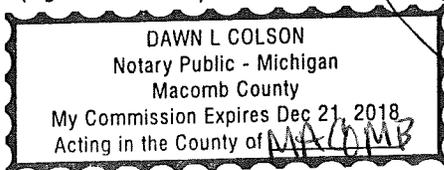
Date: 2-2-16

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owner of the the towed vehicle can show proof that said personal property was in the vehicle at the time of towing or while in our storage facility. Security for towed vehicles will be provided at:

6006 Rinke Warren, MI 48091

Dennis H. Hertz
(Signature of Owner)



Subscribed and Sworn to before me this 2nd day of FEB, 2016
Dawn L. Colson
Notary Public of MACOMB County, State of Michigan.
My commission expires 12-21, 2018

LICENSE NO. _____

BUSINESS NAME: ABLE TOWING, LLC.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 206
Make & Model: Ford F550 Flatbed
Year: 2015
Vin. No. 1FDUF5GJ7FEB62960
License No. BA 36114
Mileage: 15110

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 202
Make & Model: Ford F550 Flatbed
Year: 2015
Vin. No. BA 36113
License No. _____
Mileage: 12075

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 1
Make & Model: INTERNATIONAL FLATBED
Year: 2005
Vin. No. 1HTYMAAM95H1680246
License No. BA - 40246
Mileage: 205803

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____



ADDITIONAL REMARKS SCHEDULE

AGENCY Kapnick Insurance Group		NAMED INSURED Service Towing, Inc. dba Able Towing, LLC Wayne's Service, Inc. 6006 Rinke St. Warren MI 48091	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE**

Garagekeepers' Comp Deduct: \$500 per auto; \$2,500 max per claim
Garagekeepers' Coll Deduct: \$500

Cargo On Hook Deduct: \$1,000

City of Warren, City of Warren Municipal Authority, Downtown Development Authority, the 37th District Court, all elected appointed officials, employees and volunteers as individuals with the scope of their authority are listed as **Additional Insured**. Should any of the above described policies be cancelled before the expiration date, the issuing insurer will endeavor to mail 90 days written notice, (10 days for non-payment of premium), to the certificate holder named, but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents, or representatives.

WRECKER / TOW SERVICE LICENSE



OFFICE OF THE WARREN CITY CLERK
 PAUL WOJNO
 ONE CITY SQUARE, SUITE 205
 WARREN, MI 48093-2393
 (586) 574-4557 / FAX (586) 574-4556

FEES: FIRST VEHICLE: \$40.00
 EACH ADDITIONAL VEHICLE: \$15.00
LICENSE EXPIRES: March 31, 20____

10% penalty for renewal applications recieved after this date

I hereby apply for a license to tow any vehicle within the City of Warren in compliance with the Code of Ordinances of the City of Warren.
 (Chapter 37, Article III, Division 1 Section 551-556, Division 2, Section 571-576, Division 3, Section 577-579)

NEW RENEWAL

PLEASE COMPLETE APPLICATION IN FULL

BUSINESS NAME: Official Towing Inc. PHONE: 586-771-6840

BUSINESS ADDRESS: 21730 Groesbeck Warren Mi 48089
street city state zip

OWNER NAME: Gasper Fiore PHONE: 313-215-0171

HOME ADDRESS: 699 Lakeshore Grosse Pointe Shores Mi 48236
street city state zip

DATE OF BIRTH: 07 / 23 / 1960

EMAIL ADDRESS: Genestowingpaul@yahoo.com

CO-OWNER NAME: PHONE:

CO-OWNER ADDRESS:
street city state zip

APPLICANT NAME: Paul Ott PHONE: 810-602-4325

APPLICANT ADDRESS: 60454 Bates New Haven Mi 48048
street city state zip

DATE OF BIRTH: 04 / 11 / 1963

STATUS OF OWNERSHIP: Sole Ownership Partnership Corporation

I certify that all statements on this application are true. I understand that any false information may result in the revoking of the above license.

Signature: 

Print Name: Paul Ott

Preferred Mailing Address: Business Address Owner Address
 Other:

street city state zip

*** In accordance with the Warren Code of Ordinances mandated in Section 18-9: No license shall be issued or renewed under the provisions of this chapter or any other ordinance of the city until any and all personal property taxes, levied and assessed against such person by the city which may be due and payable at the time of the filing of the application for such license, shall have been paid (Applies to Warren businesses only) / THIS LICENSE IS NOT TRANSFERABLE & NON-REFUNDABLE**

*** Note: New dwelling or new owner must obtain a new Certificate of Compliance from the Building Department**

OFFICE USE ONLY

DEPARTMENT APPROVAL:

POLICE COMMISSIONER: DATE:

BUILDING DEPARTMENT: DATE:

(Storage Lot/Sign Ordinance Section 37-552-578)

Issued by _____ Computer Entry Paper License Plate Numbers

LAST YEAR'S LICENSE NO. FEE \$ _____

WRECKER/TOW SERVICE LICENSE NO. LATE FEES \$ _____

CHECK # _____

RECEIPT # _____

LOCATION, SIZE, & SECURITY FEATURES OF STORAGE LOT FOR TOWED VEHICLES: 21730 Groesbeck, Warren Mi
Fenced Lot, Overhead Lighting and Security Cameras. Lot size. 27,878 Sq Ft.

LOCATION & HOURLY AVAILABILITY OF TOW TRUCKS: 21730 Groesbeck, Warren Mi. 24/7 365 days

REQUIREMENTS:

- DESCRIPTION OF TOWING VEHICLES LISTED ON ATTACHED FORM
- LIST OF ALL EMPLOYEES DRIVING ANY TOW TRUCKS & THEIR CDL NUMBERS ON ATTACHED FORM
- YOUR ATTACHED NOTARIZED STATEMENT: (Pursuant to Public Act No. 391 of 1919, MCL 256.541 et seq.) completed by the business owner to accept responsibility for any and all personal property left in towed, along with the location where security for towed vehicles will be provided.
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 - B) Garage liability policy, a garage keeper's legal liability policy covering the operation of the owner's business, equipment, or other vehicles for any bodily injury or property damage
 - C) Notice of change or cancellation. Each policy required under this section must contain an endorsement by the carrier providing **ninety (90) days notice** to both the city and the insured if there is any material change or cancellation.
 - D) Copies needed of abover certificates to be on file in the City Clerk's Office. The City of Warren must be listed as the Certificate Holder & Additional Insured
- COPY OF YOUR MICHIGAN STATE SALES TAX LICENSE
- COPY OF YOUR DRIVER'S LICENSE

PAUL WOJNO
1 CITY SQUARE
WARREN, MI 48093-2393

NOTARIZED STATEMENT

Date: 2/12/16

I, Gasper Fiore, agree to assume responsibility for personal property left in vehicles towed by Official Towing Inc. provided the
(company name)

owner of the the towed vehicle can show proof that said personal property was in the vehicle at the time of towing or while in our storage facility. Security for towed vehicles will be provided at:
21730 Groesbeck, Warren Mi 48089

Gasper Fiore
(Signature of Owner)

Subscribed and Sworn to before me this
16 Feb 2016
Paul Wojno
Notary Public
My Commission Expires December 30, 2016
My commission expires 30, 2016

LICENSE NO.

BUSINESS NAME: Official Towing Inc.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK:
Wrecker No. 26
Make & Model: Dodge 5500
Year: 2012
Vin. No. 3C7WDNDL8CG173204
License No. AA19734
Mileage: 72034

PLATE NO. ISSUED BY CLERK:
Wrecker No. 17
Make & Model: Ford F-550
Year: 2011
Vin. No. 1FDUF5GY1BED06862
License No. AC34141
Mileage: 81554

PLATE NO. ISSUED BY CLERK:
Wrecker No. 20
Make & Model: Dodge 5500
Year: 2013
Vin. No. 3C7WRMDL3DG538224
License No. AD02443
Mileage: 85187

PLATE NO. ISSUED BY CLERK:
Wrecker No. 12
Make & Model: International 4700
Year: 2015
Vin. No. 3HAMMMMM3FL068133
License No. BA32357
Mileage: 37652

PLATE NO. ISSUED BY CLERK:
Wrecker No. 24
Make & Model: Dodge 5500
Year: 2013
Vin. No. 3C7WRMDL5DG538225
License No. AD02444
Mileage: 61317

PLATE NO. ISSUED BY CLERK:
Wrecker No. 23
Make & Model: Dodge 5500
Year: 2011
Vin. No. 3D6WA7ELXBG500243
License No. AB95925
Mileage: 119258

PLATE NO. ISSUED BY CLERK:
Wrecker No. 22
Make & Model: Dodge 5500
Year: 2015
Vin. No. 3C7WRNDL6FG597697
License No. AD02410
Mileage: 10746

PLATE NO. ISSUED BY CLERK:
Wrecker No. 12M
Make & Model: Dodge 5500
Year: 2011
Vin. No. 3DG6WA7EL1BG566471
License No. AD00567
Mileage: 107720

PLATE NO. ISSUED BY CLERK:
Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:
Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

LICENSE NO. _____

BUSINESS NAME: OFFICIAL TOWING

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 423
Make & Model: ~~2004~~ KKU T800
Year: 2004
Vin. No. 1NKDXBTX44J062856
License No. AA67902
Mileage: 107025.5

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 441
Make & Model: ~~2012~~ Peterbilt 389
Year: 2012
Vin. No. 1NPWL4TX0CD147233
License No. AL 92035
Mileage: 104,000

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 425
Make & Model: ~~2005~~ Kenworth T800
Year: 2005
Vin. No. 1NKDLB9X95J112476
License No. AA68082
Mileage: 19028.2

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 427
Make & Model: Kenworth T800
Year: 2005
Vin. No. 1NKDL49X15J090436
License No. AA66653
Mileage: 405037.2

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 433
Make & Model: Peterbilt 387
Year: 2008
Vin. No. 1NPTL49X98N755442
License No. 433
Mileage: 297,050

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. 440
Make & Model: ~~2011~~ Peterbilt 389
Year: 2011
Vin. No. 1NPWL4TX8BD110316
License No. AL34127
Mileage: 61315

PLATE NO. ISSUED BY CLERK: _____

Wrecker No. _____
Make & Model: _____
Year: _____
Vin. No. _____
License No. _____
Mileage: _____

WRECKER / TOW SERVICE LICENSE



OFFICE OF THE WARREN CITY CLERK
 PAUL WOJNO
 ONE CITY SQUARE, SUITE 205
 WARREN, MI 48093-2393
 (586) 574-4557 / FAX (586) 574-4556

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NEW

RENEWAL

PLEASE COMPLETE APPLICATION IN FULL

BUSINESS NAME: SERVICE TOWING, INC. PHONE: 586-756-9500

BUSINESS ADDRESS: 6006 Rinke Warren MI 48091
street city state zip

OWNER NAME: Edward D. Hertz PHONE: 586-754-8188

HOME ADDRESS: 4418 Bayberry Warren MI 48092
street city state zip

DATE OF BIRTH: 07 / 19 / 1944

EMAIL ADDRESS: bruce@servicetowing.biz

CO-OWNER NAME: Bruce E. Hertz PHONE: 586-634-6431

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APPLICANT NAME: Dennis H. Hertz PHONE: 586-979-0075

APPLICANT ADDRESS: 4782 Brockham Way Sterling Hgts. MI 48310
street city state zip

DATE OF BIRTH: 12 / 07 / 1952

STATUS OF OWNERSHIP: Sole Ownership Partnership Corporation

I certify that all statements on this application are true. I understand that any false information may result in the revoking of the above license.

Signature: Dennis H. Hertz

Print Name: DENNIS H. HERTZ

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street city state zip

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* Note: New dwelling or new owner must obtain a new Certificate of Compliance from the Building Department

OFFICE USE ONLY

DEPARTMENT APPROVAL:

POLICE COMMISSIONER: _____ DATE: _____

BUILDING DEPARTMENT: _____ DATE: _____

(Storage Lot/Sign Ordinance Section 37-552-578)

Issued by _____ Computer Entry Paper License Plate Numbers

LAST YEAR'S LICENSE NO. _____ FEE \$ _____

WRECKER/TOW SERVICE LICENSE NO. _____ LATE FEES \$ _____

CHECK # _____

RECEIPT # _____

LOCATION, SIZE, & SECURITY FEATURES OF STORAGE LOT FOR TOWED VEHICLES:

6006 Rinke Warren, MI 48091

1 Acre Fenced & Lighted

LOCATION & HOURLY AVAILABILITY OF TOW TRUCKS:

24 Hours

6006 Rinke Warren, MI 48091

REQUIREMENTS:

- DESCRIPTION OF TOWING VEHICLES LISTED ON ATTACHED FORM
- LIST OF ALL EMPLOYEES DRIVING ANY TOW TRUCKS & THEIR CDL NUMBERS ON ATTACHED FORM
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 - A) Garage keeper's policy, a garage keeper's legal liability policy covering fire, theft, windstorm, vandalism, and explosion in the amount of \$10,000.00 with each vehicle suffering damage being deemed a separate claim.
 - B) Garage liability policy, a garage keeper's legal liability policy covering the operation of the owner's business, equipment, or other vehicles for any bodily injury or property damage
 - C) Notice of change or cancellation. Each policy required under this section must contain an endorsement by the carrier providing **ninety (90) days notice** to both the city and the insured if there is any material change or cancellation.
 - D) Copies needed of abover certificates to be on file in the City Clerk's Office. The City of Warren must be listed as the Certificate Holder & Additional Insured
- COPY OF YOUR MICHIGAN STATE SALES TAX LICENSE
- COPY OF YOUR DRIVER'S LICENSE

PAUL WOJNO
1 CITY SQUARE
WARREN, MI 48093-2393

NOTARIZED STATEMENT

Date: 2-2-16

I, Dennis H. Hertz, agree to assume responsibility for personal property left in vehicles towed by Service Towing, Inc. provided the (company name)

owner of the the towed vehicle can show proof that said personal property was in the vehicle at the time of towing or while in our storage facility. Security for towed vehicles will be provided at:

6006 Rinke Warren, MI 48091

Dennis H. Hertz
(Signature of Owner)

DAWN L COLSON
Notary Public - Michigan
Macomb County
My Commission Expires Dec 21, 2018
Acting in the County of MACOMB

Subscribed and Sworn to before me this 2nd day of FEB, 2016
Dawn L Colson
Notary Public of MACOMB County, State of Michigan.
My commission expires 12.21, 2018



ADDITIONAL REMARKS SCHEDULE

AGENCY Kapnick Insurance Group		NAMED INSURED Service Towing, Inc. dba Able Towing, LLC Wayne's Service, Inc. 6006 Rinke St. Warren MI 48091	
POLICY NUMBER		EFFECTIVE DATE:	
CARRIER	NAIC CODE		

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
 FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

Garagekeepers' Comp Deduct: \$500 per auto; \$2,500 max per claim
 Garagekeepers' Coll Deduct: \$500
 Cargo On Hook Deduct: \$1,000

City of Warren, City of Warren Municipal Authority, Downtown Development Authority, the 37th District Court, all elected appointed officials, employees and volunteers as individuals with the scope of their authority are listed as Additional Insured. Should any of the above described policies be cancelled before the expiration date, the issuing insurer will endeavor to mail 90 days written notice, (10 days for non-payment of premium), to the certificate holder named, but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents, or representatives.

WRECKER / TOW SERVICE LICENSE



OFFICE OF THE WARREN CITY CLERK
 PAUL WOJNO
 ONE CITY SQUARE, SUITE 205
 WARREN, MI 48093-2393
 (586) 574-4557 / FAX (586) 574-4556

FEES: FIRST VEHICLE: \$40.00
 EACH ADDITIONAL VEHICLE: \$15.00
LICENSE EXPIRES: March 31, 20

10% penalty for renewal applications received after this date

I hereby apply for a license to tow any vehicle within the City of Warren in compliance with the Code of Ordinances of the City of Warren. (Chapter 37, Article III, Division 1 Section 551-556, Division 2, Section 571-576, Division 3, Section 577-579)

NEW RENEWAL

PLEASE COMPLETE APPLICATION IN FULL

BUSINESS NAME: Official Towing Inc. PHONE: 586-771-6840

BUSINESS ADDRESS: 21730 Groesbeck Warren Mi 48089
street city state zip

OWNER NAME: Gasper Fiore PHONE: 313-215-0171

HOME ADDRESS: 699 Lakeshore Grosse Pointe Shores Mi 48236
street city state zip

DATE OF BIRTH: 07 / 23 / 1960

EMAIL ADDRESS: Genestowingpaul@yahoo.com

CO-OWNER NAME: PHONE:

CO-OWNER ADDRESS: street city state zip

APPLICANT NAME: Paul Ott PHONE: 810-602-4325

APPLICANT ADDRESS: 60454 Bates New Haven Mi 48048
street city state zip

DATE OF BIRTH: 04 / 11 / 1963

STATUS OF OWNERSHIP: Sole Ownership Partnership Corporation

I certify that all statements on this application are true. I understand that any false information may result in the revoking of the above license.

Signature:

Print Name: Paul Ott

Preferred Mailing Address: Business Address Owner Address
 Other; street city state zip

* In accordance with the Warren Code of Ordinances mandated in Section 18-9: No license shall be issued or renewed under the provisions of this chapter or any other ordinance of the city until any and all personal property taxes, levied and assessed against such person by the city which may be due and payable at the time of the filing of the application for such license, shall have been paid (Applies to Warren businesses only) / THIS LICENSE IS NOT TRANSFERABLE & NON-REFUNDABLE

* Note: New dwelling or new owner must obtain a new Certificate of Compliance from the Building Department

OFFICE USE ONLY

DEPARTMENT APPROVAL:

POLICE COMMISSIONER: DATE:

BUILDING DEPARTMENT: DATE:

(Storage Lot/Sign Ordinance Section 37-552-578)

Issued by _____ Computer Entry Paper License Plate Numbers

LAST YEAR'S LICENSE NO. _____ FEE \$ _____
 LATE FEE \$ _____
 CHECK # _____
 RECEIPT # _____

WRECKER/TOW SERVICE LICENSE NO. _____

LOCATION, SIZE, & SECURITY FEATURES OF STORAGE LOT FOR TOWED VEHICLES: 21730 Groesbeck, Warren Mi Fenced Lot, Overhead Lighting and Security Cameras. Lot size. 27,878 Sq Ft.

LOCATION & HOURLY AVAILABILITY OF TOW TRUCKS: 21730 Groesbeck, Warren Mi. 24/7 365 days

REQUIREMENTS:

- DESCRIPTION OF TOWING VEHICLES LISTED ON ATTACHED FORM
- LIST OF ALL EMPLOYEES DRIVING ANY TOW TRUCKS & THEIR CDL NUMBERS ON ATTACHED FORM
- YOUR ATTACHED NOTARIZED STATEMENT: (Pursuant to Public Act No. 391 of 1919, MCL 256.541 et seq.) completed by the business owner to accept responsibility for any and all personal property left in towed, along with the location where security for towed vehicles will be provided.
- COPIES OF YOUR INSURANCE CERTIFICATES:
 - A) Garage keeper's policy, a garage keeper's legal liability policy covering fire, theft, windstorm, vandalism, and explosion in the amount of \$10,000.00 with each vehicle suffering damage being deemed a separate claim.
 - B) Garage liability policy, a garage keeper's legal liability policy covering the operation of the owner's business, equipment, or other vehicles for any bodily injury or property damage
 - C) Notice of change or cancellation. Each policy required under this section must contain an endorsement by the carrier providing **ninety (90) days notice** to both the city and the insured if there is any material change or cancellation.
 - D) Copies needed of abover certificates to be on file in the City Clerk's Office. The City of Warren must be listed as the Certificate Holder & Additional Insured
- COPY OF YOUR MICHIGAN STATE SALES TAX LICENSE
- COPY OF YOUR DRIVER'S LICENSE

PAUL WOJNO
1 CITY SQUARE
WARREN, MI 48093-2393

NOTARIZED STATEMENT

Date: 2/12/16

I, Gasper Fiore, agree to assume responsibility for personal property left in vehicles towed by Official Towing Inc. provided the
(company name)

owner of the the towed vehicle can show proof that said personal property was in the vehicle at the time of towing or while in our storage facility. Security for towed vehicles will be provided at:
21730 Groesbeck, Warren Mi 48089

Gasper Fiore
(Signature of Owner)

Subscribed and Sworn to before me this
15 Feb, 2016
Paul Wojno
Notary Public
Notary Public of Warren County, State of Michigan.
My Commission Expires December 30, 2016
My commission expires 30, 2016.

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement.

PRODUCER: ZERVOS GROUP, INC. 24724 Farmbrook (248) 355-4411. CONTACT NAME: Michael Zervos/Molly Brink. PHONE: 248 355-4411. FAX: 248 355-2175. E-MAIL ADDRESS: molly@zervosgroup.com. INSURER(S) AFFORDING COVERAGE: RLI Insurance Company, Michigan Millers Insurance Co.

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL SUBR INSR WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include General Liability, Automobile Liability, Umbrella Liab, Workers Compensation, Motor Truck Cargo, and Garagekeeper Liab.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail thirty (90) days written notice to the certificate holder by certified mail.

CERTIFICATE HOLDER: The City of Warren, One City Square, Warren, MI 48093. CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Michael G. Zervos.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/11/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Regency Insurance Group 1690 Watertower Pl East Lansing MI 48823	CONTACT NAME: Jill McDaniel-Fraidenburg
	PHONE (A/C, No, Ext): 517-664-2770 FAX (A/C, No): 517-664-2787 E-MAIL ADDRESS: JMcDaniel@regency-group.com
INSURER(S) AFFORDING COVERAGE	
	NAIC #
INSURED Official Towing Inc 2411 Vinewood Street Detroit MI 48216	INSURER A: Accident Fund Insurance 10166 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 1331014271

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WCV6044452	5/1/2015	5/1/2016	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

20 day notice of cancellation or materiel change provided to certificate holder, 10 day in the event of non-payment of premium applies to the Workers Compensation policy.

CERTIFICATE HOLDER**CANCELLATION**

CITY OF WARREN
 ONE CITY SQUARE STE. 205
 WARREN MI 48093-2393

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Jill R. McDaniel-Fraidenburg

© 1988-2010 ACORD CORPORATION. All rights reserved.

BUSINESS NAME: Official Towing Inc.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 26
 Make & Model: Dodge 5500
 Year: 2012
 Vin. No. 3C7WDNDL8CG173204
 License No. AA19734
 Mileage: 72034

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 17
 Make & Model: Ford F-550
 Year: 2011
 Vin. No. 1FDUF5GY1BED06862
 License No. AC34141
 Mileage: 81554

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 20
 Make & Model: Dodge 5500
 Year: 2013
 Vin. No. 3C7WRMDL3DG538224
 License No. AD02443
 Mileage: 85187

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 12
 Make & Model: International 4700
 Year: 2015
 Vin. No. 3HAMMMMM3FL068133
 License No. BA32357
 Mileage: 37652

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 24
 Make & Model: Dodge 5500
 Year: 2013
 Vin. No. 3C7WRMDL5DG538225
 License No. AD02444
 Mileage: 61317

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 23
 Make & Model: Dodge 5500
 Year: 2011
 Vin. No. 3D6WA7ELXBG500243
 License No. AB95925
 Mileage: 119258

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 22
 Make & Model: Dodge 5500
 Year: 2015
 Vin. No. 3C7WRNDL6FG597697
 License No. AD02410
 Mileage: 10746

PLATE NO. ISSUED BY CLERK:
 Wrecker No. 12M
 Make & Model: Dodge 5500
 Year: 2011
 Vin. No. 3DG6WA7EL1BG566471
 License No. AD00567
 Mileage: 107720

PLATE NO. ISSUED BY CLERK:
 Wrecker No.
 Make & Model:
 Year:
 Vin. No.
 License No.
 Mileage:

PLATE NO. ISSUED BY CLERK:
 Wrecker No.
 Make & Model:
 Year:
 Vin. No.
 License No.
 Mileage:

BUSINESS NAME:

OFFICIAL TOWING

LICENSE NO.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK:

Wrecker No. 423
Make & Model: ~~KKK~~ T800
Year: 2004
Vin. No. 1NKDXBTX44J062856
License No. AA67902
Mileage: 107025.5

PLATE NO. ISSUED BY CLERK:

Wrecker No. 441
Make & Model: ~~Peterbilt~~ 389
Year: 2012
Vin. No. 1NPWL4TXOCD147233
License No. AL 72035
Mileage: 104,000

PLATE NO. ISSUED BY CLERK:

Wrecker No. 425
Make & Model: ~~Kenworth~~ T800
Year: 2005
Vin. No. 1NRDLB9X95J112476
License No. AA68082
Mileage: 19028.2

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 427
Make & Model: Kenworth T800
Year: 2005
Vin. No. 1NKDL49X15J1090436
License No. AA66653
Mileage: 405037.2

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 433
Make & Model: Peterbilt 387
Year: 2008
Vin. No. 1NP7L49X98N755442
License No. 433
Mileage: 297,000

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 440
Make & Model: ~~Peterbilt~~ 389
Year: 2011
Vin. No. 1NPWL4TX8BD110316
License No. AL34127
Mileage: 61315

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

WRECKER / TOW SERVICE LICENSE



OFFICE OF THE WARREN CITY CLERK
 PAUL WOJNO
 ONE CITY SQUARE, SUITE 205
 WARREN, MI 48093-2393
 (586) 574-4557 / FAX (586) 574-4556

FEES: FIRST VEHICLE: \$40.00
 EACH ADDITIONAL VEHICLE: \$15.00
LICENSE EXPIRES: March 31, 20__

10% penalty for renewal applications received after this date

I hereby apply for a license to tow any vehicle within the City of Warren in compliance with the Code of Ordinances of the City of Warren.
 (Chapter 37, Article III, Division 1 Section 551-556, Division 2, Section 571-576, Division 3, Section 577-579)

NEW RENEWAL

PLEASE COMPLETE APPLICATION IN FULL

BUSINESS NAME: SERVICE TOWING, INC. PHONE: 586-756-9500

BUSINESS ADDRESS: 6006 Rinke Warren MI 48091
street city state zip

OWNER NAME: Edward D. Hertz PHONE: 586-754-8188

HOME ADDRESS: 4418 Bayberry Warren MI 48092
street city state zip

DATE OF BIRTH: 07 / 19 / 1944

EMAIL ADDRESS: bruce@servicetowing.biz

CO-OWNER NAME: Bruce E. Hertz PHONE: 586-634-6431

CO-OWNER ADDRESS: 28363 Revere Warren MI 48092
street city state zip

APPLICANT NAME: Dennis H. Hertz PHONE: 586-979-0075

APPLICANT ADDRESS: 4782 Brockham Way Sterling Hgts. MI 48310
street city state zip

DATE OF BIRTH: 12 / 07 / 1952

STATUS OF OWNERSHIP: Sole Ownership Partnership Corporation

I certify that all statements on this application are true. I understand that any false information may result in the revoking of the above license.

Signature: Dennis H. Hertz

Print Name: DENNIS H. HERTZ

Preferred Mailing Address: Business Address Owner Address

Other: 6006 Rinke Warren MI 48091
street city state zip

* In accordance with the Warren Code of Ordinances mandated in Section 18-9: No license shall be issued or renewed under the provisions of this chapter or any other ordinance of the city until any and all personal property taxes, levied and assessed against such person by the city which may be due and payable at the time of the filing of the application for such license, shall have been paid (Applies to Warren businesses only) / THIS LICENSE IS NOT TRANSFERABLE & NON-REFUNDABLE

* Note: New dwelling or new owner must obtain a new Certificate of Compliance from the Building Department

OFFICE USE ONLY

DEPARTMENT APPROVAL:

POLICE COMMISSIONER: _____ DATE: _____

BUILDING DEPARTMENT: _____ DATE: _____

(Storage Lot/Sign Ordinance Section 37-552-578)

Issued by _____ Computer Entry Paper License Plate Numbers

LAST YEAR'S LICENSE NO. _____ FEE \$ _____
 LATE FEES \$ _____

WRECKER/TOW SERVICE LICENSE NO. _____ CHECK # _____

RECEIPT # _____

LOCATION, SIZE, & SECURITY FEATURES OF STORAGE LOT FOR TOWED VEHICLES:

6006 Rinke Warren, MI 48091

1 Acre Fenced & Lighted

LOCATION & HOURLY AVAILABILITY OF TOW TRUCKS:

24 Hours

6006 Rinke Warren, MI 48091

REQUIREMENTS:

- DESCRIPTION OF TOWING VEHICLES LISTED ON ATTACHED FORM
- LIST OF ALL EMPLOYEES DRIVING ANY TOW TRUCKS & THEIR CDL NUMBERS ON ATTACHED FORM
- YOUR ATTACHED NOTARIZED STATEMENT: (Pursuant to Public Act No. 391 of 1919, MCL 256.541 et seq.) completed by the business owner to accept responsibility for any and all personal property left in towed, along with the location where security for towed vehicles will be provided.
- COPIES OF YOUR INSURANCE CERTIFICATES:
 - A) Garage keeper's policy, a garage keeper's legal liability policy covering fire, theft, windstorm, vandalism, and explosion in the amount of \$10,000.00 with each vehicle suffering damage being deemed a separate claim.
 - B) Garage liability policy, a garage keeper's legal liability policy covering the operation of the owner's business, equipment, or other vehicles for any bodily injury or property damage
 - C) Notice of change or cancellation. Each policy required under this section must contain an endorsement by the carrier providing **ninety (90) days notice** to both the city and the insured if there is any material change or cancellation.
 - D) Copies needed of above certificates to be on file in the City Clerk's Office. The City of Warren must be listed as the Certificate Holder & Additional Insured
- COPY OF YOUR MICHIGAN STATE SALES TAX LICENSE
- COPY OF YOUR DRIVER'S LICENSE

PAUL WOJNO
1 CITY SQUARE
WARREN, MI 48093-2393

NOTARIZED STATEMENT

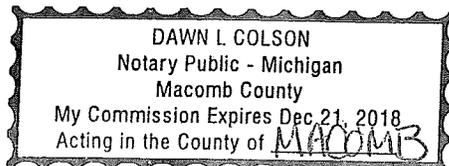
Date: 2-2-16

I, Dennis H. Hertz, agree to assume responsibility for personal property left in vehicles towed by Service Towing, Inc. provided the (company name)

owner of the the towed vehicle can show proof that said personal property was in the vehicle at the time of towing or while in our storage facility. Security for towed vehicles will be provided at:

6006 Rinke Warren, MI 48091

Dennis H. Hertz
(Signature of Owner)



Subscribed and Sworn to before me this 2nd day of FEB, 2016
Dawn L. Colson
Notary Public of MACOMB County, State of Michigan.
My commission expires 12-21, 2018

SERVICE TOWING CO., INC.

MICHIGAN'S LARGEST RECOVERY UNIT

"Tested @ 75 Ton Lift" • 24 Hour Service

6006 RINKE • WARREN, MI 48091

(586) 756-9500
Phone

(888) 756-9501
Toll Free

(586) 754-5044
Fax

TAX ID

38-2178326



BIG or Small We Haul All, "Anything, Anytime, Anywhere"

LICENSE NO.

BUSINESS NAME: SERVICE TOWING, INC.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK:

Wrecker No. 198
Make & Model: Ford F550 Flatbed
Year: 2015
Vin. No. 1FDUF5G48FEB40748
License No. BA 36115
Mileage: 3640

PLATE NO. ISSUED BY CLERK:

Wrecker No. 200
Make & Model: Ford F550 Flatbed
Year: 2015
Vin. No. 1FDUF5G44FEB40777
License No. BA 36117
Mileage: 11655

PLATE NO. ISSUED BY CLERK:

Wrecker No. 204
Make & Model: Ford F550 Flatbed
Year: 2015
Vin. No. 1FDUF5G42FEB40776
License No. BA 36116
Mileage: 28609

PLATE NO. ISSUED BY CLERK:

Wrecker No. 196
Make & Model: Ford F550 Flatbed
Year: 2015
Vin. No. 1FDUF5G44FEB40780
License No. BA 36112
Mileage: 15407

PLATE NO. ISSUED BY CLERK:

Wrecker No. 190
Make & Model: Kenworth Flatbed
Year: 2014
Vin. No. 2NKHHM7X7EM965422
License No. BA 05524
Mileage: 39676

PLATE NO. ISSUED BY CLERK:

Wrecker No. 186
Make & Model: Kenworth 50 Ton Wrecker
Year: 2014
Vin. No. 1NKDX4EX3EJ385743
License No. AD 03958
Mileage: 115287

PLATE NO. ISSUED BY CLERK:

Wrecker No. 184
Make & Model: Kenworth 50 Ton Wrecker
Year: 2012
Vin. No. 1NKDX4EXXCJ304024
License No. AD 03904
Mileage: 112289

PLATE NO. ISSUED BY CLERK:

Wrecker No. 182
Make & Model: Peterbuilt 35 Ton Wrecker
Year: 2013
Vin. No. 1NPWL49X6DD187082
License No. AD 03902
Mileage: 113008

PLATE NO. ISSUED BY CLERK:

Wrecker No. 180
Make & Model: Peterbuilt Flatbed
Year: 2013
Vin. No. 2NP3LN9X6DM176778
License No. RA 83045
Mileage: 81487

PLATE NO. ISSUED BY CLERK:

Wrecker No. 178
Make & Model: Kenworth 80 Ton Wrecker
Year: 2012
Vin. No. 1NKDX4TXOCJ315357
License No. AB 99669
Mileage: 21727

LICENSE NO. _____

BUSINESS NAME: _____

SERVICE TOWING, INC.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK:

Wrecker No. 166
 Make & Model: Freightliner Flatbed
 Year: 2007
 Vin. No. 1FVACWCT57HY03438
 License No. AC 75567
 Mileage: 174289

PLATE NO. ISSUED BY CLERK:

Wrecker No. 134
 Make & Model: Kenworth Flatbed
 Year: 2005
 Vin. No. 2NKMHD7X75M978508
 License No. RA 33319
 Mileage: 175571

PLATE NO. ISSUED BY CLERK:

Wrecker No. 162
 Make & Model: Dodge Wrecker
 Year: 2008
 Vin. No. 3D6WH48A38G234044
 License No. AC 52635
 Mileage: 991636

PLATE NO. ISSUED BY CLERK:

Wrecker No. 132
 Make & Model: Kenworth 50 Ton Wrecker
 Year: 2003
 Vin. No. 1NKDXBTX33J968821
 License No. AA 87760
 Mileage: 32330

PLATE NO. ISSUED BY CLERK:

Wrecker No. 148
 Make & Model: Kenworth 35 Ton Wrecker
 Year: 2006
 Vin. No. 1NKDLB9X86J112454
 License No. AB 18095
 Mileage: 219465

PLATE NO. ISSUED BY CLERK:

Wrecker No. 130
 Make & Model: International Flatbed
 Year: 2004
 Vin. No. 1HTMMAAM54H666536
 License No. AB 72239
 Mileage: 230846

PLATE NO. ISSUED BY CLERK:

Wrecker No. 138
 Make & Model: International 14 Ton Wrecker
 Year: 2006
 Vin. No. 1HTMKAZN76H178324
 License No. AC 46866
 Mileage: 143199

PLATE NO. ISSUED BY CLERK:

Wrecker No. 100
 Make & Model: Dodge Flatbed
 Year: 2011
 Vin. No. 3D6WU7EL1BG529542
 License No. AA 50422
 Mileage: 81840

PLATE NO. ISSUED BY CLERK:

Wrecker No. 136
 Make & Model: International 10 Ton Wrecker
 Year: 2006
 Vin. No. 1HTMMAALX6H178323
 License No. AA 87761
 Mileage: 113479

PLATE NO. ISSUED BY CLERK:

Wrecker No. 194
 Make & Model: Kenworth 35 Ton Wrecker
 Year: 2007
 Vin. No. 1NKDLBOX77J193350
 License No. BA 11788
 Mileage: 42105

LICENSE NO.

BUSINESS NAME: SERVICE TOWING, INC.

WRECKER/TOW TRUCK VEHICLE LIST

PLATE NO. ISSUED BY CLERK:

Wrecker No. 70
Make & Model: Dodge Wrecker
Year: 2008
Vin. No. 3D6WC66A38G215684
License No. AC 54766
Mileage: 77894

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 80
Make & Model: Ford Flatbed
Year: 2008
Vin. No. 3FRNF65C58V080461
License No. AC67324
Mileage: 662104

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 90
Make & Model: Ford Flatbed
Year: 2008
Vin. No. 3FRNF65C68V079416
License No. BA 40245
Mileage: 96164

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 156
Make & Model: DODGE FLATBED
Year: 2008
Vin. No. 3D6WC76A78G124701
License No. AC 61118
Mileage: 179352

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:

PLATE NO. ISSUED BY CLERK:

Wrecker No. 176
Make & Model: PETERBILT WRECKER
Year: 2008
Vin. No. NPWLBOX38D7166845
License No. RA 85207
Mileage: 38276

PLATE NO. ISSUED BY CLERK:

Wrecker No.
Make & Model:
Year:
Vin. No.
License No.
Mileage:



WASTE WATER TREATMENT PLANT

32360 Warkop
Warren, Michigan 48093
(586) 264-2530

David M. Monette
Division Head

February 25, 2016

Ms. Kelly Colegio
Council Secretary

Re: Year One (1) Cost Avoidance report, Johnson Controls, Inc. (JCI)

Dear Council Secretary Colegio:

A presentation was given at the February 23, 2016 City Council meeting to review the project benefits, to date, of the JCI Energy Performance Contract in progress at the WWTP.

The attached Year One (1) Cost Avoidance Report titled; "Warren Waste Water Treatment Plant Energy Savings Performance Contract with JCI" is submitted in accordance with the terms of the contract.

The report covers the year one (1) guarantee period, which started January 2015 through December 2015. The total cost avoidance achieved for this period was \$607,755 which exceeds the \$580,715 first year guarantee by \$27,040.

If you have questions, or require additional information, please contact me.

Respectfully Submitted,



David Monette, Division Head
Division of Waste Water Treatment

Read and Concur:



Richard Sabaugh, Director
Department of Public Service

Approved:

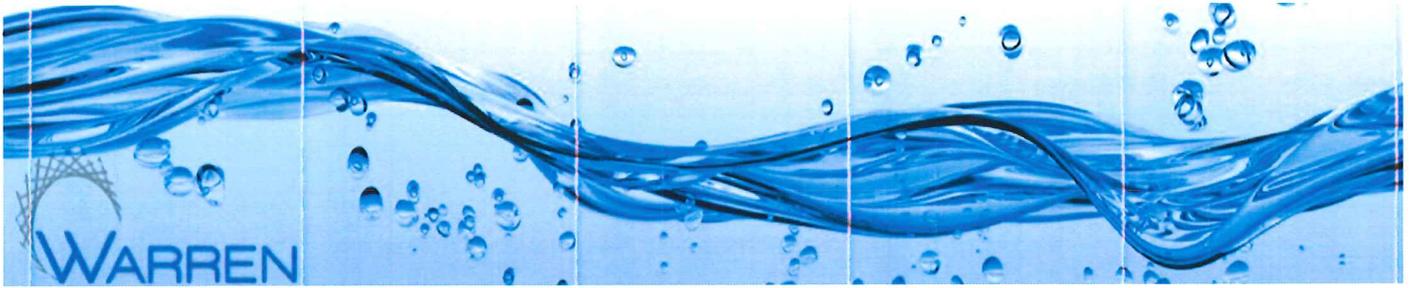


James R. Fouts
Mayor

DM/mvc

Attachment

cc: R. Maleszyk, City Controller
D. Mack, JCI



Warren Waste Water Treatment Plant Energy Savings Performance Contract

**with
Johnson Controls, Inc.**

Year 1 Cost Avoidance Report

January 1, 2015 to December 31, 2015

Presented by:



Mark Slabaugh, CEM

February 16, 2016

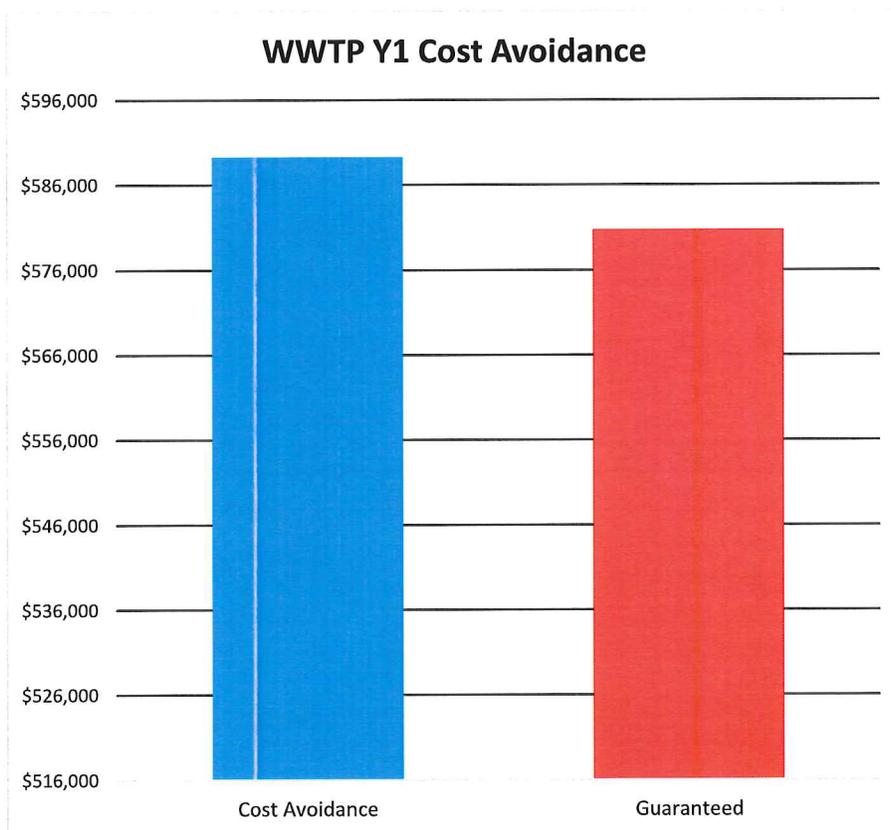
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Executive Overview

The City of Warren entered into a Contract with Johnson Controls, Inc. to upgrade equipment and processes at the Warren Waste Water Treatment Plant as part of an Energy Savings Performance Contract on September 23, 2011. Subject to the terms and conditions of this Agreement, JCI guarantees that the Customer will achieve a total of \$3,118,225 in Project Benefits during the five year term of this Agreement.

This report covers the year one guarantee period which started January 2015 and went through the end of December 2015. The cost avoidance for this period totals \$607,755. This amount exceeds the \$580,715 guaranteed cost avoidance for the first year by \$27,040



Project Overview

The Energy Conservation Measures (ECMs) that were implemented are listed here and were selected based on both their individual and collective merit in supporting the mission of the Warren Waste Water Treatment Plant.

FACILITY IMPROVEMENT MEASURES Warren Waste Water Treatment Plant	Switch Gear Bldg	Grit Chamber & Garage	Maintenance Bldg	Service Bldg	Maintenance Shop	Generator Bldg	Primary Tunnel	Aeration Shed	Solids Bldg	Pipe Shop	Incinerator Bldg	Chlorine Bldg	DeChlorination Bldg	Sand Filler Bldg	Blower Bldg	Non-Potable Water Bldg	Equip & Vehicle Storage Bldg	9 Mile Pump Station	14 Mile Pump Station	Safety Shed	UV Bldg	Aeration Basin	Grounds		
Aeration Blower upgrade															X										
Aeration Blower controls															X										
Aeration Blower balancing															X										
Rebuild RSP5 at 14 mile pump station																			X						
VFD on P1 & P2 at SF pump station														X											
Biological Phosphorus Removal																							X		
Incinerator burner tune up											X														
Incinerator center shaft VFD											X														
Demand Monitoring - SCADA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lighting Improvements	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X				X	
Mechanical Improvements							X	X	X																
RTU upgrades				X																					
Replace Steam boiler with Hot Water				X																					
AHU upgrade				X																					
DHW boiler replacement				X																					
Facility Dude	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Building Envelope Improvements	X	X	X	X	X				X	X	X	X	X	X	X	X	X	X							
Building Control Improvements				X					X						X			X							
10 kW Solar Array				X																					

Helping Warren WWTP Achieve

The Plant was able to upgrade and replace critical equipment that eventually would have needed replacing. By utilizing an Energy Savings Performance Contract they were able to make the improvements, without raising rates or depleting their budget.

- Johnson Controls was chosen because they have the capability to provide the technical expertise to execute on that vision, stand behind the guarantee, and the ability to validate the data through measurement and verification throughout the entire process.
- Guaranteed energy and operational savings of \$3.1 million are expected over the 5-year term of the performance contracting agreement.
- The Waste Water Treatment Plant is expected to reduce their total energy consumption by 17 percent.

Partial Project Scope

- Incorporation of a 10 kW solar photovoltaic system.
- Aeration Blower Upgrades, Controls and Balance.
- Pumping Improvements – 14 mile pump station
- Biological Phosphorous Removal
- Incinerator Burner tune up
- Demand Monitoring
- Lighting Improvements
- Building envelope improvements for several buildings.

Energy Impact

The renovation phase of the program was completed in December 2014. Johnson Controls began officially tracking the energy avoidance for the contract on January 1, 2012. Total Energy Cost Avoidance from January 2012 through December 2015 is \$1,258,682. A breakout of the savings by utility type is shown below.

Total Utility savings by units during Construction (1/1/12 – 12/31/14) are:

Electric	5,971,112 kWh
Natural Gas	24,561 MMBtu

Total Utility savings by units during the First Year period are:

Electric	2,912,181 kWh
	6,896 kW
Natural Gas	11,060 MMBtu

Environmental Impact

Reduced energy consumption yields a favorable impact in the form of reduced atmospheric discharge. Every kilowatt-hour of unused electricity prevents the emission of 1.5 pounds of carbon dioxide, CO_2 (the most important greenhouse gas), 5.8 grams of sulfur dioxide SO_2 (a principle component of acid rain), and 2.5 grams of nitrous oxides NO_x (precursor to both acid rain and smog). This reduction is assisting the state of Michigan and the nation in its goals to reduce yearly greenhouse gas emissions and other compounds from entering the environment. This project is projected to have an overall reduction in CO_2^{-e} of 12,529.8 tons over a 5 year period.

Based upon the actual electrical and natural gas avoidance during the first year guarantee period, the Plant has reduced its atmospheric emissions by 2,859.9 tons of CO_2^{-e} . This is equivalent to any of the following:

Equivalency Results

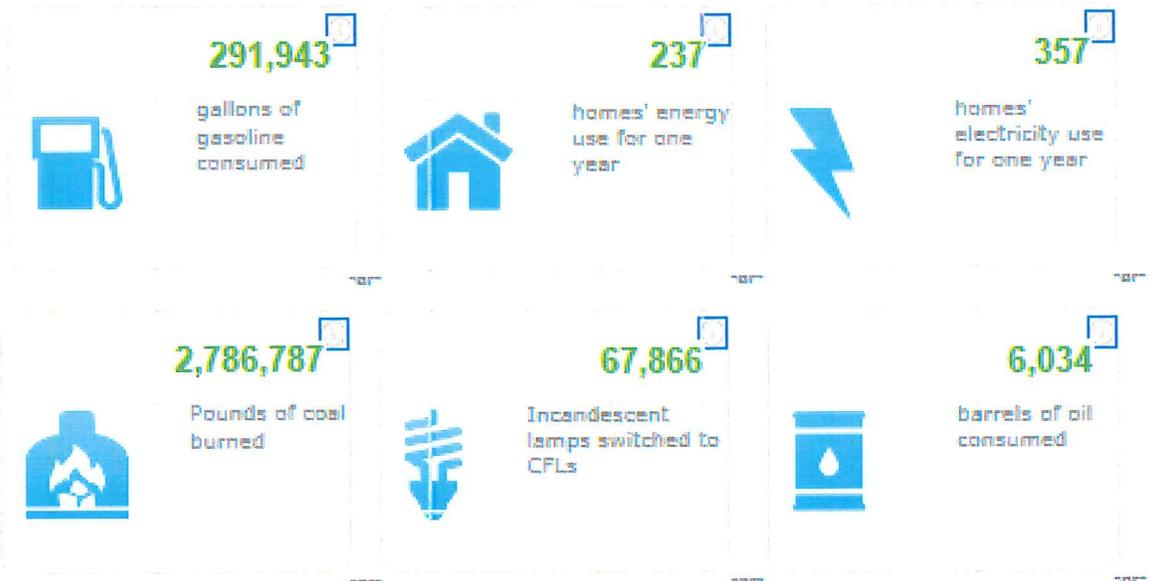
The sum of the greenhouse gas emissions you entered above is of Carbon Dioxide Equivalent. This is equivalent to:

5,719,890 Pounds

Greenhouse gas emissions from



CO₂ emissions from



Carbon sequestered by



From : <http://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

Moving Forward

Warren Waste Water Treatment Plant has avoided **\$1,258,682** in energy costs from the start of construction thru the end of the first year guarantee period.

Over the 5 year life of the performance contract, yearly Cost Avoidance reports will be provided to the City within 60 days after the end of that contract year, in accordance with contract terms. As we are monitoring the performance of the various Facility Improvement Measures, we will communicate with you and work with you to resolve any issues that are discovered. We want to assist you in improving the energy efficiency of your processes and buildings. Every day we are gaining a better understanding of how the systems operate and how we can better achieve our goals. We understand that every dollar that we help reduce in energy expenditures is one more dollar to control user rates and meet the Waste Water Treatment Plants' needs.

Appendix

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Year 1 Option A Savings

Year 1 Summary of Measured Energy Savings	kWh saved	Kwh \$Saved	kW Saved	kW \$ saved	MMBtu Saved	Gas \$\$ Saved (MMBtu)	Total Annual \$ Saved
Lighting Retrofit							
Switch Gear Bldg lighting	1,961	\$96	7.20	\$112			\$208
Grit Chamber and Garage lighting	307	\$15	1.44	\$22			\$37
Maintenance Building lighting	12,602	\$618	57.48	\$892			\$1,510
Service Building lighting	69,584	\$3,411	186.96	\$2,902			\$6,313
Maintenance Shop lighting	5,706	\$280	30.60	\$475			\$755
Generator Building lighting	886	\$43	3.72	\$58			\$101
Primary Tunnel lighting	10,136	\$497	34.20	\$531			\$1,028
Aeration Shed lighting	1,915	\$94	9.00	\$140			\$234
Solids Building lighting	151,216	\$7,412	235.08	\$3,649			\$11,061
Pipe Shop lighting	615	\$30	5.16	\$80			\$110
Dechlorination Building lighting	206	\$10	1.08	\$17			\$27
Sand Filter Building lighting	15,617	\$765	72.60	\$1,127			\$1,892
Blower Building lighting	10,274	\$504	48.12	\$747			\$1,251
Non-potable Water Building lighting	487	\$24	2.28	\$35			\$59
Equip and Vehicle Storage Building lighting	18,017	\$883	36.60	\$568			\$1,451
Plant Grounds exterior lighting	60,641	\$2,972	166.20	\$2,580			\$5,552
Nine Mile Pumping Station lighting	16,562	\$812	36.84	\$572			\$1,384
Nine Mile Pumping Station lighting (exterior)	6,505	\$319	15.12	\$235			\$554
Safety Shed lighting	244	\$12	2.04	\$32			\$44
		\$18,796		\$14,773		\$0	
Aeration Blower and Control upgrade	496,833	\$24,345	3,458	\$53,667			\$78,011
Right size RSP-5 (14 mile) 3a	558,775	\$27,380	100.44	\$1,559			\$28,939
Right size for Filter Building (14 mile) 3b	281,522	\$13,795	(158.40)	(\$2,458)			\$11,336
Incinerator - Update Burners					5,250	\$43,627	\$43,627
Incinerator - Center Shaft Air VFD	16,704	\$819			2,101	\$17,459	\$18,277
EF Shutdown	27,450	\$1,345					\$1,345
Heater Controls	650,523	\$31,876					\$31,876
Service Building RTU replacement	75,896	\$3,719			80	\$663	\$4,382
Service Building AHU upgrade	108,423	\$5,313			114	\$947	\$6,259
Service Building boiler upgrade					2,444	\$20,310	\$20,310
Service Building HW upgrade					111	\$922	\$922
Sand Filter Building RTU & EF controls	116,177	\$5,693					\$5,693
Adjustment							
Solids Building RTU controls (Pulled from Scope by WWTP)							\$13,142
TOTALS Year 1	2,715,783	\$133,079	4,352	\$67,540	10,100	\$83,928	\$297,689

Year 1 Stipulated Savings

Year 1 Stipulated Energy Savings	kWh saved	kWh \$Saved	kW saved	kW \$Saved	MMBtu Saved	Gas \$\$ Saved (MMBtu)	Total Annual \$ Saved
Demand Monitoring & Management Tool			2,275	\$35,324			\$35,324
Building Envelope Improvement (in designated buildings)	3,269	\$160			924	\$7,682	\$7,842
Building Automation Controls Upgrade (Service Bldg)	32,527	\$1,590			36	\$295	\$1,885
10kW Solar Array (Service Building)	11,247	\$550	55	\$854			\$1,404
Primary Tunnel Motor upgrade (Primary Tunnel, Aeration Shed)	149,355	\$7,321	215	\$3,331			\$10,651
TOTALS	196,398	\$9,620	2,545	\$39,509	960	\$7,977	\$57,106

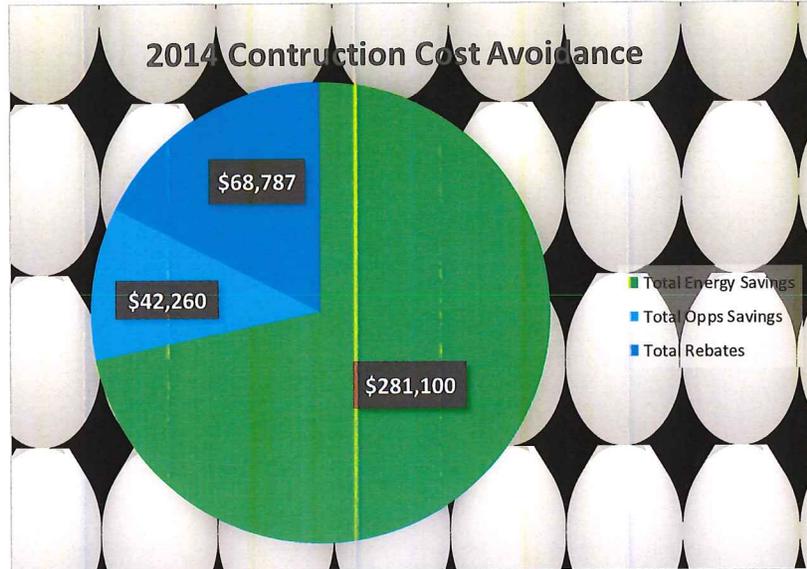
Year 1 Operational

Year 1 Stipulated Operational Savings	OPS Savings	Total Annual \$ Saved
All Sites		
Biological Phosphorus Removal	\$197,669	\$197,669
Aeration Blower and controls O & M	\$25,750	\$25,750
Heater Controls O & M	\$26,721	\$26,721
Lighting O & M	\$2,818	\$2,818
TOTALS		\$252,959

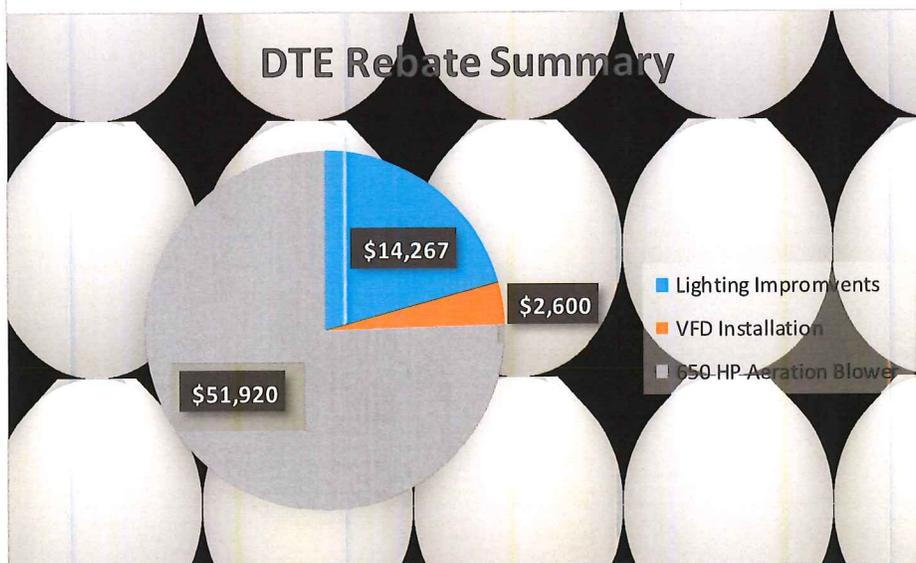
2014 Construction Summary

Improvements Installed

Incinerator - Center Shaft Air VFD
Aeration blower and control upgrade.
(650 HP/SCADA)
Biological Phosphorus Removal



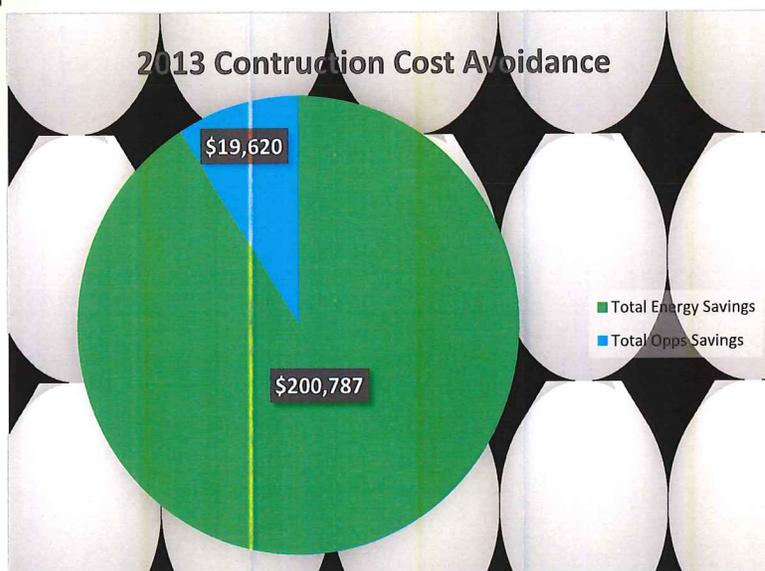
Improvements Installed	DTE Rebate Summary
Lighting Improvements	\$ 14,267
VFD Installation	\$ 2,600
650 HP Aeration Blower	\$ 51,920
Total Utility Rebate:	\$ 68,787



2013 Construction Period Summary

Improvements Installed

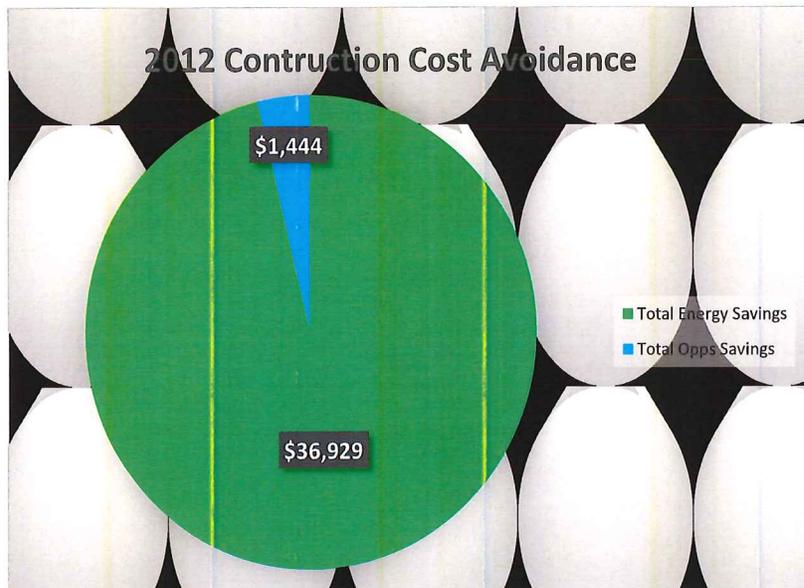
Incinerator - Update Burners/Tune-up
Unit Heater Controls
Right size for Dry Well / RSP-5 & VFD - 350 HP
Right size for Sand Filter Bldg. 2x200 HP
Demand Monitoring & Management Tool
Building Automation Controls Upgrade - BAS
(Service, Bldg.-D)



2012 Construction Period Summary

Improvements Installed

Service Building RTU replacement / LAB
 Service Building AHU upgrade/ Office
 Service Building boiler upgrade
 Service Building HW upgrade
 Sand Filter Building-N RTU & EF controls
 EF Shutdown
 Switch Gear Bldg. lighting
 Grit Chamber and Garage lighting
 Maintenance Building lighting
 Service Building lighting
 Maintenance Shop lighting
 Generator Building lighting
 Primary Tunnel lighting
 Aeration Shed lighting
 Solids Building lighting
 Pipe Shop lighting
 DE chlorination Building lighting
 Sand Filter Building lighting
 Blower Building lighting
 Non-potable Water Building lighting
 Equip and Vehicle Storage Building lighting
 Plant Grounds exterior lighting
 Nine Mile Pumping Station lighting
 Nine Mile Pumping Station lighting (exterior)
 Safety Shed lighting
 Building Envelope Improvement (in designated buildings)
 10 KW Solar Panel (Service Bldg. D)
 Motors upgrade (Primary Tunnel, Aeration Shed)



Contract Information

	Measured	Stipulated		
Year	Measured Energy Cost Avoidance	Stipulated Energy Cost Avoidance	Operations & Maintenance Cost Avoidance	Total
1 ⁽¹⁾	\$274,197	\$53,559	\$252,959	\$580,715
2	\$285,165	\$55,701	\$260,547	\$601,414
3	\$296,572	\$57,929	\$268,364	\$622,865
4	\$308,435	\$60,246	\$276,415	\$645,096
5	\$320,772	\$62,656	\$284,707	\$668,135
Total	\$1,485,141	\$290,092	\$1,342,992	\$3,118,225

(1) First year energy savings are escalated 4%, and 3% for Operation and Maintenance



CITY ATTORNEY'S OFFICE

ONE CITY SQUARE, SUITE 400

WARREN, MI 48093-5285

(586) 574-4671

FAX (586) 574-4530

www.cityofwarren.org

March 16, 2016

Ms. Kelly Colegio
Council Secretary
Mayor Pro Tem
City of Warren

**Re: Proposed Resolution to Approve Settlement of In re: 28805 Walker,
Parcel No. 13-17-101-021; MCCC Case No. 15-1646-CZ
Hon. Kathryn A. Viviano**

Dear Secretary Colegio:

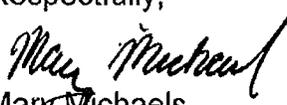
Attached please find the above-noted Proposed Resolution to resolve the above-noted legal action.

The proposed consent judgement provides for approval of a revised site plan that reduces the size and scope of a playground that was approved by the Planning Commission on or about September 29, 2014. A dispute arose when the site plan returned to the Planning Commission with amendments to adjust the setback and remove the vinyl fence following denials by the Zoning Board of Appeals.

The Consent Judgment also provides for dismissal of counter-complaint that the Islamic Organization of North America filed against the City of Warren, which included a money damage claim under the Religious Land Use and Institutionalized Persons Act, 42 USC section 2000cc, et seq.

If acceptable, please submit to Council for its approval on March 22, 2016. If you should have any questions or concerns, please contact me at Ext. 4585.

Respectfully,


Mary Michaels
Acting City Attorney

MM/vlt Ltr to K Colegio with Proposed Resolution to approve settlement - IONA ID 58796

cc: Ron Wuerth, Planning Director
Phil Easter, Risk Manager

CITY OF WARREN
Office of the Council Secretary
CALENDAR
March 22, 2016

Due
Date

2012

- 4/10 re: Request to Update Zoning Ordinance to allow Urban Farming.....Attorney
- 6/12 re: Request for an ordinance to form a Warren Community Gardens CommissionAttorney
- 8/28 re: Request to Controller to do investigation re establishing an RFQ Committee for Bond Counsel.....Controller

2013

- 2/26 re: Request to establish a bid on MITN for hiring outside legal counsel to handle Council's business.....Purchasing
- 7/9 re: Sadowski in re: Resolution to County re: Solid Waste Management Plan..... County

2014

- 3/11 re: Update request on Calendar of Pending Matters re: all items and departments listed above.
- 3/11 re: Stevens in re: Request to City Attorney for opinion whether Mayor can issue funds from a special millage, etc....Attorney
- 8/19 re: Councilman St. Pierre request to investigate Special Assessment District for shut offs due to non-payment.....Water/Engineering Division

2015

- 1/13 re: Request for explanation on the increase of administrative fees associated with demolition.....Public Service
- 2/10 re: Councilman Stevens Second request for items of March 11, 2014. Opinions of City Attorney.....Attorney
- 7/14 re: Councilman St. Pierre Humane Pet Acquisition Ordinance.....Attorney
- 7/14 re: Councilman Green Evaluate the cost of scanning everything online for Court.....Attorney
- 8/25 re: Councilman Stevens amendments to the Code of Ordinance relating to massage.....Attorney
- 8/25 re: Councilman St. Pierre request to review rental locations and the amount allowed per area.....Attorney

2016

- 1/5 re: Councilman Stevens request for M1 and M2 Mapping as related to Medical Marijuana.....Planning
- 1/5 re: Councilman St. Pierre request for Regulatory aspects of the Grand Rapids ordinance re: Med. Mar....Attorney
- 3/8 re: Councilman St. Pierre request for Road committee.....Council/Engineering



WARREN CITY COUNCIL

5460 ARDEN, COMMUNITY CENTER (586) 258-2060 WARREN, MI 48092

Cecil D. St. Pierre, Jr., President
Patrick Green, Vice President
Kelly Colegio, Secretary (Mayor Pro Tem)

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

Scott C. Stevens
Steven G. Warner

Agenda Item Request Form

To: City Council of the City of Warren

From: Council Secretary/Mayor Pro Tem Kelly Colegio

Date: March 17, 2016

Request: Discussion in re: Council Rules of Procedure Rule 23.1, Charter Section 5.2 and Section 5.3 (g).

Investment Inventory Summary By Bank as of:

1/31/16

City Only

US T-BILLS

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
	101 T-Bill							0.00	0.00
	101 T-Bill								0.00
	101 T-Bill								0.00
	101 T-Bill								0.00

FED FUNDS TOTALS

0.00 0.00 0.00

C.D.

U.S TREASURY BILLS

U.S TREASURY NOTES

POOL INVESTMENTS

COMMERCIAL PAPER

REPO

0.00

BANK INVESTMENT TOTALS

0.00

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.000000

*Note: T-bill purchase for advice # -- was purchased thru Comerica as a dealer only.

Investment Inventory Summary By Bank as of:

1/31/16

City Only

JP MORGAN CHASE

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
701	Gov't Pool	1021	1/31/16				0.00	0.00	
701	Public Interest	1055	1/31/16				168,072.05	168,072.05	
701	C.D.							0.00	0.00
701	C.D.							0.00	0.00
BANK TOTALS							168,072.05	168,072.05	0.00
	C.D.						0.00		
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS						0.00		
	PUBLIC FUNDS INTEREST CHECKING						168,072.05		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							168,072.05		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.001295

Investment Inventory Summary By Bank as of:

1/31/16

City Only

COMERICA BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Gov't Sweep Pool	1003	1/31/16				3,844,039.95	3,844,039.95	
701	Gov't Sweep Pool	1044	1/31/16				12,026,791.59	12,026,791.59	
202	Gov't Sweep Pool	1046	1/31/16				8,803,293.08	8,803,293.08	
433	Money Market	1069	1/31/16				113,318.11	113,318.11	
434	Money Market	1070	1/31/16				261,202.14	261,202.14	
435	Money Market	1071	1/31/16				1,023,175.24	1,023,175.24	
436	Money Market	1072	1/31/16				423,827.21	423,827.21	
536	Money Market	1073	1/31/16				1,810,369.47	1,810,369.47	
537	Money Market	1074	1/31/16				1,320,500.61	1,320,500.61	
704	Money Market	1075	1/31/16				246,676.01	246,676.01	
101	Pub Fund Interest (1053	1/31/16				1,254,071.77	1,254,071.77	
202	C.D.						0.00	0.00	0.00
202	C.D.							0.00	
202	C.D.							0.00	
701	C.D.							0.00	
701	C.D.							0.00	
701	C.D.							0.00	
BANK TOTALS							31,127,265.18	31,127,265.18	0.00
C.D.								0.00	
U.S TREASURY BILLS									
U.S TREASURY NOTES									
POOL INVESTMENTS							24,674,124.62		
MONEY MARKET							5,199,068.79		
PUBLIC FUND INTEREST CHECKING							1,254,071.77		
COMMERCIAL PAPER									
REPO									
BANK INVESTMENT TOTALS							31,127,265.18		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =								0.239805	

Investment Inventory Summary By Bank as of:

1/31/16

City Only

HUNTINGTON BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
701	Gov't Pool	1028	1/31/16				5,798,605.57	5,798,605.57	
701	Public Funds Intere	1056	1/31/16				16,129,652.37	16,129,652.37	
701	C.D.							0.00	0.00
BANK TOTALS							21,928,257.94	21,928,257.94	0.00
	C.D.							0.00	
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS						5,798,605.57		
	PUBLIC FUND INTEREST CHECKING						16,129,652.37		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							21,928,257.94		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.168936

Investment Inventory Summary By Bank as of:

1/31/16

City Only

PNC BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Money Market	1060	1/31/16				109,764.30	109,764.30	
701	Money Market	1062	1/31/16				2,020,926.59	2,020,926.59	
701	Gov't Pool	1001					0.00	0.00	
701	C.D.						0.00	0.00	0.00
BANK TOTALS							2,130,690.89	2,130,690.89	0.00

C.D.	0.00
U.S TREASURY BILLS	
U.S TREASURY NOTES	
POOL INVESTMENTS	0.00
MONEY MARKET	2,130,690.89
COMMERCIAL PAPER	
REPO	

BANK INVESTMENT TOTALS 2,130,690.89

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK = 0.016415

Investment Inventory Summary By Bank as of:

1/31/16

City Only

Bank of America

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
701	Gov't Pool	1016	1/31/16				100,898.59	100,898.59	
701	Money market	1057	1/31/16				0.00	0.00	
701	PUBLIC FUND INTE	1058					0.00	0.00	
701	C.D.						0.00	0.00	0.00
BANK TOTALS							100,898.59	100,898.59	0.00

C.D.	0.00
U.S TREASURY BILLS	
U.S TREASURY NOTES	
POOL INVESTMENTS	100,898.59
MONEY MARKET	0.00
PUBLIC FUND INTEREST CHECKING	0.00
COMMERCIAL PAPER	
REPO	

BANK INVESTMENT TOTALS 100,898.59

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK = 0.000777

Investment Inventory Summary By Bank as of:

1/31/16

City Only

MBIA

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date	
101	Gov't Pool	1049	1/31/16					0.00	0.00	
BANK TOTALS								0.00	0.00	0.00
C.D.								0.00		
U.S TREASURY BILLS										
U.S TREASURY NOTES										
POOL INVESTMENTS								0.00		
COMMERCIAL PAPER										
REPO										
BANK INVESTMENT TOTALS								0.00		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.000000	

Investment Inventory Summary By Bank as of:

1/31/16

City Only

FIFTH THIRD BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Public Funds MM	1059	1/31/16				20,636,694.14	20,636,694.14	
101	C.D.							0.00	0.00
101	C.D.							0.00	0.00
BANK TOTALS							20,636,694.14	20,636,694.14	0.00
	C.D.							0.00	
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS							0.00	
	PUBLIC FUND MONEY MARKET						20,636,694.14		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							20,636,694.14		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.158985

Investment Inventory Summary By Bank as of:

1/31/16

City Only

TCF BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Money Market	1065	1/31/16				18,145,635.79	18,145,635.79	0.00
101	C.D.						0.00	0.00	0.00
101	C.D.						0.00	0.00	0.00
101	C.D.						0.00	0.00	0.00
101	C.D.						0.00	0.00	0.00
BANK TOTALS							18,145,635.79	18,145,635.79	0.00
	C.D.						0.00		
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS						0.00		
	MONEY MARKET						18,145,635.79		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							18,145,635.79		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.139794

Investment Inventory Summary By Bank as of:

1/31/16

City Only

FLAGSTAR BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Public Savings	1066	1/31/16				13,509,347.46	13,509,347.46	0.00
101	C.D.							0.00	
101	C.D.							0.00	
BANK TOTALS							13,509,347.46	13,509,347.46	0.00
	C.D.							0.00	
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS							0.00	
	PUBLIC SAVINGS						13,509,347.46		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							13,509,347.46		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.104076

Investment Inventory Summary By Bank as of:

1/31/16

City Only

Talmer Bank

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Money Market	1080						0.00	0.00
101	C.D.	64497	1/6/16	2/6/16	34	0.0030	8,009,003.77	8,009,003.77	1,668.54
101	C.D.	64498	1/12/16	2/16/16	35	0.0030	6,010,941.59	6,010,941.59	951.73
101	C.D.	64499	1/28/16	3/1/16	33	0.0030	8,035,584.62	8,035,584.62	200.89
101	C.D.							0.00	0.00

BANK TOTALS

22,055,529.98 22,055,529.98 2,821.16

C.D.

22,055,529.98

U.S TREASURY BILLS

U.S TREASURY NOTES

POOL INVESTMENTS

MONEY MARKET

0.00

COMMERCIAL PAPER

REPO

BANK INVESTMENT TOTALS

22,055,529.98

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.169916

Investment Inventory Summary By Bank as of:	1/31/16	City Only			
GRAND TOTALS ALL BANKS	City Only	1/31/16	129,802,392.02	129,802,392.02	2,821.16

INVENTORY BY TYPE OF INVESTMENT

	PERCENT TO TOTAL INVESTED FUNDS	PURCHASE PRICE
C.D.	0.169916	22,055,529.98
U.S TREASURY BILLS	0.000000	0.00
U.S TREASURY NOTES	0.000000	0.00
POOL INVESTMENTS	0.235540	30,573,628.78
MONEY MARKET	0.239296	46,112,089.61
PUBLIC FUND INTEREST CHECKING	0.355248	31,061,143.65
COMMERCIAL PAPER	0.000000	0.00
REPO	0.000000	0.00

INVENTORY INVESTMENT TOTALS ALL BANKS CITY 129,802,392.02

Investment Inventory Summary By Bank as of:

1/31/16

Water Only

COMERICA BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
10	Gov't Sweep Pool	1045	1/31/16				8,565,638.33	8,565,638.33	
40	Money Market	1076	1/31/16				111,933.81	111,933.81	
44	Money Market	1077	1/31/16				1,897,750.68	1,897,750.68	
47	Money Market	1078	1/31/16				370,257.47	370,257.47	
72	Money Market	1079	1/31/16				1,964,883.23	1,964,883.23	
45	Pub Fund Interest (1054	1/31/16				196,439.19	196,439.19	
10	C.D.							0.00	
10	C.D.							0.00	
10	C.D.							0.00	
BANK TOTALS							13,106,902.71	13,106,902.71	0.00

C.D.	0.00
U.S TREASURY BILLS	
U.S TREASURY NOTES	
POOL INVESTMENTS	8,565,638.33
MONEY MARKET	4,344,825.19
PUBLIC FUND INTEREST CHECKING	196,439.19
COMMERCIAL PAPER	
REPO	

BANK INVESTMENT TOTALS 13,106,902.71

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK = 0.378055

Investment Inventory Summary By Bank as of:

1/31/16

Water Only

PNC BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
10	Gov't Pool	1004	1/31/16				0.00	0.00	
10	Money Market	1063	1/31/16				10,027,741.60	10,027,741.60	
10	Money Market	1061	1/31/16				67,231.36	67,231.36	
44	Money Market		1/31/16				1,368,262.32	1,368,262.32	
10	C.D.						0.00	0.00	0.00
BANK TOTALS							11,463,235.28	11,463,235.28	0.00
	C.D.						0.00		
	U.S TREASURY BILLS						0.00		
	U.S TREASURY NOTES						0.00		
	POOL INVESTMENTS						0.00		
	MONEY MARKET						11,463,235.28		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							11,463,235.28		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =								0.330645	

Investment Inventory Summary By Bank as of:

1/31/16

Water Only

FLAGSTAR BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
44	Public Savings	1067	1/31/16				4,039,678.61	4,039,678.61	
72	Public Savings	1068	1/31/16				6,059,517.92	6,059,517.92	
10	C.D.		1/31/16				0.00	0.00	
10	C.D.		1/31/16				0.00	0.00	0.00
BANK TOTALS							10,099,196.53	10,099,196.53	0.00
	C.D.						0.00		
	U.S TREASURY BILLS						0.00		
	U.S TREASURY NOTES						0.00		
	POOL INVESTMENTS						0.00		
	PUBLIC SAVINGS						10,099,196.53		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							10,099,196.53		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.291301

Investment Inventory Summary By Bank as of:	1/31/16	Water Only			
GRAND TOTALS ALL BANKS	Water Only	1/31/16	34,669,334.52	34,669,334.52	0.00

INVENTORY BY TYPE OF INVESTMENT

	PERCENT TO TOTAL INVESTED FUNDS	PURCHASE PRICE
C.D.	0.000000	0.00
U.S TREASURY BILLS	0.000000	0.00
U.S TREASURY NOTES	0.000000	0.00
POOL INVESTMENTS	0.247067	8,565,638.33
MONEY MARKET	0.455967	15,808,060.47
PUBLIC FUND INTEREST CHECKING	0.296967	10,295,635.72
COMMERCIAL PAPER	0.000000	0.00
REPO	0.000000	0.00

INVENTORY INVESTMENT TOTALS ALL BANKS WATER 34,669,334.52

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

US T-BILLS

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
	101 T-Bill								0.00
	701 T-Bill								0.00
	101 T-Bill								0.00
	101 T-Bill								0.00
FED FUNDS TOTALS								0.00	0.00

C.D.

U.S TREASURY BILLS
 U.S TREASURY NOTES
 POOL INVESTMENTS
 COMMERCIAL PAPER
 REPO

0.00

BANK INVESTMENT TOTALS

0.00

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.000000

*Note: T-bill purchase for advice # -- was purchased thru Comerica as a dealer only.

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

JP MORGAN CHASE

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
701	Gov't Pool	1021		1/31/16			0.00	0.00	
701	Public Interest	1055		1/31/16			168,072.05	168,072.05	
701	C.D.							0.00	0.00
701	C.D.							0.00	0.00
BANK TOTALS							168,072.05	168,072.05	0.00
	C.D.						0.00		
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS						0.00		
	PUBLIC FUNDS INTEREST CHECKING						168,072.05		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							168,072.05		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =								0.001022	

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

COMERICA BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Gov't Sweep Pool	1003		1/31/16			3,844,039.95	3,844,039.95	
701	Gov't Sweep Pool	1044		1/31/16			12,026,791.59	12,026,791.59	
202	Gov't Sweep Pool	1046		1/31/16			8,803,293.08	8,803,293.08	
433	Money Market	1069		1/31/16			113,318.11	113,318.11	
434	Money Market	1070		1/31/16			261,202.14	261,202.14	
435	Money Market	1071		1/31/16			1,023,175.24	1,023,175.24	
436	Money Market	1072		1/31/16			423,827.21	423,827.21	
536	Money Market	1073		1/31/16			1,810,369.47	1,810,369.47	
537	Money Market	1074		1/31/16			1,320,500.61	1,320,500.61	
704	Money Market	1075		1/31/16			246,676.01	246,676.01	
10	Gov't Sweep Pool	1045		1/31/16			8,565,638.33	8,565,638.33	
40	Money Market	1076		1/31/16			111,933.81	111,933.81	
44	Money Market	1077		1/31/16			1,897,750.68	1,897,750.68	
47	Money Market	1078		1/31/16			370,257.47	370,257.47	
72	Money Market	1079		1/31/16			1,964,883.23	1,964,883.23	
45	Pub Fund Interest Ch	1054		1/31/16			196,439.19	196,439.19	
101	Pub Fund Interest Ch	1053		1/31/16			1,254,071.77	1,254,071.77	
202	C.D.						0.00	0.00	0.00
202	C.D.							0.00	0.00
202	C.D.							0.00	
701	C.D.							0.00	
701	C.D.							0.00	
701	C.D.							0.00	
10	C.D.							0.00	
10	C.D.							0.00	
10	C.D.							0.00	
BANK TOTALS							44,234,167.89	44,234,167.89	0.00
								0.00	
C.D.								0.00	
U.S TREASURY BILLS									
U.S TREASURY NOTES									
POOL INVESTMENTS							33,239,762.95		
MONEY MARKET							9,543,893.98		
PUBLIC FUND INTEREST CHECKING							1,450,510.96		
COMMERCIAL PAPER									
REPO									
BANK INVESTMENT TOTALS							44,234,167.89		

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.268947

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

HUNTINGTON BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
701	Gov't Pool	1028		1/31/16			5,798,605.57	5,798,605.57	
701	Public Funds Interest	1056		1/31/16			16,129,652.37	16,129,652.37	
701	C.D.								0.00
BANK TOTALS							21,928,257.94	21,928,257.94	0.00
C.D.								0.00	
U.S TREASURY BILLS									
U.S TREASURY NOTES									
POOL INVESTMENTS							5,798,605.57		
PUBLIC FUND INTEREST CHECKING							16,129,652.37		
COMMERCIAL PAPER									
REPO									
BANK INVESTMENT TOTALS							21,928,257.94		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.133325

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

PNC BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Money Market	1060		1/31/16			109,764.30	109,764.30	
701	Money Market	1062		1/31/16			2,020,926.59	2,020,926.59	
701	Gov't Pool	1001		1/31/16			0.00	0.00	
10	Gov't Pool	1004		1/31/16			0.00	0.00	
10	Money Market	1063		1/31/16			10,027,741.60	10,027,741.60	
10	Money Market	1061		1/31/16			67,231.36	67,231.36	
44	Money Market			1/31/16			1,368,262.32	1,368,262.32	
10	C.D.						0.00	0.00	0.00
701	C.D.						0.00	0.00	0.00
BANK TOTALS							13,593,926.17	13,593,926.17	0.00
	C.D.						0.00		
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS						0.00		
	MONEY MARKET						13,593,926.17		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							13,593,926.17		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =								0.082652	

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

Bank of America

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
701	Gov't Pool	1016		1/31/16			100,898.59	100,898.59	
701	Money market	1057		1/31/16			0.00	0.00	
701	PUBLIC FUND INTERE	1058		1/31/16			0.00	0.00	
701	C.D.						0.00	0.00	
BANK TOTALS							100,898.59	100,898.59	0.00
C.D.								0.00	
U.S TREASURY BILLS									
U.S TREASURY NOTES									
POOL INVESTMENTS							100,898.59		
MONEY MARKET								0.00	
PUBLIC FUND INTEREST CHECKING								0.00	
COMMERCIAL PAPER									
REPO									
BANK INVESTMENT TOTALS							100,898.59		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.000613

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

MBIA

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
	101 Gov't Pool	1049		1/31/16				0.00	0.00
		BANK TOTALS						0.00	0.00
	C.D.							0.00	
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS							0.00	
	COMMERCIAL PAPER								
	REPO								
	BANK INVESTMENT TOTALS							0.00	
	PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =								0.000000

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

FIFTH THIRD BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Public Funds MM	1059		1/31/16			20,636,694.14	20,636,694.14	
101	C.D.							0.00	0.00
101	C.D.							0.00	0.00
BANK TOTALS							20,636,694.14	20,636,694.14	0.00
	C.D.							0.00	
	U.S TREASURY BILLS								
	U.S TREASURY NOTES								
	POOL INVESTMENTS							0.00	
	PUBLIC FUND MONEY MARKET						20,636,694.14		
	COMMERCIAL PAPER								
	REPO								
BANK INVESTMENT TOTALS							20,636,694.14		
PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =									0.125473

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

TCF BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Money Market	1065		1/31/16			18,145,635.79	18,145,635.79	0.00
101	C.D.						0.00	0.00	0.00
101	C.D.							0.00	0.00
101	C.D.							0.00	0.00
101	C.D.							0.00	0.00

BANK TOTALS

18,145,635.79 18,145,635.79 0.00

- C.D.
- U.S TREASURY BILLS
- U.S TREASURY NOTES
- POOL INVESTMENTS
- MONEY MARKET
- COMMERCIAL PAPER
- REPO

18,145,635.79

BANK INVESTMENT TOTALS

18,145,635.79

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.110327

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

FLAGSTAR BANK

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date
101	Public Savings	1066		1/31/16			13,509,347.46	13,509,347.46	0.00
44	Public Savings	1067		1/31/16			4,039,678.61	4,039,678.61	0.00
72	Public Savings	1068		1/31/16			6,059,517.92	6,059,517.92	0.00
101	C.D.							0.00	0.00
101	C.D.							0.00	0.00
BANK TOTALS							23,608,543.99	23,608,543.99	0.00

C.D.

0.00

U.S TREASURY BILLS

U.S TREASURY NOTES

POOL INVESTMENTS

0.00

PUBLIC SAVINGS

23,608,543.99

COMMERCIAL PAPER

REPO

BANK INVESTMENT TOTALS

23,608,543.99

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.143542

Investment Inventory Summary By Bank as of:

1/31/16

Water & City Combined

Talmer Bank

Fund	Type	Advice #	Purchase Date	Maturity Date	# of Days	Interest Rate	Purchase Price	Par Value	Interest to Date	
101	Money Market	1080		1/31/16					0.00	
101	C.D.	64497		1/6/16	2/6/16	34	0.0030	8,009,003.77	8,009,003.77	1,668.54
101	C.D.	64498		1/12/16	2/16/16	35	0.0030	6,010,941.59	6,010,941.59	951.73
101	C.D.	64499		1/28/16	3/1/16	33	0.0030	8,035,584.62	8,035,584.62	200.89
101	C.D.								0.00	0.00

BANK TOTALS

22,055,529.98 22,055,529.98 2,821.16

C.D.

22,055,529.98

U.S TREASURY BILLS

U.S TREASURY NOTES

POOL INVESTMENTS

MONEY MARKET

0.00

COMMERCIAL PAPER

REPO

BANK INVESTMENT TOTALS

22,055,529.98

PERCENT OF TOTAL INVESTED FUNDS EXCLUDING CASH ON HAND IN THIS BANK =

0.134099

Investment Inventory Summary By Bank as of:

GRAND TOTALS ALL BANKS

Water & City Combined

1/31/16

1/31/16

Water & City Combined

164,471,726.54

164,471,726.54

2,821.16

INVENTORY BY TYPE OF INVESTMENT

PERCENT TO
TOTAL INVESTED
FUNDS

PURCHASE
PRICE

C.D.	0.134099	22,055,529.98
U.S TREASURY BILLS	0.000000	0.00
U.S TREASURY NOTES	0.000000	0.00
POOL INVESTMENTS	0.237970	39,139,267.11
MONEY MARKET	0.376479	61,920,150.08
PUBLIC FUND INTEREST CHECKING	0.251452	41,356,779.37
COMMERCIAL PAPER	0.000000	0.00
REPO	0.000000	0.00

INVENTORY INVESTMENT TOTALS ALL BANKS WATER AND CITY

164,471,726.54



February 22, 2016

Kelly Colegio, 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

RE: Resolution for 3333 Berkshire 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 3333 Berkshire which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **March 22, 2016 consent agenda** for a City Council Meeting **April 26, 2016** to review and confirm Special Assessment Roll No. **476**.

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. Canastrelli".
City Attorneys Office

Read and Concur,

Approved:

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

RDS/al
Cc: Mayor
Building
Treasurer
Controllers
City Clerk

RECEIVED

FEB 23 2016



February 22, 2016

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

City Attorney:

RE: Fire damaged 1.25 story house (866 square feet) with crawl space. Garage 440 square feet at:

**3333 Berkshire
13-31-403-031**

LOT 44 – SUPERVISOR'S PLAT OF WASMUND FARMS, AS RECORDED IN Liber 19, Page 30 of Plats, Macomb County Records.

Interested Parties: Lucia P. Karaczewski
Associates Financial Services Company Inc.
Standard Federal Bank
Mary Karaczewski

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-PS178	\$7,744.00
Asbestos Survey	\$ 257.00
City Administrative Fees	\$1,092.50
Insurance Funds Received	- \$5,363.50
Total	\$3,730.00

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 476. 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
3333 Berkshire (13-31-403-031)**

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 City Council 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 44 – SUPERVISOR'S PLAT OF WASMUND FARMS, as recorded in Liber 19, Page 30 of Plats, Macomb County Records.

**Owner(s): Lucia P. Karaczewski
Associates Financial Services Company Inc.
Standard Federal Bank
Mary Karaczewski**

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

The Property owner(s) failed to remove the nuisance within the time period prescribed by City Council.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of City Council.

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. 13-31-403-031 also known as 3333 Berkshire	\$3,730.00

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 26th day of April, 2016, for payment to be made. The notice shall further state that if payment is not made before the said 26th day of April, 2016, 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 _____, _____.

Kelly Colegio
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
3333 Berkshire (13-31-403-031)**

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. (13-31-403-031) also known as 3333 Berkshire

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

PROPERTY

CHARGES

Parcel No. (13-31-403-031) also known as 3333 Berkshire

\$3,730.00

LOT 44 – SUPERVISOR’S PLAT OF WASMUND FARMS, as recorded in Liber 19, Page 30 of Plats, Macomb County Records.

**Owner(s): Lucia P. Karaczewski
Associates Financial Services Company Inc.
Standard Federal Bank
Mary Karaczewski**

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 26th day of April, 2016, for payment to be made;

Payment has not been made, and a public hearing having been held on April 26th, 2016, 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. 476 - \$3,730.00

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, 2017, 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, 2017.

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 _____, _____.

Kelly Colegio
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



February 23, 2016

Kelly Colegio, 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

RE: Resolution for 11412 Cadillac Nuisance Abatement

Honorable Council Secretary:

The approval of a resolution is necessary for collection proceedings relating to the removal of a house and shed at 11412 Cadillac which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **March 22nd consent agenda** for a City Council Meeting **April 26, 2016** to review and confirm Special Assessment Roll No. **479**.

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. Conestelli".
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

February 23, 2016

FEB 23 2016

DEPARTMENT OF PUBLIC SERVICE

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

City Attorney's Office

City Attorney:

RE: Fire damaged one story house 1008 square feet and 10 x 12 metal shed at:

11412 Cadillac
13-34-229-008

LOT 236 including the 1/2 adjacent vacated public alley – BROOKTON, a subdivision, as recorded in Liber 10, Page 58 of Plats, Macomb County Records.

Interested Parties: JC Gemini 111-D LLC
Randy Eissa
David Kellapoures

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-PS176	\$5,694.00
Asbestos Survey	\$ 179.00
City Administrative Fees	<u>\$1,092.50</u>
Total	<u>\$6,965.50</u>

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 479. 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
11412 Cadillac (13-34-229-008)**

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 City Council 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 236 – including the ½ adjacent vacated public alley – BROOKTON, A SUBDIVISION, AS RECORDED IN Liber 10, Page 58 of Plats, Macomb County Records.

**Owner(s): JC Gemini 111-D LLC
Randy Eissa
David Kellapoures**

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

The Property owner(s) failed to remove the nuisance within the time period prescribed by City Council.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of City Council.

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. 13-34-229-008 also known as 11412 Cadillac	\$6,965.50

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 26th day of April, 2016, for payment to be made. The notice shall further state that if payment is not made before the said 26th day of April, 2016, 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 _____, _____.

Kelly Colegio
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
11412 Cadillac (13-34-229-008)**

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. (13-34-229-008) also known as 11412 Cadillac

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

PROPERTY

CHARGES

Parcel No. 13-34-229-008 also known as 11412 Cadillac

\$6,965.50

LOT 236 – including the ½ adjacent vacated public alley - BROOKTON, a subdivision, as recorded in Liber 10, Page 58 of Plats, Macomb County Records.

**Owner(s): JC Gemini 111-D-LLC
Randy Eissa
David Kellapoures**

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 26th day of April, 2016, for payment to be made;

Payment has not been made, and a public hearing having been held on April 26, 2016, 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. 479 - \$6,965.50

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, 2017, 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, 2017.



February 22, 2016

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

Kelly Colegio, Council Secretary
Mayor Pro Tem

RE: Resolution for 23833 Columbus Nuisance Abatement

Honorable Council Secretary:

The approval of a resolution is necessary for collection proceedings relating to the removal of a house at 23833 Columbus which is under the nuisance abatement program.

Attached, please find the appropriate resolutions 1 and 2 and place on the **March 22nd consent agenda** for a City Council Meeting **April 26, 2016** to review and confirm Special Assessment Roll No. **478**.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Sabaugh", written over a horizontal line.

Richard D. Sabaugh, Director
Department of Public Service

Read and Concur,

Approved:

A handwritten signature in blue ink, appearing to read "Roxanne R. Carostello", written over a horizontal line.
City Attorneys Office

Read and Concur,

Approved:

A handwritten signature in black ink, appearing to read "J. Fouts", written over a horizontal line.

James R. Fouts, Mayor

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



February 22, 2016

City Attorney:

RE: Dilapidated one story house 671 square feet at:

**23833 Columbus
13-25-404-029**

DEPARTMENT OF PUBLIC SERVICE

ONE CITY SQUARE, SUITE 320

WARREN, MI 48093-5284

(586) 574-4604

FAX (586) 574-4517

www.cityofwarren.org

LOT 60 – SUPERVISOR'S CHESTERFIELD PARK SUBDIVISION NO. 2 AS RECORDED IN
Liber 17, Page 38 of Plats, Macomb County Records.

Interested Parties: Greg Becigneul & Ruth A. Becigneul
G.M. Mortgage Corporation
Lakeshore Mortgage Corporation

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-PS179	\$5,266.00
Asbestos Survey	\$ 233.00
City Administrative Fees	<u>\$1,092.50</u>
Total	\$6,591.50

It is recommended these cost be charged to the property owner under proposed Special Assessment Roll No. 478. 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
23833 Columbus (13-25-404-029)**

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 City Council 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 60 – SUPERVISORS CHESTERFIELD PARK SUBDIVISION No. 2, as recorded in Liber 17, Page 38 of Plats, Macomb County Records.

**Owner(s): Greg Becigneul & Ruth A. Becigneul
G.M. Mortgage Corporation
Lakeshore Mortgage Corporation**

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

The Property owner(s) failed to remove the nuisance within the time period prescribed by City Council.

The Director of Public Service obtained removal of the nuisance by demolition pursuant to the Resolution of City Council.

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. 13-25-404-029 also known as 23833 Columbus	\$6,591.50

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 26th day of April, 2016, for payment to be made. The notice shall further state that if payment is not made before the said 26th day of April, 2016, 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 _____, _____.

Kelly Colegio
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
23833 Columbus (13-25-404-029)**

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. (13-25-404-029) also known as 23833 Columbus

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

PROPERTY

CHARGES

Parcel No. 13-25-404-029 also known as 23833 Columbus

\$ 6,591.50

LOT 60 – SUPERVISOR’S CHESTERFIELD PARK SUBDIVISION NO. 2, as recorded in Liber 17, Page 38 of Plats, Macomb County Records.

**Owner(s): Greg Becigneul & Ruth A. Becigneul
G.M. Mortgage Corporation
Lakeshore Mortgage Corporation**

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 26th day of April, 2016, for payment to be made;

Payment has not been made, and a public hearing having been held on April 26th, 2016, 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. 478 - \$6,591.50

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, 2017, 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, 2017.

Info List

- Downtown Development Authority Minutes-February 10, 2016
- Downtown Development Authority Minutes- February 22, 2016

CITY OF WARREN
DOWNTOWN DEVELOPMENT AUTHORITY
MINUTES OF THE BOARD

Meeting held on Tuesday, February 10, 2016

A regular meeting of the Downtown Development Authority was held on Wednesday, February 10, 2016 at 2:00 PM in the Warren Conference Room on the first floor in the City Hall, One City Square, Warren, MI 48093.

PRESENT:

James R. Fouts, Mayor/Chairman
Joseph Vicari, Vice Chair
Gregory Jackson
Hank Riberas
Michael Wiegand
Oscar Zamora
Lark Samouelian, DDA/TIFA Director/Secretary, (Non-voting)

ABSENT:

Dennis Bostick
Louis Joseph
Nicholas Lavdas

ALSO PRESENT:

Eileen Swan, DDA/TIFA Assistant
Mary Michaels, Acting City Attorney
Rob Maleszyk, City Controller
Dennis Clark, Assistant Controller
James VanHavermaat, City Engineer
Dave Anderer, Superintendent of Buildings and Groups
Ron Wuerth, Planning Director
Richard Sabaugh, Public Services Director
Henry Bowman, Parks and Recreation
John Boyd, Signature Associates
Joe Hamway, Signature Associates
Peter Vanderkaay, Signature Associates
Madelyn Zamora, Warren Historical Village District Commission
Kristine Plotinski, Small Wonders Early Learning Center



1. Call to Order

Mayor Fouts called the meeting to order at 2:08 PM.

2. Roll Call

Mr. Bostick, Mr. Joseph, and Mr. Lavdas were noted as absent. Mayor Fouts stated there was a quorum, and the meeting would proceed.

MOTION:

A motion was made by Mr. Zamora, supported by Mr. Riberas, to excuse Mr. Bostick, Mr. Joseph, and Mr. Lavdas. The motion carried unanimously by voice vote.

3. Adoption of the Agenda

MOTION:

A motion was made by Mr. Riberas, supported by Mr. Jackson, to adopt the agenda. The motion carried unanimously by voice vote.

4. Audience Participation

None

5. Approval of Minutes (Regular Meeting on January 20, 2016)

MOTION:

A motion was made by Mr. Riberas, supported by Mr. Wiegand, to approve the minutes. The motion carried unanimously by voice vote.

6. Old Business

A. Review and Consideration of Purchase Development Agreements, Mary Michaels (with statements from Development Teams)

1. Majestic Plaza, 27650 Van Dyke

Ms. Michaels stated that after a review of all of the circumstances, she recommended that the Board reject the buyer's request for a price reduction.

MOTION:

A motion was made by Mr. Wiegand, supported by Mr. Zamora, to reject the price reduction request by the buyer.

ROLL CALL:

The motion carried unanimously as follows:

Mr. Wiegand	Yes
Mr. Zamora	Yes
Mr. Jackson	Yes
Mr. Riberas	Yes
Mr. Vicari	Yes
Mayor Fouts	Yes

Ms. Michaels added that the buyer and the County will be meeting to secure the County's cooperation to allow the sale to go forward and the City to transfer a warranty deed. She said that both she and the buyer's attorney were able to speak with Macomb County Chief Deputy Executive, Mark Deldin, and they are going to schedule a meeting to discuss the transfer. She requested formal approval to extend the due diligence period to February 29, 2016 with closing to occur no later than March 21, 2016.

MOTION:

A motion was made by Mr. Vicari, supported by Mr. Wiegand, to extend the due diligence period to February 29, 2016 with closing to occur no later than March 21, 2016.

ROLL CALL:

The motion carried unanimously as follows:

Mr. Vicari	Yes
Mr. Wiegand	Yes

Mr. Zamora	Yes
Mr. Jackson	Yes
Mr. Riberas	Yes
Mayor Fouts	Yes

2. Boji Group, LLC, Lots 1 and 2 (Scheduled for a Special Meeting – February 22, 2016 at 3:00 PM)

Ms. Samouelian requested that the Board members let her know if they would be able to attend the meeting as soon as possible, and that Boji Group will be presenting the results of their feasibility study at the special meeting.

Mr. Boyd added that a copy of the report will be emailed to the DDA prior to the special meeting.

3. Burton-Katzman, LLC – Lots 3, 4, and 5

Mr. Boyd presented an amended plan to the board on behalf of Mr. Goss. He distributed two preliminary concept drawings for the exterior. Both plans include 140 units, but the amount of density may still change. Concept one featured a stucco exterior, which he referred to as a California style. Concept two consisted mainly of brick and he said it is similar to other types of apartment structures throughout Michigan. Both design concepts feature two stories in the middle with three stories in the outer wings.

A discussion took place during which various members of the DDA expressed their opinion regarding the style. It was determined that the members of the DDA preferred the original loft concept that they had been shown originally.

Mr. Vicari asked for a breakdown of the costs. Mr. Boyd said Burton-Katzman had agreed to purchase the land at a cost of \$1,050,000 and the site work at \$975,000. The vertical construction cost of the shell and the interiors varies. He also said that investors look for a certain return on their risk capital before moving ahead with a project. When the process was started last year, they didn't have the market study or the other numbers in hand to determine if the plan would work.

Mr. Hamway suggested they ask Mr. Goss if it would be possible to value engineer the interiors. Mayor Fouts stated they are open to a creative proposal, but that it cannot compromise the quality on the inside. Mr. Riberas added that the loft style concept is much more expensive, but it is a more substantial product and ultimately the one they want.

Mr. Wiegand said that a commercial component might allow them to qualify for tax savings and it might be worth looking into. The Mayor concluded the discussion by stating they are looking for something that will stand the test of time, and he believes the loft concept would be a better investment in the long run. He added that with some creative effort he thinks they'll be able to make it work.

B. Signature Associates Monthly Updates

Mr. Hamway said that in the event the current offer on Majestic Plaza falls through, that there is a cash buyer that presented an offer to the DDA previously. The buyer

is willing to close in 30 days and is also familiar with the revisionary interest on the property. Both offers were for the same price.

In response to a question from Mr. Vicari, Mr. Hamway recommended they move forward with the offer they currently have because it had already been approved and accepted by the DDA, and because a lot of time had been invested into finalizing the deal.

C. Recommendations of the Real Estate Subcommittee regarding Egress Emergency Exit for City Hall, plus additional options – James VanHavermaat

Mr. VanHavermaat said he had been working with two consultants regarding the egress emergency exit. The egress point would be the same for both. The only difference is that one is rectangular in shape, while the other is shaped like a boat. The bigger issue is the access on the second floor where the Clerk, Treasurer, and Mayor's offices are. These doorways would be panic bar equipped and provide access out, but not back in. An alarm would also sound if the door were used. They are also looking at equipping the doors with a keycard system that would allow certain individuals the opportunity to reenter if needed.

Mayor Fouts said there are some obvious problems with the current situation. He added that safety and security should be the foremost concerns.

D. Engineering Preliminary Survey of Warren City Center – James VanHavermaat

Mr. VanHavermaat said that the current parcels had been split somewhat strangely. He has found some issues with various properties extending onto other parcels, most likely when the roads were done several years ago. He is trying to ensure that the existing legal descriptions match the descriptions in the title work. He hopes to have completed within the next couple of months and he will provide a final report when he is finished.

7. New Business

A. Report Presentation by Dave Anderer, Building Maintenance Superintendent, RE: Replacement of the Second Floor Bathroom Broken Toilet

Mr. Anderer stated that a toilet in the men's room had been broken. At the time the building was built, they had installed 34 three-bolt Eljier Tacoma Flush Valve Bowl toilets. Eljier discontinued this toilet and is only making a four-bolt toilet. In order to put in the new toilet, the wall between the men's and women's bathrooms would need to be ripped out. The repair would include installing a new toilet, installing a mounting system, and replacing the ceramic tile for an estimated cost of \$15,000.

Mr. Anderer said that he had been checking with a number of contractors for a three-bolt toilet, and managed to locate one in Texas. He purchased it and the toilet was shipped within three days and has already been installed. In addition, due to the overwhelming popularity of the three-bolt toilet, Eljier will be bringing the line back in March for \$350 each. Once they are available, he plans to purchase several toilets and store them, so they will not run into this issue again.

8. List of Bills

Mr. Clark said the invoice for Johnson Controls is just a partial payment for the HVAC Control Upgrade. In response to a question from Mayor Fouts, Mr. Anderer stated that

the project is going well and Johnson Controls recently installed a large server in his department.

MOTION:

A motion was made by Mr. Jackson, supported by Mr. Riberas, to approve payment of the List of DDA Bills from the general account for an amount not to exceed \$74,827.56 and a credit of \$3,750 to the City of Warren from the Festival Account.

Roll Call:

The motion carried unanimously as follows:

Mr. Jackson	Yes
Mr. Riberas	Yes
Mr. Vicari	Yes
Mr. Wiegand	Yes
Mr. Zamora	Yes
Mayor Fouts	Yes

9. Special DDA Meeting for presentation of Hotel Feasibility Study (Boji Group, LLC/PKF Consulting, CBRE Co., Chicago) is scheduled for February 22, 2016 at 3:00 PM in the Village Conference Room. Meeting was relocated to the First Floor Conference Room.
10. Next DDA Regular Meeting is March 9, 2016 at 3:00 PM in the First Floor Conference Room
11. Adjournment

MOTION:

A motion to adjourn was made by Mr. Wiegand, supported by Mr. Vicari. The motion carried unanimously by voice vote.

The meeting adjourned at 3:00 PM.



Mayor James R. Fouts, Chairman



Lark Samuelian, Secretary

Minutes prepared by:
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CITY OF WARREN
DOWNTOWN DEVELOPMENT AUTHORITY
MINUTES OF THE BOARD

Special Meeting held on Monday, February 22, 2016

A special meeting of the Downtown Development Authority was held on Monday, February 22, 2016 at 3:00 PM in the Warren Conference Room on the first floor in the City Hall, One City Square, Warren, MI 48093.

PRESENT:

James R. Fouts, Mayor/Chairman
Joseph Vicari, Vice Chair
Dennis Bostick
Gregory Jackson
Nicholas Lavdas
Hank Riberas
Michael Wiegand
Oscar Zamora
Lark Samouelian, DDA/TIFA Director/Secretary, (Non-voting)



ABSENT:

Louis Joseph

ALSO PRESENT:

Eileen Swan, DDA/TIFA Assistant
Mary Michaels, Acting City Attorney
Rob Maleszyk, City Controller
Lori Finnigan, Controller's Office
Marcia Smith, City Assessor
Tom Agrusa, Deputy Assessor
James VanHavermaat, City Engineer
Ron Wuerth, Planning Director
Richard Sabaugh, Public Services Director
Tom Bommarito, CitiStat
Amanda Mika, Mayor's Office
John Boyd, Signature Associates
Ron Boji, Boji Group
Nader Kakhouri, Boji Group
Neb Mekani, Mekani, Orow, Mekani, Shallal & Hindo
John Hindo, Mekani, Orow, Mekani, Shallal & Hindo
Mark Eble, CBRE
Terri Fitzpatrick, CBRE
Victor Saroki, Saroki Architecture
David Iannuzzi, Saroki Architecture
Larry Goss, Burton-Katzman
Chuck D'Maggio, Burton-Katzman

1. Call to Order

Mayor Fouts called the meeting to order at 3:06 PM.

2. Roll Call

Mr. Joseph was noted as absent. Mayor Fouts stated there was a quorum, and the meeting would proceed.

MOTION:

A motion was made by Mr. Zamora, supported by Mr. Wiegand, to excuse Mr. Joseph. The motion carried unanimously by voice vote.

3. Adoption of the Agenda

MOTION:

A motion was made by Mr. Riberas, supported by Mr. Bostick, to adopt the agenda. The motion carried unanimously by voice vote.

4. Audience Participation

None

5. Presentations

A. The Boji Group, LLC Hotel Feasibility Study, Presentation and Discussion regarding City Center Lots 1 and 2

Mr. Boji stated that Boji Group is working very diligently on the opportunity to develop a full service, high-end hotel along with the appropriate retail and amenities. According to Mr. Boji, the project has not changed. The only thing different is that they have eliminated the parking structure and gone to surface parking. They have also decreased the number of rooms from 200 to 175 based upon recommendations from the feasibility study.

Mr. Boji said he planned to go through some of the aspects of the feasibility study which was distributed to the Board prior to the meeting. Mr. Boji explained that the National Association of Construction Costs examines the hard and soft costs to build the facility and considers the value of the building in a stabilized year. Ideally, they would meet, but in this case there is a gap Mr. Boji discussed the gap in further detail and also distributed information on how public and private partnerships work, an overview of municipal incentives related to hotels, and a memo to the mayor dated February 11, 2016.

Mr. Eble presented an overview of CBRE, what their conclusions were regarding the hotel project, and what data was used to make determinations. He said that a new hotel does not create demand, but takes an existing share of demand. He referenced the competitive hotel market analysis section, which looks at offer hotels in the area and what they offer. The next part of the study included a description of what type of hotel they think will fit best in the area, based upon what GM and other companies are looking for. His recommendation is that they stay with a major brand family, like Hilton or Marriott, and select the brand that they think will fit best in the market. The last section included a look at the economics taking occupancy and average daily rates into consideration. Based upon this information, CBRE developed income statements for the first five years of operations. Ultimately, they determined that there is an \$11 million gap between what it will cost to build and the cash flow. Mr. Eble said credit enhancement can help with shortfalls and cited municipal bonds and contributions of buildings or land as ways to overcome them.

(Ms. Michaels entered the meeting at 3:24 pm).

Mayor Fouts questioned the gap and how it can be overcome. Mr. Eble clarified that they are looking for some combination of public and private contributions to make up this amount. Mr. Boji said that while \$11 million is a large number, he does not think it is insurmountable. He feels that the project will advance the community, and with

help from the City and GM's they can bridge the gap. He estimates it will cost \$39 million in construction costs to build the hotel –not including the retail amenities. Based upon the average daily rate and net income revenue, as well as GM's commitment to fill 10,000 rooms a year, they are looking at a value of \$27 million, which equates to the \$11 million gap. Mr. Boji stated that he plans to address ways to decrease the gap at the next DDA meeting.

Mayor Fouts expressed displeasure at being unable to identify specific hotel names and designations (like 4 or 5-star hotel) in discussions about the project. He stressed that that he wants the hotel to become a destination for people. In response, Mr. Boji said there are legal issues involved with mentioning specific hotels or classifications in legal documents. He also said that under the Marriott flag, there are five full-service hotel brands they think will fit this project. In order to be associated with them, they are required to fulfil certain requirements. He reiterated Boji Group's commitment and GM's commitment to the project.

In response to a question from Mr. Lavdas, Mr. Boji stated that Boji Group will own and operate it, but they plan to bring in a nationally acclaimed management company to run the hotel.

Mr. Bostick asked about the cap rate. Mr. Eble explained how they came to the 9% cap. Further discussion continued regarding the type of footprint they must use, brand standards, furniture, fixtures, etc.

Mr. Wiegand asked how many parking spaces they are planning to have. Mr. Boji said there will be 361 spaces. There is potential to add additional spots along the greenspace and bring the count up to 400, exceeding the building code. Mr. Boji said that a parking ramp would be the obligation of the City. Mayor Fouts thought a high-quality hotel should have a parking deck. He added that losing the deck also means losing some of the retail component.

Mr. Eble gave a brief overview of the local competition and the average daily rates as noted on page 15 in the feasibility study. In response to a question regarding debt projections from Mr. Jackson, Mr. Boji explained projected operating results based upon the expenses outlined on page 35 of the study.

Mr. Boji confirmed that he plans to address the \$11 million gap in more depth at the next DDA meeting on March 9, 2016. He added that they are thoroughly committed the project and making this a destination hotel in Macomb County.

(Mr. Boji, Mr. Eble, Mr. Hindo, Mr. Mekani, Mr. Kakhouri, Mr. Saroki, Mr. Iannuzzi, and Ms. Fitzpatrick exited the meeting at 4:17 pm).

B. Larry Goss, Burton-Kazman, LLC, City Center Lofts, Lots 3, 4, and 5 (review letter and discussion)

Mr. Goss distributed a letter to the Board addressing the financial gap that they are facing and ways that it can be overcome. He stressed that the project has not changed. When he realized they were facing shortcomings, he had asked Mr. Boyd to present other design options to the DDA. He understands that the other options do meet the Board's project goals. Burton-Katzman plans to develop the project as it was originally proposed, and they are seeking creative ways to fund it.

Mr. Goss explained that the loft style project that they originally presented is the same as a project they currently have under construction in Plymouth. It is approximately a \$28 million construction project, and requires \$7 million dollar of

developer (investor) equity. Based upon their target returns, he believes there is a gap of approximately \$3-3.5 million. However, at the last meeting they expressed interest in a slightly different exterior concept that he had not officially presented. If they choose that design, the gap may be closer to \$3.5 million, but he does not have detailed financials.

Mr. Goss referenced his letter and ideas that may help to reduce the gap. First, he suggested changing the land price to a land lease. This would reduce the up-front million-dollar purchase price. Other suggestions include having the City fund the underground infrastructure or provide all pedestrian walks and landscaping. Waiving fees (building permit, sewer, water tap fees, etc.) would be another possibility. They are also looking at a 50% reduction in developer/project manager fees.

Mr. D'Maggio suggested that Tax Increment Bond Financing may be another possibility. Bond money would come from property tax projections.

Mayor Fouts asked Ms. Smith for her opinion. Ms. Smith said that without running the numbers, she can't give a formal recommendation, but that Burton-Katzman has presented a number of good ideas. She said she also has a call into the state tax commission to get their opinion on the eligibility of the project. Ms. Michaels said there may be some zoning issues that they'll have to deal with.

Mr. Goss requested a 30-day extension to the due diligence period to work with the accessor and finalize a solution. Mayor Fouts said he is amenable to granting additional time.

Mr. Goss confirmed that the DDA wanted him to focus on the second loft design concept. In response to a question regarding rental rates, Mr. Goss said that he felt the rates would be in the \$1,200-\$2,000 range.

Mr. Bostick asked how much they are planning to recapture, and said he would like to see some of it go back to the City. Ms. Michaels said that City Council would have final approval on the amounts. Mayor Fouts added that the City Council would base their decision on recommendations from the DDA and the City Assessor.

6. Adjournment

MOTION:

A motion to adjourn was made by Mr. Zamora, supported by Mr. Jackson. The motion carried unanimously by voice vote.

The meeting adjourned at 4:35 pm.



Mayor James R. Fouts, Chairman



Lark Samouelian, Secretary

Minutes prepared by:
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