



Patrick Green, President-Mayor Pro Tem
Jonathan Lafferty, Asst. Secretary

Garry Watts, Vice-President
Eddie Kabacinski
Angela Rogensues

Mindy Moore, Secretary
Ron Papandrea

A Regular Meeting of the City Council – Tuesday, August 9, 2022, at 7:00 p.m.

****PLEASE NOTE THAT WEARING A MASK IS RECOMMENDED****

Members of the audience who would like to address the City Council this evening may do so under the Audience portion and will be allowed 3 minutes to speak.

AGENDA

1 CALL TO ORDER

2 PLEDGE OF ALLEGIANCE

3 ROLL CALL

4 ADOPTION OF THE CONSENT AGENDA

5 ADOPTION OF THE AGENDA

6 CALENDAR OF PENDING MATTERS

- a) Calendar
- b) Discussion in re: Resident/Neighborhood Concerns
 - Council Member Jonathan Lafferty, discussion in re: Flooding at Cosgrove and Linville, Irene and Desmond, and Panama (south of Stephens to 9 Mile Road).

7 APPROVAL OF THE MINUTES

- a) Regular Meeting of July 26, 2022

8 APPROVAL OF THE BILLS

- a) General Revenue Funds
 - 1) **(Tabled Checks 7/12/2022)** Check # 640992, check # 641520 and 642018 to Ascentis. Check # 642029 to David Griem.
- b) Water and Sewer System

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 audience form located at the right side of the stage.

10 ANNOUNCEMENTS

- a) Resolution in celebration of Police Commissioner William Dwyer and 60 years in law enforcement.

11 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving Industrial Facilities Tax Exemption and Agreement for Home Depot U.S.A., Inc. located at 23500 Mound Road, Warren, Michigan.
- b) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving collection proceedings, Special Assessment Roll No. 516, relating to the removal of a house and garage at 8686 Maxwell which is under the nuisance abatement program.
- c) **ADMINISTRATIVE HEARING:** Appeal from a Care Giver Medical Marihuana Facilities Application for 3839 E. Ten Mile Road, dated February 25, 2021.

12 MISCELLANEOUS CORRESPONDENCE:

- a) CONSIDERATION AND ADOPTION OF A RESOLUTION approving a contract amendment with Cincinnati-Time, now operating as Ascentis Corporation.
- b) Request of the Human Resource Department to approve an increase of award to Michigan.com, by \$10,000.00 annually, bringing the new annual total to \$45,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- c) Request of the Human Resource Director to approve a wire transfer to the Internal Revenue Service in the amount of \$11,007.02 to cover the 2021-2022 IRS PCORI Fees Requirement. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- d) Request of the Water Division to authorize the purchase of 400 Meter Transmitter Units from the sole source provider, Aclara, in the amount of \$45,600.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- e) Request of the Community Development Block Grant to rescind a previously approved contract for grass and snow services with Macomb Community Action. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- f) Request to amend the 2020-2021 and 2021-2022 Housing and Community Development Action Plan for additional funding to be placed in the grass and snow program, in the amount of \$51,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed)
- g) Proposed resolution authorizing an agreement between the City of Warren and Macomb Community Action for grass and snow services, in the amount of \$51,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- h) Request for a sixty (60) day extension for Michigan Aspire II, LLC's two (2) medical marihuana grow Class C permits and its four (4) adult-use marihuana grow Class C permits; located at 21535 Hoover, Warren, Michigan.
- i) Request for a sixty (60) day extension for Susco, LLC's Adult Use Marihuana permit; located at 12504 Stephens Road, Warren, Michigan.

13 COUNCIL BUSINESS:

- a) Council Member Mindy Moore, discussion in re: Unclaimed property.
- b) Council Member Mindy Moore, discussion in re: City banking policy and procedures review in re: stop payment orders

- c) Council Member Jonathan Lafferty, discussion in re: Painting fire hydrants for a cause.
- d) Notice of appointment of Taylor Johnson to the Disabilities Commission as announced during audience July 26, 2022.
- e) Request to approve the appointment of Delwar Hussain Ansar to the Planning Commission with a term expiration date of June 30, 2023.

14 CORRESPONDENCE FROM THE MAYOR:

- a) Request of the Community Development Director to rescind the previously approved sale of 22808 MacArthur to Muhammad Raheem as the purchase offer has been withdrawn. CONSIDERATION AND ADOPTION OF RESOLUTION.
- b) Request of the Community Development Director to approve sale of city owned property located at 22808 MacArthur to DeCarlo and LaShante Chenault at a minimum cost of \$160,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- c) Request of the Police Department for an increase in budgeted revenues and appropriations in the amount of \$500.00 to account for the receipt of a non-profit grant, Humanizing the badge. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed).
- d) Request of the Police Commissioner for an increase in budgeted appropriations from the Drug Forfeiture Special Revenue fund balance in the amount of \$510,035.00 to cover the costs to purchase 10 additional police vehicles. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed).
- e) Request of the Engineering Department for an increase in budgeted appropriations from the Michigan Transportation-Local Operating Special Revenue Fund's fund balance in the amount of \$1,910,880.00 to cover the costs of the 2022 Large Concrete Pavement Repairs contributable to MTF-Local Roads. CONSIDERATION AND ADOPTION OF A RESOLUTION.

15 ADJOURNMENT

MINDY MOORE
Secretary of the Council

Any person with a disability who needs accommodation for participation in this meeting should contact the Warren City Council Office at (586) 258-2052 – 48 hours in advance of the meeting to request assistance.

CONSENT AGENDA

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

Item 4:

- a) Request for closed session pursuant to Section 8(e) of Public Act 267 of 1976 in the matter of Joseph Ruman, David J. Peters, and Cynthia A. Peters v City of Warren; Macomb County Circuit Court Case No. 2022-002396-CZ. Hon. Joseph Toia.
- b) Request for closed session pursuant to Section 8(e) of Public Act 267 of 1976 in the matter of Five Star Asset Management v City of Warren; 37th District Court Case No. 22588LT. Hon. Matthew Sabaugh.
- c) Request of Holy Cross Lutheran Church to waive license fee in connection with the Annual Classic Car Show to be held Sunday, September 25, 2022, from 12:30 p.m. to 5:30 p.m.
- d) Request of the St. Anne Festival Committee to waive license fee in connection to Annual St. Anne Sausage Festival to be held September 23-25, 2022.
- e) Request of the Parks and Recreation Department to approve funding and agreements relating to the Annual Birthday Bash. Fireworks display with Zambelli Fireworks Manufacturing Company in the amount of \$27,000.00 and Entertainment and attractions with Carey and Paul Group in the amount of \$17,960.00; and staging and sound with Ignited Light and Sound in the amount of \$12,500.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- f) Request of the Building Division to award Scanning and filing services to ARC Document Solutions in an amount not to exceed \$50,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- g) Request of the Communications Department to extend the Mass Notifications Services agreement for an additional four (4) year period to Civic Plus, LLC in a total amount of \$79,258.85. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- h) Request of the Department of Public Works to award the purchase of one (1) Pothole Patch/Recycler & Hot Box Trailer utilizing the State of Michigan MiDeal Contract #071B7700092, in the amount of \$28,063.42. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- i) Request of the City Engineer to amend the Special Assessment District 513 to correct addresses. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- j) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve a one-time payment of \$12,600.00 to Great Lakes Contracting Solutions, LLC for repairs on city water and sewer structures within MDOT right-of-way along Van Dyke between 11 Mile Road and 13 Mile Road.
- k) Request of the Engineering Division to award bid and approve contract for City Project P-22-760, 2022 Asphalt Pavement Repairs, to Best Asphalt Inc., in an amount not to exceed \$1,575,900.00 and authorizing the Mayor and Clerk to execute a contract. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- l) Request of the Sanitation Division to purchase bar carts from Schaefer Systems International, Inc., in the total amount of \$34,232.92. CONSIDERATION AND ADOPTION OF A RESOLUTION.

- m)** Request of the Waste Water Treatment Plant to approve a price and award increase for ITB-W-0138 for furnishing lifting equipment maintenance and repair services to Crane 1 Services, in an amount not to exceed a 9.1% rate increase for labor and services and increase existing agreement to \$40,000.00 annually for remainder of the contract. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- n)** Request for rezoning; located on the north side of Ten Mile Road, approximately 333.68 ft. east of Easy Street from the present zoning classification R-1-C, One Family Residential District and R-1-P, One Family Residential and Parking District (west 50 ft.) to M-2, Medium Light Industrial District; Section 24; 14665 Ten Mile Road; JMJ Building Company, LLC (Patrick McKay, Esq). Set Public Hearing Date-September 13, 2022.
- o)** Request for rezoning with conditions; located on the north side of Eight Mile Road; between Le Fever Avenue and Cunningham Avenue; from the present zoning classification of “P”, Parking District, C-1 Local Business District, R-1-P, One Family Residential and Parking District to M-2, Medium Light Industrial District; 4545 and 4547 Eight Mile; Section 32; Vinson Bahri (4545 8 Mile LLC), (Robert D. Ihrle). Set Public Hearing Date-September 13, 2022.
- p)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the demolition of a commercial building at 4513 Nine Mile Road through the nuisance abatement program. Set Public Hearing Date-September 13, 2022.
- q)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the demolition of a commercial building at 4515 Nine Mile Road through the nuisance abatement program. Set Public Hearing Date-September 13, 2022.
- r)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the demolition of a house and garage at 8319 Toepfer through the nuisance abatement program. Set Public Hearing Date-September 13, 2022.