

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, November 15, 2022, 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 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

7 APPROVAL OF THE MINUTES

- a) Regular Meeting Minutes-October 25, 2022

8 APPROVAL OF THE BILLS

- a) General Revenue Funds
- 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

11 PUBLIC HEARINGS/ADMINISTRATIVE HEARINGS:

- a) **(Tabled) PUBLIC HEARING:** Proposed resolution to establish a Speculative Building Designation for property at 23500 Mound Road (Building One), pursuant to Public Act 198 of 1974, as amended. NP Mound Road Industrial, LLC, parcel ID Nos. 13-28-300-018 and 13-28-176-010. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- b) **PUBLIC HEARING:** CONSIDERATION AND ADOPTION OF A RESOLUTION approving collection proceedings relating to the removal of a house and garage at 11123 Hudson, SAR No. 517

12 MISCELLANEOUS CORRESPONDENCE:

- a) **(Reconsideration filed 10.28.2022)** (Failed) CONSIDERATION AND ADOPTION OF A RESOLUTION approving proposed settlement in the matter of Neil Andrew Trapp v City of Warren, et al., M.C.C.C. Case No. 20-3556-No.
- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the fiscal year 2023 grant agreement between the State of Michigan (Michigan Indigent Defense Commission-Department of Licensing and Regulatory Affairs) and the City of Warren/City of Center Line through the 37th District Court.
- c) CONSIDERATION AND ADOPTION OF A RESOLUTION approving a Michigan Department of Transportation (MDOT) performance resolution for Governmental Agencies for annual application and permit for miscellaneous operations within state highway right-of-way.
- d) Proposed Amendment to Article XXI-A. – Village Historic District (Second Reading).
- e) Request of Lorie Barnwell, City Treasurer for approval to open a Money Market Account with Independent Bank.

13 COUNCIL BUSINESS:

- a) **(Veto filed 10.14.2022)** Council President Patrick Green and Secretary Mindy Moore, discussion in re: Administrations filing of litigation against the State of Michigan.
- b) Council Member Angela Rogensues in re: CONSIDERATION AND ADOPTION OF A RESOLUTION to direct City Attorney's office to initiate Civil Nuisance Case in Macomb County Circuit Court against Open Door Capital, LLC et seq relating to Landmark Estate's Mobile Home Park.

14 CORRESPONDENCE FROM THE MAYOR:

- a) Request of the 37th District Court for an increase in budgeted appropriations in the amount of \$400,000.00 to cover the costs of architectural and design engineering services for the new 37th District Court Building. CONSIDERATION AND ADOPTION OF RESOLUTION. (5 votes needed)
- b) Request of the 37th District Court for an increase in budgeted appropriations in the amount of \$44,025.00 for sufficient funding for the balance of the 2023 fiscal year. CONSIDERATION AND ADOPTION OF RESOLUTION. (5 votes needed)
- c) Request of the 37th District Court for an increase in budgeted revenues and appropriations in the amount of \$90,000.00 to account for the receipt of a grant from the Michigan Drug Court Grant Program (MDCGP). CONSIDERATION AND ADOPTION OF RESOLUTION. (5 votes needed)
- d) Request of the Controller's Office for an adjustment in budgeted revenues and appropriations for Indigent Defense Special Revenue Funds in the amount of \$825,807.09. CONSIDERATION AND ADOPTION OF RESOLUTION. (5 votes needed)
- e) Request of the Fire Department for an increase in budgeted appropriations in the amount of \$333,936.00 to account for the increased cost to purchase two fire engine pumpers and one quintuple combination pumper. CONSIDERATION AND ADOPTION OF RESOLUTION. (5 votes needed)
- f) Request of the Fire Department for an increase in budgeted revenues and appropriations in the amount of \$400,000.00 to account for the receipt of a grant from the Michigan Economic Development Corporation-partial funding for a technical-heavy rescue truck. CONSIDERATION AND ADOPTION OF RESOLUTION. (5 votes needed)
- g) Request of the Fire Department to approve the purchase of four (4) fire apparatus from Sutphen Corporation utilizing the Sourcewell Cooperative Contract #113021 for a grand total of \$3,914,816.81. CONSIDERATION AND ADOPTION OF RESOLUTION.
- h) Request of the Police Department for an increase in budgeted revenues and appropriations in the amount of \$81,446.00 to account for the receipt of a 2022 Edward Byrne Memoria Justice Assistance Grant (JAG) and to defray the costs of 120 OptiPlex 7000 computer towers. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed)
- i) Request of the Communications Department for an increase in budgeted appropriations in the amount of \$35,000.00 to cover the increase in HVAC maintenance and janitorial services. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed)
- j) Request for an increase in budgeted revenues and appropriations of the MTF Debt Service and MTF Operating is needed to account for and pay the debt service payment. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed)
- k) CONSIDERATION AND ADOPTION OF A RESOLUTION allocating \$5.7 million in ARPA Funding for Parks and Recreation projects.

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 Quinton Howze v City of Warren, Jeffery Masserang and Kelsey Furnari; United States District Court Case Number 4:22-cv-12337-SDK-APP. Hon. Shalina D. Kumar.
- b) Request for closed session pursuant to Section 8(e) of Public Act 267 of 1976 in the matter of Perry Teolis v City of Warren; United States District Court, Eastern Division of Michigan Case No. 22-cv-12269. Hon. Paul D. Bordman.
- c) Request of the Building Division to purchase one (1) 2023 Chevrolet 2500 Silverado from Berger Chevrolet in the amount of \$48,041.00 utilizing the State of Michigan MiDeal vehicle contract. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- d) Request of the Communications Department to award bid ITB-W-0769 to Lakeshore Janitorial Specialist in an amount not to exceed \$20,000.00 annually. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- e) Request of the Fire Department to award the purchase of forty-one (41) ballistic helmets to On Duty Gear, LLC for a grand total of \$21,115.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- f) Request of the Information Systems Department to award the purchase of a replacement security camera server to D/A Central in the amount of \$57,547.43. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- g) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve a cost sharing agreement between the Michigan Department Transportation (MDOT) and the City of Warren for hot mix asphalt cold milling and resurfacing work along Masonic Blvd., from 400 feet west of Hoover Road to Schoenherr Road, in the amount of \$1,722,400.00 for MDOT Contract No. 22-5342.
- h) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 1 to City Contract PL-22-757, Veterans Memorial Park – Parkin Lot Reconstruction, for extension of contract time to November 30, 2022, and increasing the original contract amount by \$150,000.00 resulting in an amended contract amount of \$1,016,071.00 to Boddy Construction Co.
- i) Request of the Water Division to award ITB-W-0750 for removal and disposal of Water Division repair spoils to S. A. Torello, Inc., for an annual amount not to exceed \$325,000.00. CONSIDERATION AND ADOPTION OF A REOLUTION.
- j) Investment Summary Report-May 31, 2022.
- k) Investment Summary Report-June 30, 2022.
- l) CONSIDERATION AND ADOPTION OF A RESOLUTION to authorize Right-of-Way dedication of Zagalski Ave. Parcel No. 12-13-23-476-011.
- m) Request for rezoning with conditions; located on Twelve Mile Road; 311 feet east of Grobbel Drive; from the present zoning classification C-2, General Business District and P, Parking District to C-3, Wholesale and Intensive Business District; 5580 Twelve Mile Road; Section 17; 12 Mile Development LLC/Michael McPherson (Symmetry Property Management) petitioner. Set Public Hearing Date-December 13, 2022.