

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, September 12, 2023 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-August 22, 2023

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) **PUBLIC HEARING:** Request for site plan review for building addition for mixed use redevelopment; Downtown Center, Urban Neighborhood; located on the east side of Van Dyke Avenue; approximately 160 ft. south of Civic Center Drive N.; 30130 Van Dyke Avenue; Section 10; Warren 12 Prop 3LLC/Nicholas Lavas (Ivanovic Construction Inc./Dan Ivanovic)
- b) **PUBLIC HEARING:** Request for a Subdivision Lot Split: located on the south side of Fourteen Mile Road; approximately 645 ft. west of Hollingsworth Avenue; commercial building to the west (6440 Fourteen Mile Road) to be split into own parcel; 6500 Fourteen Mile Road (Gardner White); Section 4; Derek Kosicki (14 Mack LP). PSLS230001.

12 MISCELLANEOUS CORRESPONDENCE:

- a) Proposed ordinance amendment to Chapter 41, Section 41.75 and 41.102 to establish limits for Perfluorooctanesulfonic acid (PFOS) as required by the Michigan Department of Environment, Great Lakes, and Energy (EGLE). (Second Reading)
- b) CONSIDERATION AND ADOPTION OF A RESOLUTION approving the thirty (30) day notice of intent to sell the city's newly constructed home at 23692 Bolam for the appraised value of \$190,000.00.
- c) Proposed resolution providing public notice of intent to sell vacant tax-reverted property at 7263 Dodge, Warren, Michigan; Parcel ID No. 13-33-205-027 for \$1.00, subject to combination with 7251 Dodge; approving sale following 30-day notice period and accepting grant of easement rights. CONSIDERATION AND ADOPTION OF A RESOLUTION.

13 COUNCIL BUSINESS:

- a) Council Member Eddie Kabacinski, discussion in re:
 - 1) Consideration of Repeal of Article IV – Signs
 - Section 4A.13 (D)
 - Section 4A.13 (I)
 - Section 4A.26 (C) 1, 2, and 3.
 - And
 - 2) Chapter 24 - Peddlers, Solicitors, and Transient Merchants
 - Sec. 24 - 146

14 CORRESPONDENCE FROM THE MAYOR:

- a) Request of the Controller's Office to approve the reappropriation of funds for various departments in a grand total amount of \$29,486,250.54. CONSIDERATION AND ADOPTION OF A RESOLUTION. (5 votes needed)

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 Michael Lewis Butz v Sonja Buffa, Clerk, City of Warren and City of Warren, a Municipal Corporation; MCCC Case No. 2023-002847-CZ. Hon. Jennifer Faunce.
- b) Request for closed session pursuant to Section 8(e) of Public Act 267 of 1976 in the matter of Eddie Kabacinski v City of Warren Election Commission, City of Warren Clerk Sonja Djurovic Buffa, City of Warren Assessor Jennifer Czeiszperger, City of Warren Attorney Ethan Vinson, Candidate Henry Loring Newman, Candidate Brittani Nicole Tringali and Candidate Jay Michael Jackson; MCCC Case No. 2023-002762-AA. Hon. James M. Biernat, Jr.
- c) Request to waive all license and fees that are associated with the permit applications for holding the 50th St. Anne Sausage Fest on September 22-24, 2023 at 32000 Mound Road.
- d) Request of the Assessing Department to award document scanning services to Graphic Services, Inc., in an amount not to exceed \$37,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- e) Request of the Beautification Commission to waive the bid process and award the purchase of holiday decorations to the sole source provider, Bronner's Christmas Display, in an amount not to exceed \$26,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- f) Request of the Building Division to award bid ITB-W-1010 for the purchase of one (1) 2024 Chevrolet Equinox and two (2) Chevrolet 2023 Traverse vehicles in the total amount of \$120,543.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- g) Request of the Water Division to award bid ITB-W1027 for the purchase of two (2) 2023 Chevrolet Express DRW 4x2 Chassis with rockport workport service utility bodies from Hamilton Chevrolet, in the amount of \$129,960.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- h) Request of the Communications Department to award bid ITB-W-1004 for printing of the 2024 City Calendar and the 2023 Annual Report to Breese Publishing Company, in an amount not to exceed \$31,592.97. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- i) Request of the Department of Public Works to extend the award of RFP-W-9222 for furnishing GM Dealer Parts and Services for a final Two (2) year period in an amount not to exceed \$225,000.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- j) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve a cost increase in the amount of \$550,500.00 for the Non-Federal Participating Water Main portion of the cost sharing agreement between Michigan Department of Transportation (MDOT) and the City of Warren for hot mix asphalt, cold milling, and resurfacing work along Masonic Blvd.
- k) CONSIDERATION AND ADOPTION OF A RESOLUTION to approve contract modification No. 1 and final to City Contract BR-19-699 Denton Bridge Rehabilitation ITB-W-9947 increasing the current contract amount by \$99,848.02 to C. A. Hull Co.
- l) Request of the Fire Department to award the purchase of six (6) portable radios and two (2) base radios in the grand total of \$53,280.08. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- m) Request of the Police Department to renew investigative software subscription through the State of Michigan in a three (3) year grand total of \$28,294.32. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- n) Request of the Police Department to award the purchase of a virtual academy software program through sole source provider Virtual Academy Savant Learning Systems, for a three (3) year period, in an amount not to exceed \$37,555.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- o) Request of the Water Division to award bid ITB-W-0780 for exterior improvements to the Water Garage to Quadrate Construction, LLC in the amount of \$471,042.40. CONSIDERATION AND ADOPTION OF A RESOLUTION.

- p)** Request of the Waste Water Treatment Plant to award the purchase of Emissions Monitoring System Maintenance and Technical Support for a three (3) year period to Trace Environmental Systems, in the total amount not to exceed \$84,216.00.
CONSIDERATION AND ADOPTION OF A RESOLUTION.
- q)** Request of the Waste Water Treatment Plant to extend the award of contract for basic heating, ventilation, and air conditioning (HVAC) Maintenance Services to Johnson Controls, Inc., from October 1, 2023 to April 30, 2026 in an amount not to exceed \$298,271.00. CONSIDERATION AND ADOPTION OF A RESOLUTION.
- r)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the agreement between the City of Warren and Care House.
- s)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the agreement between the City of Warren and MCREST.
- t)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the agreement between the City of Warren and St. Vincent de Paul.
- u)** CONSIDERATION AND ADOPTION OF A RESOLUTION approving the agreement between the City of Warren and Turning Point Macomb.
- v)** REQUEST FOR REZONING WITH CONDITIONS; two properties located on the north and south side of Ten Mile Road, approximately 326.85 ft. east of Mound Road; from the present zoning classification of “C2”, General Business District, “M-2”, Medium Light Industrial District, “P”, Parking District (north property, Section 21) and “R-1-P”, One-Family Residential and Parking District (south property, Section 28) to “M-1”, Light Industrial District; Sections 21 & 28; 6014-6015 Ten Mile Road; SEH Warren, LLC/Frank Jarbou (Will Grapentine)-Set Public Hearing Date-October 10, 2023.
- w)** REQUEST FOR STANDARD REZONING; located on the east side of Ryan Road, approximately 176.3 ft. south of Eleven Mile Road; from the present rezoning classifications of C-2, General Business District, C-1, Local Business District, and “P”, Parking District, to C-2, General Business District; Section 20; 26688 Ryan Road; Village Fair Shopping Center (Iden Kalabat/Kalabat Engineering). Set Public Hearing Date-October 10, 2023.
- x)** REQUEST FOR REZONING WITH CONDITIONS; (Parcel 1) located on the south side of Nine Mile Road, approximately 160 ft. west of Warner Avenue; from the present zoning classifications of “P”, Parking District, the south 150 ft. of the property, to “M-2” Medium Light Industrial District; Section 31; 2700 Nine Mile Road; Great Lakes Trucking, Inc/Liliya Skikun (Paul Reschke); (Parcel 2) located on the south side of Nine Mile Road, approximately 340 ft. west of Warner Avenue; from the present zoning classification of “P”, Parking District, the east 140 ft. and the east 200.21 ft., to “M-2” Medium Light Industrial District; Section 31, 2500 Nine Mile Road; UAW-Chrysler National (Paul Reschke); (Parcel 3) located on the west side of Warner Avenue, approximately 639 ft. South of Nine Mile Road; from the present zoning classification of “P”, Parking District, the west 40 ft. and west 60.21 ft. of the property, to “M-2” Medium Light Industrial District; Section 31; Parcel number 13-31-126-007 (Warner Avenue); DTC Michigan Corporation/Cheryl A Chase (Paul Reschke). Set Public Hearing Date-October 10, 2023.
- y)** Request of Square M. LLC dba Merit Manufacturing has submitted an application for an Industrial Facilities Exemption as Required P.A. 198 of 1974 Amended. Set Public Hearing Date-October 10, 2023.