REGULAR MEETING
ROSEVILLE CITY COUNCIL

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066
(586) 445-5440

TUESDAY, JANUARY 27, 2009
7 P.M.

ROLL CALL

PRESENT:

Mayor	John Chirkun
Mayor Pro Tem	Robert Taylor
Councilpersons	Jan Haggerty
	Colleen McCartney
	Bill Shoemaker

ABSENT: Councilman Salvatore Aiuto was excused from the meeting and arrived at 7:30 p.m.

VACANCY: One

OTHERS PRESENT:

City Manager	Stephen Truman
City Clerk	Richard Steenland
City Attorney	Tim Tomlinson

Mayor John Chirkun called the meeting to order at 7 p.m. with the Pledge of Allegiance.

I. ROUTINE MATTERS

1. Approval of minutes of Regular Meeting held January 13, 2009.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve minutes of the Regular Meeting held January 13, 2009.

Abstain: Councilman Bill Shoemaker
MOTION CARRIED

2. Approval of minutes of Special Meeting held January 20, 2009.

COUNCILWOMAN COLLEEN MCCARTNEY moved, COUNCILMAN ROBERT TAYLOR seconded to approve minutes of the Special Meeting held January 20, 2009.
MOTION CARRIED UNANIMOUSLY

3. Approval of Disbursement List.

COUNCILMAN BILL SHOEMAKER moved, COUNCILWOMAN JAN HAGGERTY seconded to approve Disbursement List #14 January 14 through January 27, 2009.
MOTION CARRIED UNANIMOUSLY

COUNCILWOMAN COLLEEN MCCARTNEY moved, COUNCILWOMAN JAN HAGGERTY seconded to excuse absent Councilman Salvatore Aiuto.
MOTION CARRIED UNANIMOUSLY

II. CORRESPONDENCE

City Clerk Richard Steenland stated that he received 31 applications for the vacant Council seat and all resumés were provided to Council for review. Each Councilperson will submit two names to the City Manager for an interview on February 3, 2009.

III. HEARING OF THE PUBLIC

Mike Clover, 16279 12 Mile, discussed agenda items #3 and #5.

James Goldwater, 19346 Brandt, discussed agenda item #5.

IV. OLD BUSINESS

1. Request adoption of Ordinance to amend the City of Roseville code of Ordinances Chapter 340, Article VII, Sec. 340-24, to amend the penalty, to provide for repealer, severability, and effective date.

City Attorney Tim Tomlinson explained this request to Council. He requests that Council amend the penalty provision of this ordinance to resolve the issues within 48 hours of issuance of a violation; the amendment will mirror the previous Winter Parking Ordinance.

COUNCILMAN ROBERT TAYLOR moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt Ordinance 1217 to amend the City of Roseville code of Ordinances Chapter 340, Article VII, Sec. 340-24 to amend the penalty, to provide for repealer, severability and effective date as follows:

TO AMEND AN ORDINANCE OF THE CITY OF ROSEVILLE AMENDING CHAPTER 340, ARTICLE VII, SEC. 340-24.5, TO AMEND THE PENALTY, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 1217

THE CITY OF ROSEVILLE ORDAINS:

AN ORDINANCE OF THE CITY OF ROSEVILLE AMENDING CHAPTER 340, ARTICLE VII, SEC. 340-24.5, TO AMEND THE PENALTY, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

Section 1. Chapter 340, Article VII, Sec. 340-24.5 is hereby amended to provide as follows:

Sec. 340-24.5. Penalty.

Any person, who shall violate the provisions of Section 340-24.4, shall be responsible for a civil infraction and subject to a penalty not to exceed Fifty and 00/100 Dollars ($50.00). Any person, who shall violate the provisions of Section 340-22, shall be responsible for a civil infraction and subject to a penalty not to exceed Twenty and 00/100 Dollars ($20.00). Any person accused of a violation of this Article may settle and compromise the claim against him or her for such illegal parking by paying to the 39th District Court one-half of the fine stated herein by the close of the second business day of issuance of the parking violation ticket or by appearing in person at the 39th District Court to make said payment; or in lieu of settlement and compromise as provided herein, the person should appear at the date and time specified on the parking ticket in the 39th District Court.

Section 2. **Repealer.** Any section herein that is in conflict is hereby repealed.

Section 3. **Severability.** If any word, clause, sentence, paragraph or provision of this ordinance is deemed to be invalid by a court of competent jurisdiction, such word, clause, sentence, paragraph or provision so designated shall be deemed severable and the remaining provisions of the ordinance shall be deemed fully enforceable.

Section 4. **Effective Date.** The terms and provisions of this ordinance are deemed to be an emergency ordinance which shall become effective upon publication and adoption.
MOTION CARRIED UNANIMOUSLY

V. NEW BUSINESS

1. Presentation from the Roseville High School's "Go Green" Recycling Committee.

City Manager Stephen Truman introduced Carrie Lutin, Social Worker at Roseville High School and leader of the "Go Green" Recycling Committee. The "Go Green" Recycling Committee presented information to the Council about its organization.

Mr. Truman explained that the City of Roseville is in the process of applying for an energy grant. As a result of the application the State of Michigan conducted an energy audit. The major issue that was brought to the City's attention is street lighting. The City will address this issue and Mr. Truman will keep the Committee updated on this process.

2. Request to extend the 2003 Sidewalk/Approach Program contract for 2009.

City Manager Stephen Truman explained this request to Council. C&L Enterprizes has been the contractor for the City since 2003 and have offered to keep the 2003 pricing in effect for 2009. C&L

Enterprizes is a union company, company's prices are comparable with surrounding communities, and they have conducted satisfactory work for the City in the past.

COUNCILMAN BILL SHOEMAKER moved, COUNCILMAN ROBERT TAYLOR seconded to extend the 2003 Sidewalk Approach Program contract for 2009 with C&L Enterprizes.
MOTION CARRIED UNANIMOUSLY

3. Request to enter into agreement with the Macomb County Road Commission to resurface Hayes Road from Common Road to 14 Mile Road, and to authorize for the Mayor to sign agreement.

City Manager Stephen Truman explained this request to Council. Three communities will be included in this project; Roseville's estimated share is 8.5% ($65,462). Some federal funds may be available for this project.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to enter into agreement with the Macomb County Road Commission to resurface Hayes Road from Common Road to 14 Mile Road, and to authorize the Mayor to sign the agreement as follows:

WHEREAS, CITIES initiated a project to resurface Hayes Road from Common Road to 14 Mile Road in the Cities of Warren, Fraser and Roseville; and,

WHEREAS, the proposed project involves the hot mix asphalt resurfacing of an existing roadway; and,

WHEREAS, COMMISSION has agreed with CITIES to have this project engineered, constructed, inspected and placed in service.

NOW, THEREFORE BE IT RESOLVED, in order to save public funds and expedite this project, COMMISSION and CITIES agree to carry out this project under a single contract according to the following terms and conditions:

1. The project termini are:

- Hayes Road from Common Road to 14 Mile Road.

2. The total project shall be defined as, but not necessarily include:

- Required material
- Contract cost
- Survey, engineering plans, testing and field staking
- Labor and equipment rental charges
- Overhead and fringe benefits
- Right of way acquisition
- Preliminary and construction engineering
- Signing and pavement marking
- Other labor, materials, etc to provide a complete project

3. The following cost sharing proportions have been agreed to (Exhibit A):

- COMMISSION share: Fifty percent (50%) of the total project cost after Federal funds are applied
- WARREN share: Twenty-five percent (25%) of the total project cost after Federal funds are applied
- FRASER share: Sixteen and one-half percent (16.5%) of the total project cost after Federal funds are applied
- ROSEVILLE share: Eight and one-half percent (8.5%) of the total project cost after Federal funds are applied

4. Funds provided by CITIES shall be paid in full to COMMISSION prior to the award of bid for the project.

5. COMMISSION, upon completion of said project, will furnish CITIES with a statement of actual costs of the project and will remit all collected monies exceeding the total cost of the project including overhead and fringe benefits or collect any additional monies necessary to meet the total cost of the project.

6. Overhead and fringe benefits applied shall be at a rate as determined by Board resolution on an annual basis. This rate is subject to change annually based upon actual costs incurred from the prior year and shall be applied to those costs incurred for that particular period.

7. CITIES, COMMISSION, the County of Macomb, their officers, agents, employees and consultants will be listed as additional insureds on the Contractor's insurance policy for general liability, automobile liability, excess coverage and worker's compensation.

8. COMMISSION agrees to obtain authorization for additional expenditures beyond the limits of the Construction Contract from CITIES prior to committal of same.

MOTION CARRIED UNANIMOUSLY

4. Request awarding of bid for dump truck for the Water Department.

City Manager Stephen Truman explained that the Water Department prepared bid specifications and bid invitations were issued to 31 companies; six companies responded with 16 quotes. The lowest bid meeting specification was submitted by NBC Truck Company in the amount of $73,534. NBC Truck Equipment is a Roseville based business and was given a 5% discount per the City Charter for Roseville Businesses. With the 5% allowance, NBC's bid was viewed at $69,857.30 and came in as the lowest bidder; therefore, Mr. Truman recommends the bid be awarded to NBC Truck Equipment.

Councilman Robert Taylor asked Mr. Truman what the City will do with the old dump truck. Mr. Truman explained that the old truck will be moved and utilized in the Department of Public Works.

COUNCILMAN ROBERT TAYLOR moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to award the bid to the lowest bidder NBC Truck Equipment in the amount of $73,534.
MOTION CARRIED UNANIMOUSLY

5. Selection of Mayor Pro Tem.

Councilman Bill Shoemaker thanked the residents who voiced their support of him being appointed Mayor Pro Tem at this time.

COUNCILMAN BILL SHOEMAKER moved, COUNCILWOMAN JAN HAGGERTY seconded to appoint Councilman Robert Taylor as Mayor Pro Tem.
MOTION CARRIED UNANIMOUSLY

6. Selection of Council Representative to the Retirement Board.

MAYOR JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to appoint Councilman Salvatore Aiuto as the Council Representative to the Retirement Board.

Mayor Chirkun commented that Councilman Aiuto was appointed to the Retirement Board as a citizen volunteer and he thinks that Councilman Aiuto will do a fine job on the Board.
MOTION CARRIED UNANIMOUSLY

7. Request closed-door session to discuss negotiations.

COUNCILMAN BILL SHOEMAKER moved, COUNCILWOMAN JAN HAGGERTY seconded to enter into closed-door session to discuss negotiations after agenda item VII Items for Discussion by City Council.

Roll Call:

Absent: Councilman Aiuto

Councilman Taylor	Yes
Councilman Shoemaker	Yes
Councilwoman McCartney	Yes
Councilwoman Haggerty	Yes
Mayor Chirkun	Yes

MOTION CARRIED UNANIMOUSLY

8. Appointments.

Mayor John Chirkun appointed James Zelmanski as a Republican representative to the Board of Canvassers.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN ROBERT TAYLOR seconded to appoint James Zelmanski as a Republican representative to the Board of Canvassers.
MOTION CARRIED UNANIMOUSLY

City Attorney Tim Tomlinson explained that due to a large volume of poverty exemption requests, two Boards of Review will be established and the Mayor should specify Board #1 and Board #2.

Mayor John Chirkun appointed Joseph Montgomery, Michael Krucker and Catherine Trakul to Board of Review #1.

COUNCILMAN ROBERT TAYLOR moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to appoint Joseph Montgomery, Michael Krucker and Catherine Trakul to Board of Review #1.
MOTION CARRIED UNANIMOUSLY

Mayor Chirkun appointed Mario Soresi and Thomas Trakul to Board of Review #2.

COUNCILWOMAN COLLEEN MCCARTNEY moved, COUNCILWOMAN JAN HAGGERTY seconded to appoint Mario Soresi and Thomas Trakul to Board of Review #2.
MOTION CARRIED UNANIMOUSLY

Mayor Chirkun asked Mr. Tomlinson if an appointment is needed to the South Macomb Disposal Authority (SMDA) and the South Macomb Sanitary District (SMSD) since Mr. Chirkun was the alternate representative on these two organizations. Mr. Tomlinson recommended that he appoint an alternate representative to the SMDA & SMSD.

Councilman Salvatore Aiuto arrived to the meeting at 7:30 p.m.

MAYOR JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to appoint Mayor Pro Tem Robert Taylor as the City's alternate representative to the South Macomb Sanitary District and the South Macomb Disposal Authority.
MOTION CARRIED UNANIMOUSLY

9. Reports of City Manager.

City Manager Stephen Truman reported that the Beautification Commission will combine the Rose and Phoenix awards, renaming the new award the "Leonard Haggerty Beautification Award" which will be awarded on an annual basis.

10. Reports of City Attorney.

City Attorney Tim Tomlinson had nothing to report.

VI. HEARING OF THE PUBLIC

James Goldwater, 19346 Brandt, congratulated Mayor Pro Tem Robert Taylor on his appointment and discussed politics in the City.

Meriam Mirza, 19983 Bigelow, commended the "Go Green Committee" for their efforts.

Paul Abraham, representative of Richmond New Holland, 977 Marquette Road, Wales, MI 48027, discussed the recent bid award of a backhoe for the Water Department.

Mike Clover, 16279 12 Mile, wished Mayor John Chirkun and Mayor Pro Tem Taylor good luck and welcomed back Councilwoman Colleen McCartney.

VII. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilman Salvatore Aiuto had no items to discuss.

Councilman Bill Shoemaker congratulated Mayor John Chirkun and Mayor Pro Tem Robert Taylor on their appointments. Mr. Shoemaker stated that he is trying to work together with Council to get more things done and he will continue to do the best job possible.

Councilwoman Jan Haggerty congratulated Mayor Pro Tem Taylor on his appointment and thanked the Beautification Commission for naming the new Beautification award the "Leonard Haggerty Beautification Award."

Councilwoman Colleen McCartney congratulated Mayor Pro Tem Taylor, Councilman Salvatore Aiuto on his appointment to the Retirement Board and the Roseville High School "Go Green Committee."

Mayor Pro Tem Robert Taylor thanked Mayor Chirkun and the Council for appointment him Mayor Pro Tem, congratulated Councilman Aiuto on his appointment to the Retirement Board and the "Go Green Committee." Mr. Taylor said hello to his dad who was watching the meeting from home.

Mayor Chirkun offered his condolences to the family of Mamie Louzon and commented on the City of Eastpointe's State of the City address where he and Councilman Shoemaker were presented with an award from the Eastpointe Chamber of Commerce. Mayor Chirkun addressed comments made during the Public Hearing this evening and commended Councilman Shoemaker for his service to the City.

Leave Regular Meeting at:	7:46 p.m.
Enter Closed Door at:	7:55 p.m.
Leave Closed Door at:	8:22 p.m.
Enter Regular Meeting at:	8:23 p.m.

VIII. ADJOURNMENT

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILMAN BILL SHOEMAKER seconded that the agenda having been acted upon, the meeting is hereby adjourned at 8:23 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Richard M. Steenland, City Clerk

Please note: A cassette tape of this meeting is on file with the City Clerk's Office for further information