REGULAR MEETING
ROSEVILLE CITY COUNCIL

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

TUESDAY, AUGUST 11, 2009
7 P.M.

ROLL CALL:	Mayor	John Chirkun
	Mayor Pro Tem	Robert Taylor
	Councilpersons:	Salvatore Aiuto
		Jan Haggerty
		Frank Maisano
		Colleen McCartney
		Bill Shoemaker
ABSENT:		None

OTHERS PRESENT:

City Manager	Stephen Truman
City Clerk	Richard Steenland
City Attorney	John Dolan

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 July 28, 2009.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN SALVATORE AIUTO seconded to approve minutes of the Regular Meeting held July 28, 2009.
MOTION CARRIED UNANIMOUSLY

2. Approval of minutes of Special Meeting held August 4, 2009.

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN JAN HAGGERTY seconded to approve minutes of the Special Meeting held August 4, 2009.
MOTION CARRIED UNANIMOUSLY

3. Approval of Disbursement List.

COUNCILMAN BILL SHOEMAKER moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve Disbursement List # 3 dated July 29, 2009 through August 11, 2009.
MOTION CARRIED UNANIMOUSLY

II. CORRESPONDENCE

City Clerk Richard Steenland provided Council with a notice from the Michigan Municipal League of their annual meeting with election of officers. Mr. Steenland also provided Council with a final list of candidates who filed to be placed on the ballot for the November 3, 2009 election.

III. HEARING OF THE PUBLIC

No one from the public wished to be heard.

IV. NEW BUSINESS

1. Request to block Cole between Dort and Curtis on Saturday, August 22 from 12 noon until 11 p.m. to conduct a block party, Ed Grosshans, petitioner.

Ed Grosshans, 25561 Cole, appeared on behalf of this request.

Councilwoman Jan Haggerty advised all of the block party petitioners that arrangements must be made for emergency vehicles and residents not participating in the block party y to have access in and out of the street.

COUNCILWOMAN JAN HAGGERTY moved, MAYOR PRO TEM ROBERT TAYLOR seconded to approve the request to block Cole between Dort and Curtis on Saturday, August 22 from 12 noon until 11 p.m. to conduct a block party.
MOTION CARRIED UNANIMOUSLY

2. Request to block Lowell between Maple and Edward on Saturday, August 29 (rain date of September 5) from 12 noon until 11 p.m. to conduct a block party, Carol and Kenneth Locke, petitioners.

Carol Locke, 17315 Lowell, appeared on behalf of this request.

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the request to block Lowell between Maple and Edward on Saturday, August 29 (rain date of September 5) from 12 noon until 11 p.m. to conduct a block party.
MOTION CARRIED UNANIMOUSLY

3. Request to block Essex between Martin and Northview on Saturday, August 29 (rain date of August 30) from 1 p.m. until 10 p.m. to conduct a block party, Heather Rosol, petitioner.

Heather Rosol, 28082 Essex, appeared on behalf of this request.

Councilwoman Colleen McCartney asked the petitioner if she is aware of the stipulations placed on this request by the Department of Public Works; Ms. Rosol is aware of the stipulations.

COUNCILMAN FRANK MAISANO moved, COUNCILMAN SALVATORE AIUTO seconded to approve the request to block Essex between Martin and Northview on Saturday, August 29 (rain date of August 30) from 1 p.m. until 10 p.m. to conduct a block party.
MOTION CARRIED UNANIMOUSLY

4. Request to block Greenleaf between 26350 & 26520 on Saturday, August 29 (rain date of August 30) from 11 a.m. until 6 p.m. to conduct a block party, Pam Weber and Mel Lunsford, petitioners.

The petitioners were not present at this point in the meeting this evening.

COUNCILMAN SALVATORE AIUTO moved, COUNCILMAN FRANK MAISANO seconded to table the request until the end of the meeting to allow the petitioners to appear.
MOTION CARRIED UNANIMOUSLY

The petitioners failed to appear this evening.

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN JAN HAGGERTY seconded to table the request to block Greenleaf between 26350 & 26520 on Saturday, August 29 (rain date of August 30) from 11 a.m. until 6 p.m. to conduct a block party until the next Council Meeting on August 25, 2009.
MOTION CARRIED UNANIMOUSLY

5. Request from St. Athanasius Parish to conduct their annual Fun Fest on the church grounds September 11 through 13 with waiver of fees, John Surhigh, petitioner.

John Surhigh, 28131 Voiland, appeared on behalf of this request.

COUNCILWOMAN JAN HAGGERTY moved, MAYOR PRO TEM ROBERT TAYLOR seconded to approve the request from St. Athanasius Parish to conduct their annual Fun Fest on the church grounds September 11 through 13 with waiver of fees.
MOTION CARRIED UNANIMOUSLY

6. Request adoption of Resolution for the City of Roseville to participate in the Michigan Green Communities Challenge.

City Manager Stephen Truman explained that this request coincides with the Energy Block Grant Funds awarded to the City. If adopted, the resolution will be placed on file with the Michigan Municipal League.

COUNCILMAN BILL SHOEMAKER moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to adopt the Resolution for the City of Roseville to participate in the Michigan Green Communities Challenge as follows:

WHEREAS, the City of Roseville wants to emphasize the benefits of energy efficiency and conservation;

WHEREAS, the City of Roseville wants to demonstrate that energy efficiency and conservation practices can be applied to the daily governmental operations and to infrastructure projects;

WHEREAS, the City of Roseville seeks to find methods of service delivery and operations that conserve energy and resources, saving taxpayer dollars and protecting and preserving the environment;

WHEREAS, the City of Roseville recognizes that sound energy efficiency and conservation practices can reduce government costs over the long-term;

WHEREAS, the City of Roseville will lead by example to show the practicality and effectiveness of these practices; and

WHEREAS, the City of Roseville seeks to encourage its citizens and businesses to initiate stewardship activities that benefit the environment and their community;

ACCORDINGLY, BE IT RESOLVED, that the City of Roseville accepts the Michigan Green Communities Challenge and pledges to work toward achieving the goals of the ***Basic Challenge*** (Attachment A) over the next three years.

Adopted by the City of Roseville this 11th day of August, 2009.

ATTACHMENT A

MICHIGAN GREEN COMMUNITIES BASIC CHALLENGE

STEP 1: OBTAIN ORGANIZATIONAL SUPPORT (RESOLUTION)

Passage of the support resolution by the governing body is the first essential step toward achieving the Basic Challenge. This resolution acts as a commitment or pledge to work toward the objectives as identified in the Michigan Green Communities Challenge.

Complete the Intention and Progress Survey (Attachment B) online or fax the downloadable survey to the Michigan Green Communities Challenge c/o Michigan Municipal League at 734-622-8083.

STEP 2: ASSIGN RESPONSIBILITY

Establish an energy manager position/responsibility or management team within the unit of local government. Clearly define roles for the management team which may include a sustainability manager, energy manager, or similar title.

Also consider establishing an advisory commission (or "Green Team") composed of local residents and business representatives to advise and assist the local government board on policies and practices dealing with the environment, energy efficiency and conservation.

STEP 3: COLLECT ALL ENERGY DATA FOR GOVERNMENTAL OPERATIONS

Collection of critical data is important aspect of preparing an accurate and significant strategy. It allows for establishing a baseline for future analysis of energy reduction efforts and also allows municipalities to benchmark themselves against similar-sized municipal entities.

Local government agencies spend more than $10 billion a year on energy to provide public services and meet consultant needs while grappling with tightening budgets. Yet nearly one-third of the energy used to run typical government buildings goes to waste.

The Environmental Protection Agency (EPA) provides local and state governments, as well as federal agencies, a proven energy management strategy and no-cost tools to save energy and money and demonstrate their environmental leadership. You may register with the EPA's Energy Star Challenge and use its tools, or an equivalent system, to conduct a baseline emissions inventory of your government facilities.

You should also explore the use of software prepared by the International Council for Local Environmental Initiatives (ICLEI), i.e. CACP 2009 to create a comprehensive accounting of governmental and community energy use, energy spending, greenhouse gas and criteria air pollutant emissions. It will also measure all types of energy use including buildings, vehicles and waste.

Note: The completion and preparation of an Independent Energy Evaluation through the Rebuild Michigan program will satisfy the requirements of Step 3.

STEP 4: ASSESS SITUATION AND IDENTIFY GAPS

Following data collection, a clearer picture of the community's status becomes available. This presents an opportunity to begin setting priorities, identifying low-hanging fruit (projects easily completed at little or no cost), and also shows a community where gaps may exist. When the community can readily identify gaps in its operations, it can begin to address them through planning and implementation.

STEP 5: DEVELOP GOALS AND ACTIVITIES: PLANNING FOR THE FUTURE

Goals and activities should be evaluated and selected. Measurable outcomes should be stated so that progress and achievement can be monitored.

MML provides a document (Attachment C) for suggested goals and activities.

Special Note: Communities applying for funds under the Energy Efficiency and Conservation Block Grant (EECBG) program should evaluate the goals and activities listed in Attachment C to determine such activities qualify as Eligible Activities under the EECBG Strategy.

STEP 6: MEASURE PERFORMANCE AND QUANTIFY RESULTS

Evaluate the progress made by including formal review processes that compare the outcomes with the projected goals. The evaluation results and information gathered will assist in creating new goals, identifying best practices, and setting new performance goals.

If applicable, the community should review energy use and cost data to measure accomplishments. Energy performance should be compared to baseline information. Measure your results and reward individuals and teams for accomplishments. Document savings opportunities as well as non-quantifiable benefits that can be leveraged for future initiatives.

Celebrate your accomplishments with your community.

MOTION CARRIED UNANIMOUSLY

7. Request adoption of Ordinance to amend the City of Roseville Code of Ordinances Chapter 217, §217-9, resisting or obstructing officer in discharge of duty, to provide for repealer, severability, and effective date.

City Attorney John Dolan explained to Council that the presented amendment is to bring our Ordinance in conformity with the same offense as set forth in the State of Michigan Statute. The proposed amendment is consistent with decisions made by the State Court of Appeals and the Federal District Court.

COUNCILMAN FRANK MAISANO moved, MAYOR PRO TEM ROBERT TAYLOR seconded to adopt Ordinance 1226 to amend the City of Roseville Code of Ordinances Chapter 217, §217-9, resisting or obstructing officer in discharge of duty, to provide for repealer, severability and effective date as follows:

TO AMEND AN ORDINANCE OF THE CITY OF ROSEVILLE AMENDING CHAPTER 217, § 217-9, RESISTING OR OBSTRUCTING OFFICER IN DISCHARGE OF DUTY, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 1226

THE CITY OF ROSEVILLE ORDAINS:

AN ORDINANCE OF THE CITY OF ROSEVILLE AMENDING CHAPTER 217, §217-9, RESISTING OR OBSTRUCTING OFFICER IN DISCHARGE OF DUTY, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

Section 1. Chapter 217, § 217-9, is hereby amended to provide as follows:

§ 217-9 Resisting or Obstructing Officer in Discharge of Duty.

An individual who assaults, batters, wounds, resists, obstructs, opposes, endangers a person who the individual knows or has reason to know is performing his or her duties shall be punished as provided in § 217-20 of this Chapter.

As used in this section:

(a) "Obstruct" includes the use or threatened use of physical interference or force or a knowing failure to comply with a command.

(b) "Person" means any of the following:

(i) A police officer of this state or of a political subdivision of this state, including, but not limited to, the coroner, a motor carrier officer or capitol security officer of the Department of State Police.

(ii) A conservation officer of the Department of Natural Resources or the Department of Environmental Quality.

(iii) A sheriff or deputy sheriff.

(iv) A firefighter.

(v) An officer duly authorized while serving or attempting to serve or execute any such process, rule or order or for having served or attempting to serve or execute the same.

(vi) A court officer.

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

8. Council consideration to adopt Traffic Control Orders #09-01 resolving, traffic going northbound on O'Neil must stop for traffic going east and west on Martin Road and Traffic Control Order #09-02 resolving traffic going southbound on O'Neil must stop for traffic going east and west on Martin Road.

City Manager Stephen Truman explained that in 2007 the City Council received correspondence from the Macomb County Road Commission about four different traffic signals in the City; one being O'Neil and Martin. The County will no longer maintain the four signals and if the signals needed repair the lights would be replaced with new signals which would cost the City up to $100,000 each signal to replace. The City did receive grant money to replace three out of the four lights. The traffic study on the light at Martin and O'Neil revealed that the light was not necessary at this intersection and the light was changed to a blinking yellow for Martin Road and blinking Red for O'Neil. Due to the Martin Road Construction the current signal may now be removed and a traffic control device is needed at this intersection. Police Lieutenant Thomas Suminski from the Traffic Bureau has recommended that stop signs be installed on the north and south side of Martin at O'Neil prior to the removal of the current signal.

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt Traffic Control Order #09-01 resolving, traffic going northbound on O'Neil must stop for traffic going east and west on Martin Road and #09-02_resolving traffic going southbound on O'Neil must stop for traffic going east and west on Martin Road.
MOTION CARRIED UNANIMOUSLY

9. Request adoption of Identity Theft Prevention Policy.

City Attorney John Dolan explained to Council that federal regulations require the City to adopt this policy. The purpose of the policy is to detect, prevent and mitigate identity theft in connection with accounts that are maintained and utilized by the City. Mr. Dolan recommended that Council adopt the policy as presented.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to adopt the Identity Theft Prevention Policy as presented.

Councilman Salvatore Aiuto thanked City Attorneys Tim Tomlinson and John Dolan for their work on this policy.

MOTION CARRIED UNANIMOUSLY

10. Request to waive bid process and purchase Primera XRP 100 Disc Blu Ray DVD and Taser Cams for the Police Department as single source items.

City Manager Stephen Truman explained that the City requires all single source bid items to be acted upon by Council. These items will be purchased using grant monies and International Police Technologies and Michigan Taser Distributing are the single source companies for the requested items.

Councilwoman Jan Haggerty reiterated that these items will be purchased using grant monies and they are not included in the City's budget; Mr. Truman stated that the Byrne Justice Assistance grant will be used for this purchase and the grant specifications are strict as to what equipment may be purchased with the grant monies.

COUNCILWOMAN COLLEEN MCCARTNEY moved, MAYOR PRO TEM ROBERT TAYLOR seconded to approve the request to waive bid process and purchase Primera XRP 100 Disc Blu Ray DVD and Taser Cams for the Police Department as single source items.

MOTION CARRIED UNANIMOUSLY

11. Request to waive bid process for the purchase of two Main Control Boards and one Gel Filled Differential Pressure Transducer w/ 100 foot cable for the Water Department as single source items.

City Manager Stephen Truman explained that this request arose out of problems experienced with the lift stations during the June 25, 2009 storms. The lift stations prevent area basements from flooding during heavy storms and each board is specific to each lift station so there is no economical way to prepare written bids for this type of item. By purchasing the spare boards the City will save money in the future and prevent any back-ups into area basements. Mr. Truman recommended that the single-source bid be awarded to Linden Industries, Inc. in the amount of $6,418.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN SALVATORE AIUTO seconded to approve the request to waive bid process for the purchase of two Main Control Boards and

one Gel Filled Differential Pressure Transducer with 100 foot cable for the Water Department as single source items totaling $6,418.

MOTION CARRIED UNANIMOUSLY

12. Appointments.

Mayor John Chirkun made no appointments.

13. Reports of City Manager.

City Manager Stephen Truman had the following to report:

a. The Roseville Honor Guard will host a fundraiser for Officer Susan Payne Wednesday, August 12 from 4 - 9 p.m. at the Roseville VFW Hall on Gratiot Avenue.
b. The Macomb County Senior Chores Service is accepting applications for its snow removal program; applications may be made through the Community Development Block Grant office.
c. Summer taxes are due on August 31, 2009.
d. Mr. Truman updated Council on two issues raised during the Public Hearing at the last Council Meeting.

14. Reports of City Attorney.

City Attorney John Dolan had nothing to report.

V. HEARING OF THE PUBLIC

Edward Stross, 28305 Gratiot, discussed enforcement of the City's sign ordinance and commented on the legal matter between him and the City.

Ronald Blazejewski, 18860 Victor, discussed the possibility of holding a raffle at City functions to raise money for Roseville charities.

Vincent Woronchuk, 26068 Belanger, owns different properties in Roseville and discussed violations he received on a few properties.

Gerald Marshment, 30458 Calahan, discussed traffic on Calahan, truck deliveries to area businesses and mentioned an issue with water drainage on Calahan by Mark Twain Elementary School.

City Attorney John Dolan commented on concerns raised by Mr. Marshment concerning City vehicles using Calahan as a thru street.

VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilman Frank Maisano announced the Optimist Picnic this Saturday at Veterans Memorial Park, thanked WDIV Television for their coverage of the fundraiser for Officer Susan Payne and commented on remarks made during the Public Hearing this evening.

Councilman Salvatore Aiuto commented on the fundraiser for Officer Payne and wished George Rollinger Happy Birthday.

Councilman Bill Shoemaker offered his condolences to the family of Rita Haisenleder and announced that Erin Presbyterian Church will host a Bowl-a-Thon at Continental Lanes on Sunday, August 23 at 2 p.m.

Councilwoman Jan Haggerty offered her condolences to the family of Rita Haisenleder commented on the fundraiser for Officer Payne, thanked the VFW and the Roseville Police Honor Guard for organizing the fundraiser and wished George Rollinger Happy Birthday.

Councilwoman Colleen McCartney congratulated Robert Flannigan on becoming an Eagle Scout and expressed get well wishes to Police Officer Craig Pulverenti.

Mayor Pro Tem Robert Taylor commented on block parties, wished his Uncle Ken and Aunt Ruth Taylor a Happy 50th Wedding Anniversary and wished his Uncle Ken and Bill Heath Happy Birthday.

Mayor John Chirkun congratulated Robert Flannigan and Edward Lemke II on obtaining the rank of Eagle Scouts, announced the 31st Annual Nautical Mile Handicapped Fishing Derby at the Island Harbor Marina on Wednesday, August 12, expressed good wishes to Robbie Jackson and his mother Officer Payne. Mayor Chirkun commented on the outstanding job the Roseville Police Department did in apprehending a suspected bank robber.

VII. ADJOURNMENT

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN JAN HAGGERTY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:50 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Richard M. Steenland, City Clerk