REGULAR MEETING
ROSEVILLE CITY COUNCIL

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

TUESDAY, MARCH 25, 2008

7 p.m.

ROLL CALL

PRESENT:	Mayor	Harold Haugh
	Councilpersons	Salvatore Aiuto John Chirkun Jan Haggerty Colleen McCartney Bill Shoemaker Robert Taylor
ABSENT:		None

OTHERS PRESENT:

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

Mayor Harold Haugh called the meeting to order at 7 p.m. with the Pledge of Allegiance.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to add the agenda item to enter into closed-door session after item VI. Items for Discussion by City Council.

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

MOTION CARRIED UNANIMOUSLY

I. ROUTINE MATTERS

1. Approval of minutes of Regular Meeting held March 11, 2008.

COUNCILMAN SALVATORE AIUTO moved, COUNCILMAN ROBERT TAYLOR seconded to approve minutes of the Regular Meeting held March 11, 2008.
MOTION CARRIED UNANIMOUSLY

2. Approval of minutes of Special Meeting held March 18, 2008.

COUNCILMAN ROBERT TAYLOR moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve minutes of the Special Meeting held March 18, 2008.
MOTION CARRIED UNANIMOUSLY

3. Approval of Disbursement List.

COUNCILMAN BILL SHOEMAKER moved, COUNCILMAN ROBERT TAYLOR seconded to approve Disbursement List #18, voucher numbers 51545 through 51796
MOTION CARRIED UNANIMOUSLY

II. CORRESPONDENCE

City Clerk Richard Steenland received no correspondence.

III. HEARING OF THE PUBLIC – AGENDA ITEMS ONLY

James Goldwater, 19346 Brandt, discussed agenda items #8 and #9.

IV. NEW BUSINESS

1. Request from the VFW Post 2358 to conduct their annual VFW Parade on the City streets, Monday, May 26th beginning at 10 a.m., Victor Raybaud, petitioner.

Victor Raybaud appeared with Harrel Balch, 30736 Quinkert, on behalf of VFW Post 2358.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN ROBERT TAYLOR seconded to approve the request from the VFW Post 2358 to conduct their annual VFW Parade on the City streets, Monday, May 26th beginning at 10 a.m.
MOTION CARRIED UNANIMOUSLY

2. Request from Boy Scout Troop 1491 to conduct Mother's Day Flower Sale fundraiser at Erin Presbyterian Church, May 9th through 11th from 9 a.m. to 3 p.m. with waiver of fees, John Stanley, petitioner.

John Stanley, 26760 Belanger, Scout Master of Troop 1491, appeared on behalf of this request.

COUNCILMAN BILL SHOEMAKER moved, COUNCILMAN JOHN CHIRKUN seconded to approve the request from Boy Scout Troop 1491 to conduct a Mother's Day Flower Sale fundraiser at Erin Presbyterian Church, May 16th through 18th from 9 a.m. to 3 p.m. and Sunday from Noon to 4 p.m. with waiver of fees.
MOTION CARRIED UNANIMOUSLY

3. Request approval, per Section 14.4c of the City Charter, to publish notice regarding placing delinquent water bills on the tax rolls for collection.

City Manager Stephen Truman explained this request to Council. The amount delinquent to this date is $178, 234.88 and a portion of this amount may be paid prior to the end of April.

COUNCILMAN ROBERT TAYLOR moved, COUNCILMAN JAN HAGGERTY seconded to approve publication per Section 14.4c of the City Charter regarding placing delinquent water bills on the tax rolls for collection.
MOTION CARRIED UNANIMOUSLY

4. Request to set Public Hearing date in connection with application to create an Industrial Development District and Industrial Facilities Exemption Certificate for Arin Incorporated 29139 Calahan.

City Manager Stephen Truman explained that this request is to set the Public Hearing Date for April 8, 2008.

COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to set the Public Hearing date in connection with the application to create an Industrial Development district and Industrial Facilities Exemption Certificate for Arin Incorporated for April 8, 2008.
MOTION CARRIED UNANIMOUSLY

5. Request adoption of Resolution implementing moratorium on the granting of licenses for assorted home care facilities defined in the Zoning Ordinance.

City Attorney Tim Tomlinson explained to Council that new legislation has been implemented by the State and the City is currently reviewing its Ordinances to verify that we are in compliance with the new State Statute. Mr. Tomlinson requests a 90-day moratorium to proceed with this review.

COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to adopt the Resolution implementing a moratorium on the granting of licenses for assorted home care facilities defined in the Zoning Ordinance as follows:

WHEREAS, the City of Roseville Planning Commission conducting a comprehensive review of the City of Roseville's zoning ordinance relating to family day care homes, group day care homes, foster family group homes, elderly day care homes and other similar uses within the residential district of the City of Roseville zoning code; and

WHEREAS, recently adopted statutory changes dealing with the aforementioned uses adopted by the legislature December, 2007 and the City of Roseville zoning ordinance conflicts with some of the nomenclature and standards presented therein; and

WHEREAS, the new statutes dealing with the aforementioned uses conflicts with the standards presented in the City of Roseville zoning ordinance; and

WHEREAS, because the uses within this section possess unique characteristics and thereby require special consideration since they create potential control problems with respect to adjacent land use and use districts, traffic, noise, appearance and general safety; and

WHEREAS, it is in the best interest of the City that no further use of the business described above be authorized or permitted pending the consideration and adoption of the proposed amendments; and

WHEREAS, the citizens of the City of Roseville, express significant concern relating to the location of uses as described above; and

WHEREAS, the City requires time to study the feasibility of alternative zoning measures to comply with State statutes with regard to these types of uses; and

WHEREAS, pursuant to the City's responsibility to protect public health, public welfare and public safety,

NOW, THEREFORE, the City Council of the City of Roseville does hereby resolve:

That there be a moratorium upon the issuance of permits relating to family day care homes, group day care homes, foster family group homes, elderly day care homes, and other similar uses in the residential districts of the City, under the City of Roseville zoning ordinance as it is in the best interest of the City of Roseville that no further uses described above be authorized or permitted pending the consideration and adoption of proposed amendments to the City of Roseville Zoning Ordinance, as recommended by the Planning Commission.

MOTION CARRIED UNANIMOUSLY

6. Request adoption of Resolution recognizing Roseville Public Library Endowment Trust Fund as a nonprofit organization operating in the community for the purposes of obtaining a charitable gaming license.

City Manager Stephen Truman explained to Council that this resolution is required so that the Library Endowment Trust Fund may conduct any type of raffle.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt the resolution recognizing the Roseville Public Library Endowment Trust Fund as a nonprofit organization operating in the community for the purposes of obtaining a charitable gaming license.

MOTION CARRIED UNANIMOUSLY

7. Request adoption of Resolution in support of 2008 Michigan Natural Resources Trust Fund Grant Application for park accessibility upgrades, expanding and repaving the south parking lot, paving the southeast parking area, installing a hike/bike path and installing a Skate Park at Huron Park.

City Manager Stephen Truman explained to Council that this request is the third application for the Grant. The project cost is $465,800 and if received the grant will

cover $320,000. The City's portion will be $125,000 budgeted; $20,000 of this cost is labor and the City is allowed to apply labor costs to the match.

Councilman Salvatore Aiuto verified with Mr. Truman that the City will not have to pay any funding toward this project unless the Grant is approved; Mr. Truman stated that the City will not pay their portion unless the Grant is approved.

Councilman Robert Taylor asked Mr. Truman if the work has been approved to begin at Huron Park; Mr. Truman explained that no work will begin on this project unless the Grant is approved.

COUNCILMAN ROBERT TAYLOR moved, COUNCILMAN SALVATORE AIUTO seconded to adopt the Resolution in support of the 2008 Michigan Natural Resources Trust Fund Grant Application for park accessibility upgrades, expanding and repaving the south parking lot, paving the southeast parking area, installing a hike/bike path and installing a Skate Park at Huron Park as follows:

WHEREAS, the City of Roseville desires to improve its park system and accessibility to park amenities by the installation of a hike/bike path, expansion of the south parking lot, use environmentally friendly rock-bed storm drains and resurface the southeast parking lot with an access path to the skate park, installing a skate park at Huron Park; and

WHEREAS, the City of Roseville needs to secure additional funds to undertake this project; and

WHEREAS, the City of Roseville, if granted funds by this application, acknowledges it will support the project with the required 31% local match.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Roseville supports the submittal of the 2008 Michigan Natural Resources Trust Fund Grant Application to improve accessibility to park amenities for people with disabilities by the installation of a hike/bike path, expansion of the south parking lot, resurface the southeast parking lot with an access path to the skate park, provide environmental friendly rock-bed storm drains and installing a skate park at Huron Park and has gone on record as acknowledging the required local match and further acknowledges to the Department of Natural Resources its desire for this approval.
MOTION CARRIED UNANIMOUSLY

8. Request approval of ratified Roseville Police Sergeants, Lieutenants, and Deputy Chiefs Association contract for July 1, 2006 to June 30, 2012.

City Manager Stephen Truman summarized the terms of the contract to Council for both the Command Officers Association and the Police Officers Association contracts. The City Administration and the Roseville Police Sergeants, Lieutenants and Deputy Chiefs Association negotiated a contract within the parameters provided by Council, especially in terms of wages, health care and attrition and Mr. Truman recommended approval for ratification of this contract.

Mr. Truman thanked the COAM and POAM Boards and his administrative team for their work on this contract.

Mayor Harold Haugh stated that the residents have not been subjected to less service than what they have been accustomed to and the residents were never in an unsafe environment during the negotiations of these contracts. Mayor Haugh explained that these contracts are the largest concessionary municipal contracts in the history of the City of Roseville and congratulated everyone involved in the negotiation of these contracts.

COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve the ratified Roseville Police Sergeants, Lieutenants, and Deputy Chiefs Association contract for July 1, 2006 to June 30, 2012.
MOTION CARRIED UNANIMOUSLY

9. Request approval of ratified Police Officers Association of Michigan contract for July 1, 2006 to June 30, 2012.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN JOHN CHIRKUN seconded to approve the ratified Police Officers Association of Michigan contract for July 1, 2006 to June 30, 2012.
MOTION CARRIED UNANIMOUSLY.

10. Appointments

Mayor Harold Haugh had no appointments.

11. Reports of City Manager

City Manager Stephen Truman had the following to report:

a. A blood drive will be held at the Recreation Center on Monday, March 31 from 8 a.m. to 2 p.m.
b. The Roseville Police Honor Guard will host its annual spaghetti dinner on Wednesday, April 9 from 4 p.m. to 8 p.m.; tickets are $7 for adults, $5 for seniors and children under 10 eat free.
c. Compost collection began this week and compost bags are available for sale in the Purchasing Department.
d. Mr. Truman wished his grandson a Happy Birthday.

Mayor Harold Haugh explained that Mr. Truman's grandson was born last night; Mayor Haugh congratulated Mr. Truman.

12. Reports of City Attorney

City Attorney Tim Tomlinson had nothing to report. Mr. Tomlinson commented on the COAM and POAM contracts and complimented and thanked everyone involved in these negotiations.

V. HEARING OF THE PUBLIC

Edward Stross, 28305 Gratiot, discussed the contracts approved this evening and discussed other City issues.

City Attorney Tim Tomlinson commented on remarks made by Mr. Stross at the podium this evening.

Scott Bala, 18750 Common Road. President of the Roseville Firefighters Union discussed the fundraiser held this past weekend for Ashley Drouillard; $5,000 was raised by this benefit game. Mr. Bala announced the fourth annual "Mayor's Cup" on Sunday, April 13 at 1:45 p.m. between the Roseville Fire Dogs and the Fraser Fury; the game will be held at the Mt. Clemens Ice Arena.

James Goldwater, 19346 Brandt, discussed the litigation between the City of Roseville and Edward Stross.

Mr. Tomlinson stated that his firm is under a retainer with the City; any further action on this litigation will fall under the retainer. Mr. Tomlinson responded to other comments made by Mr. Goldwater.

VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilpersons Robert Taylor, Salvatore Aiuto, Bill Shoemaker, Jan Haggerty, Colleen McCartney and John Chirkun commented on the fundraiser held for Ashley Drouillard, congratulated the Roseville Fire Dogs on their victory at the game and discussed the negotiations with the Police Department.

Mayor Harold Haugh complimented Councilman Taylor for organizing the fundraiser for Ashley Drouillard, thanked Sheriff Mark Hackel for helping the Mayor's brother after he was injured during the hockey game and commented on the litigation with Edward Stross.

Leave Regular Meeting at:	8:14 p.m.
Enter closed-door at:	8:15 p.m.
Leave closed-door at:	8:38 p.m.
Return to Regular Meeting at:	8:38 p.m.

City Attorney Tim Tomlinson stated into the record that the Roseville City Council entered into closed-door session to discuss the litigation involving the People of the City of Roseville v. Edward Stross. The Court of Appeals rendered an opinion which Mr. Tomlinson recommends and requests that Council pass a motion to authorize Mr. Tomlinson's Office to file an Application for Leave to Appeal with the Michigan Supreme Court and request that the Michigan Municipal League and the Michigan Township Association consider filing an Amicus Curiae Brief in this matter due to the significant public policy issues at hand.

COUNCILMAN JOHN CHIRKUN moved, COUNCILMAN ROBERT TAYLOR seconded to authorize the City Attorney's Office to file an Application for Leave to Appeal with the Michigan Supreme Court and also request that the Michigan Municipal League and the Michigan Township Association consider filing Amicus Curiae Brief in this matter due to the significant public policy issues at hand.
MOTION CARRIED UNANIMOUSLY

VII. ADJOURNMENT

COUNCILMAN ROBERT TAYLOR moved, COUNCILMAN SALVATORE AIUTO seconded that the agenda having been acted upon, the meeting is hereby adjourned at 8:40 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
RICHARD M. STEENLAND
City Clerk

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