REGULAR MEETING
ROSEVILLE CITY COUNCIL

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

TUESDAY, JUNE 9, 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	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 May 26, 2009.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve minutes of the Regular Meeting held May 26, 2009.

MOTION CARRIED UNANIMOUSLY

2. Approval of minutes of the Special Meeting held June 2, 2009.

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILWOMAN JAN HAGGERTY seconded to approve minutes of the Special Meeting held June 2, 2009.
MOTION CARRIED UNANIMOUSLY

3. Approval of Disbursement List.

COUNCILMAN BILL SHOEMAKER moved, MAYOR PRO TEM ROBERT TAYLOR seconded to approve Disbursement list #23 dated May 27, 2009 through June 9, 2009.
MOTION CARRIED UNANIMOUSLY

II. CORRESPONDENCE

City Clerk Richard Steenland announced beginning June 15, 2009 Regular Council Meeting videos and audio recordings of Special Council meetings and Zoning Board of Appeals meetings will be available for review or to checkout at the library. If this program is utilized consideration will be taken to include audio recording from other boards and commissions.

III. HEARING OF THE PUBLIC

James Goldwater, 19346 Brandt, discussed agenda item #3. Mr. Goldwater thanked City Clerk Richard Steenland for the library checkout program.

IV. NEW BUSINESS

1. Request to block Fortuna between Curtis and Frazho on Saturday, June 27 from 1 p.m. until 10 p.m. to conduct a Block party, Susan Turner, petitioner.

   Susan Turner, 25621 Fortuna, appeared on behalf of this request.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN SALVATORE AIUTO seconded to approve the request to block Fortuna between Curtis and Frazho on Saturday, June 27 from 1 p.m. until 10 p.m. to conduct a Block party with the following stipulations:
MOTION CARRIED UNANIMOUSLY

2. Request to block Chalmers between Dort and Curtis on Saturday, July 18 from noon until 11 p.m. to conduct a Block Party, Kimberly Fortune, petitioner.

   Kimberly Fortune, 25631 Chalmers, and Willie Hebert, 25620 Chalmers appeared on behalf of this request.

COUNCILMAN SALVATORE AIUTO moved, COUNCILMAN FRANK MAISANO seconded to approve the request to block Chalmers between Dort and Curtis on Saturday, July 18 from noon until 11 p.m. to conduct a Block Party.
MOTION CARRIED UNANIMOUSLY

3. Request to enter into Automatic Aid Agreement for Exchange Fire Services between the Cities of St. Clair Shores, Roseville and Eastpointe.

   City Manager Stephen Truman explained to Council that this is a guide for day-to-day operations and does not replace the Macomb County Mutual Aid Plan. The agreement entails communication systems, mapping, department and staffing; The Standard Operating Guideline (SOG) is still in discussions with the participating department unions and chiefs. Mr. Truman asked that the agreement be approved and the City will continue to work on the SOG's.

Fire Chief Benjamin Fornanto appeared and answered questions for Council. Chief Fornanto addressed a concern raised during the first public hearing and explained that the mutual aid program is automatic and continues to move outward.

Mayor Pro Tem Robert Taylor commented that there are situations when Roseville does not call St. Clair Shores or Eastpointe and those two Cities do not always call Roseville for help.

Councilman Frank Maisano asked Chief Fornanto if the SOG's will be incorporated into this agreement; the SOG's will be attached to this agreement. Councilman Maisano asked City Attorney Tim Tomlinson if the Council may include a stipulation that the SOG's are incorporated into the agreement. Mr. Tomlinson responded that per the agreement the SOG's will automatically be entered into the agreement once completed.

Mr. Truman stated that the intent of the agreement is to assist in a fire and not to back-fill stations.

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN JAN HAGGERTY seconded to enter into Automatic Aid Agreement for Exchange Fire Services between the Cities of St. Clair Shores, Roseville and Eastpointe.

Mayor John Chirkun stated that by adopting this agreement it will not be implemented until the Standard Operating Guidelines (SOG) are finished and incorporated into the document.

City Attorney Tim Tomlinson concurred with Mayor Chirkun's statement and stated that all three Cities have to approve the agreement as well as the SOG's have to be agreed upon.

MOTION CARRIED UNANIMOUSLY

4. Request to enter into Emergency Management Services Agreement with DTE Energy (Detroit Edison) and to assist in development of Energy Block Grant.

City Manager Stephen Truman requested that this item be deleted from the agenda so that he may discuss this item once more with Council at a Special Meeting.

COUNCILMAN FRANK MAISANO moved, MAYOR PRO TEM ROBERT TAYLOR seconded to delete from the agenda the request to enter into Emergency Management Services Agreement with DTE Energy (Detroit Edison) and to assist in development of Energy Block Grant.

MOTION CARRIED UNANIMOUSLY

5. Request approval to purchase 2008 Forfeiture Properties from Macomb County, Parcel Numbers: 14-08-183-006; 14-09-379-007; 14-17-155-013; 14-17-155-029; 14-17-327-035; 14-17-327-036; 14-17-332-040; 14-17-332-042; 14-17-382-007; 14-17-401-006; 14-19-133-011; 14-19-227-013; 14-20-379-007; 14-20-379-008; 14-20-383-023; 14-20-403-017; 14-20-451-013; 14-19-401-033.

City Manager Stephen Truman explained this request to Council. It is a City policy to exercise the City's option to purchase the tax forfeiture from Macomb County and Mr. Truman asked that the request be approved.

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILMAN FRANK MAISANO seconded to approve the request to purchase 2008 Forfeiture Properties from Macomb County, Parcel Numbers: 14-08-183-006; 14-09-379-007; 14-17-155-013; 14-17-155-029; 14-17-327-035; 14-17-327-036; 14-17-332-040; 14-17-332-042; 14-17-382-007; 14-17-401-006; 14-19-133-011; 14-19-227-013; 14-20-379-007; 14-20-379-008; 14-20-383-023; 14-20-403-017; 14-20-451-013; 14-19-401-033.

MOTION CARRIED UNANIMOUSLY

6. Request adoption of Ordinance to add Chapter 135 to set forth rules and regulations governing the production of commercial films within the City of Roseville by adopting rules and regulations, to provide for repealer, severability and effective date.

City Attorney Tim Tomlinson explained this request to Council. The Ordinance was designed to protect resident's interest; yet, the ordinance is friendly to the prospective film studios.

Mayor John Chirkun asked Mr. Tomlinson if the Ordinance includes provisions for charging the permittees for use of City property. Mr. Tomlinson stated that this is not addressed in the ordinance; however, the City may enter into a location agreement for use of City facilities.

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to adopt Ordinance No. 1221 to add Chapter 135 to set forth rules and regulations governing the production of commercial films within the City of Roseville by adopting rules and regulations, to provide for repealer, severability and effective date as follows:

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 1221

THE CITY OF ROSEVILLE ORDAINS:

AN ORDINANCE TO SET FORTH RULES AND REGULATIONS GOVERNING THE PRODUCTION OF COMMERCIAL FILMS WITHIN THE CITY OF ROSEVILLE BY ADOPTING RULES AND REGULATIONS, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

Section 1. Chapter 135 is hereby adopted to provide as follows:

CHAPTER 135
FILMING PERMITS

§ 135-1. Title.

This Article may be known and may be cited as the City of Roseville "Film Permit Ordinance".

§ 135-2. Definitions.

For the purpose of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Charitable Films. Commercials, motion pictures, television, video recordings, or other photography produced by a nonprofit organization which qualifies under Section 501(c) (3) of the Internal Revenue Code as a charitable organization. No person, directly or indirectly, shall receive a profit from the marketing and production of the film or from showing the films, recordings, or photos.

Filming. The act(s) of undertaking, producing, or creating a video recording or motion picture film. The term also includes the setup and dismantling of all related equipment.

Film Office. The film production office designated by the City Manager of the City of Roseville.

News Media. The filming or video recording for the purpose of spontaneous, unplanned, or "on scene" television news broadcasting by reporters, photographers, or camera operators, but not including magazine or documentary programs filmed, edited, and prepared for commercial purposes.

Personal Film. A video recording or film for private or family use, including but not limited to family event videos.

Student Film. A motion picture film or video recording production by a student of a public or private school or college where the production is for school or college credit and for which no profit is taken.

Video Recording. The creation of a motion picture or film, whether by the act of filming, undertaking a video recording production, or otherwise.

Video Recording Production. The use of video recording equipment to capture motion picture images, whether by videotape, digital media, or any other means.

§ 135-3. Filming Permit Required.

Except as otherwise provided in this Article, it is unlawful for any person to engage in the business or activity of filming at any place within the City, other than at or in an established motion picture or television studio or entirely within an enclosed structure or building (with no outside storage of filming equipment) without a film permit from the City. Any person interested in filming within the City shall complete in full a film permit application that shall be submitted to the City of Roseville. A film permit does not constitute or grant permission to use or occupy property not owned, leased, or controlled by the City.

§ 135-4. Exemptions.

The provisions of this Chapter shall not apply to:

(A) Current news productions which includes reporters, photographers, or camera person in the employment of a newspaper, news service, broadcasting station, or similar entity engaged in the broadcasting of news events;

(B) Education, government and public access and local origination programs and productions for cable television systems franchised within the City;

(C) The filming of competitive athletic events, parades, or other similar events of a public nature, when in attendance as a member of the public and a spectator;

(D) Private events filmed or photographed for noncommercial purposes, such as private parties or weddings;

(E) The creation of a student film, unless the filming activities adversely impact public ways or are conducted outdoors in residential areas;

(F) Local commercials (video or still photography) produced entirely on private property for purposes of advertising local businesses and merchants, so long as the equipment, personnel, and subject connected with the commercials do not interfere in any way with the public right-of-way or impact neighboring private property;

(G) The filming or video recording of motion pictures and activities associated therewith which occur upon property which is owned or leased for more than six (6) months by the enterprise or individual conducting the filming or video recording and none of the activities are open to view by the general public. However, this exemption shall not be construed to authorize the use of residential properties for commercial enterprises that violate any laws, the City code, or the City's zoning ordinance;

(H) Films produced entirely for training of employees or personnel that are produced within the employer's property and do not utilize or adversely impact any public ways and are not produced outdoors in residential areas; and

(I) Any other activity deemed to be in the public interest by the City Manager.

§ 135-5. Application Contents and Fees.

The applicant for a permit required by this Chapter shall supply the following information on the application:

(A) Name, mailing address and telephone number of the applicant. If an association, the applicant shall provide its full name. If a corporation, the applicant shall provide the full name and the official address thereof with the date and state of incorporation, the full name and address of the resident agent, and attach to the application a copy of the certificate from the state of incorporation indicating that the corporation is in good standing. If a limited liability company, the applicant shall provide the full name and the official address thereof with the date and state of organization, the full name and address of the resident agent, and attach to the application a copy of the certificate from the state of organization indicating that the company is in good standing;

(B) Name, address, and telephone number of the person in charge of the location and responsible for the applicant's and applicant's employees' conduct. The Film Office may also require that the applicant provide the names and related information of association members, corporate directors, partners, or others in a position of responsibility with the applying entity;

(C) Name, address, and twenty-four (24) hour telephone number of at least two persons to be contacted in the event of emergency situations which might alter the conditions of the film permit;

(D) Name (or working title) of the film or project, a statement of the kind, character, and type of proposed motion picture, television, radio, and/or photographic production;

(E) Approximate number of individuals in the cast and crew;

(F) List of types and numbers of vehicles and other equipment;

(G) Special conditions or requests by the applicant, including requests for special assistance at the location such as street closure, traffic control, and emergency services;

(H) If the applicant intends to use either wild animals, chemicals, explosives, or fire, or intends to engage in any other hazardous activity as deemed by the City Manager, a statement to the effect and a description of such activities with specificity;

(I) Each application shall be accompanied by a fee as follows:

(1) A processing fee in an amount established by Resolution of the City Council to reimburse the City for the staff time required to evaluate the application and establish conditions of approval.

(2) The processing fee shall be waived for charitable and nonprofit organizations which qualify under Section 501(c) (3) of the United States Internal Revenue Code. The processing fee is nonrefundable.

(3) A daily property use fee in an amount established by Resolution of the City Council to compensate the City for the use of the public property and its unavailability for ordinary and usual purposes resulting from the filming activity.

(4) A monitoring fee to reimburse the City for staff time required to monitor the filming activity, and for reasonable costs for other City services or equipment approved for use during such activities, in an amount as to be determined at the time of the City's review of the permit application.

(5) The processing fee shall be waived for the following if, in the discretion of the City Manager, the City will benefit by doing so:

i. Productions conducted by a cable television company operating under a franchise granted by the City which are not conducted on public property, do not interfere with public right-of-ways, and which involve fewer than two motor vehicles; and

ii. Productions for wholly charitable or educational purposes and from which no profit is derived, either directly or indirectly; and

iii. A student film.

§ 135-6. Accompanying Plans.

Each application for a permit required by this Article shall be accompanied by a detailed explanation, including plans, drawings and diagrams where applicable, of the prospective permittee's plans to provide for the following:

(A) The size or area of the property to be used, including a sketch of the filming site showing placement of work trucks and production vehicles;

(B) A sketch of the "base camp", if any, showing any off-street locations for crew, parking, honeywagon, catering and non-essential production vehicles;

(C) A traffic control plan of the exact filming location, listing roads or lanes to be closed, if any;

(D) A description of the duration of the proposed activities and daily hours of operation;

(E) The facilities for cleanup and waste disposal with written plans and specifications thereof;

(F) A letter of notification of, and signatures from, businesses/neighborhoods impacted by filming or related activities, if required by the Film Office; and

(G) Insurance and bonding arrangements.

§ 135-7. Investigation of Application.

Upon receipt by the City Manager, or his/her designee, copies of the application for a permit required by this Article shall be forwarded to the Police Chief, Fire Chief, Building Official, and to such other appropriate public officials as the City Manager, or his/her designee, deems necessary. Such officers, departments, and officials shall review and investigate matters relevant to the application and within four (4) business days of receipt thereof shall report their findings and recommendations to the City Manager, or his/her designee.

§ 135-8. Liability Provisions.

The requirements of this Article are applicable whenever a permittee's operations will utilize or impact City facilities or property as determined by the City Manager.

(A) Liability Insurance. As a condition of issuing such a filming permit, the permittee shall furnish insurance with the City as a named insured in an amount to be determined by the City Manager, but in no event in an amount less than One Million Dollars ($1,000,000) to protect the

City against claims of third persons for personal injury, wrongful death and/or property damage to indemnify the City for damage to the City property arising out of the permittee's activities. An additional minimum of Five Million Dollars ($5,000,000) of such general liability insurance coverage shall be required in the event motor vehicles, aircraft, helicopters, explosives, or pyrotechnics are used in the activity. Such insurance shall be evidenced by the standard General Special Endorsement Form or the Certificate of Insurance (Public Liability) form provided by the City Manager, or his/her designee. The applicant shall also submit verification that adequate worker's compensation insurance coverage is maintained.

(B) Hold Harmless and Indemnity Agreement. An applicant shall execute a hold harmless and indemnity agreement as provided by the City prior to the issuance of a permit.

(C) Faithful Performance Bond. Before the issuance of a permit, the permittee shall deposit a sum of money in the form of a cash bond, in an amount determined by City Council Resolution. The bond shall be in a form approved by the City Attorney, conditioned upon the permittee's faithful compliance with all of the terms and provisions of this Chapter and all applicable provisions of state or local law, and which shall indemnify the City, its agents, officers, and employees and the City Council against any and all loss, injury, or damage whatever arising out of or in anyway connected with the filming activity and which shall indemnify the owners of the property adjoining the filming site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the filming activity.

(D) Security Personnel. The permittee shall employ at its own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the location of the filming activity and for the preservation of order and protection of property in and around the site of the filming activity. No permit shall be issued unless the Police Chief, or his/her designee, is satisfied that such necessary and sufficient security personnel will be provided by the permittee for the duration of the assembly.

§ 135-9. Findings.

In processing an application for a permit required by this Chapter, the City Manager, or his/her designee, shall issue a permit as provided for in this Chapter when from a consideration of the application and from such other information as may be otherwise obtained, he/she finds that:

(A) The conduct of such activity will not unduly interfere with the use and enjoyment of neighboring property or unduly interfere with traffic or pedestrian movement or endanger public safety and that no streets will be completely closed to traffic for an unreasonable period of time. Adequate advance notice of any street closure shall be given to the Police Chief, or his/her designee.

(B) The conduct of such activity will not unduly interfere with normal governmental or City operations or threaten to result in damage or detriment to public property, or result in the City incurring costs or expenditures in either money or personnel not deposited in advance by the applicant.

(C) The activity does not propose to include obscene matter or an obscene performance and will not involve conduct in violation of state, local, or federal laws, rules, or regulations, as defined in 1984 PA 343, being MCL 752.361 to 752.374.

(D) At the determination of the City Manager, or his/her designee, as well as the City of Roseville Police, Fire and Building Departments, that the condition of such activity will not constitute a fire hazard or any other type of hazard and all property safety precautions will be taken as determined by the heads of the aforementioned departments or their designees.

(E) The permit shall not authorize the production of a film that in any manner requires the use of property owned by or under the control of the City of Roseville in violation of 2008 PA 84, prohibiting the production of a film that includes obscene matter or an

obscene performance or that requires that individually identifiable records be created and maintained for every performer provided in 18 USC §2557.

§ 135-10. Grounds for Denial.

A filming permit, required by this Chapter, may be denied if:

(A) The applicant fails to comply with any or all requirements of this Chapter (including those set forth in Section 135-9), or with any and all conditions imposed pursuant to this Chapter, or with any other applicable provision of state, local, or federal laws, rules, or regulations.

(B) The applicant has knowingly made a false, misleading or fraudulent statement in the application or in any supporting document.

§ 135-11. Appeal.

The decision of the City Manager, or his/her designee, to issue, conditionally issue, or deny a permit shall be final, unless appealed in writing within five (5) working days of the decision by requesting a hearing before the City Council at the next available meeting. Where conditions are imposed as prerequisites to the issuance of a permit and where the permit is denied, notice thereof shall be mailed to the applicant by certified mail within five (5) days of such action. In case of a permit denial, the reasons therefore shall be stated in the notice.

§ 135-12. Contents, Posting, and Transferability.

A permit required by this Chapter shall specify the name and address of the permittee, the kind and location of the filming activity, the maximum number of attendants permissible, the duration of the permit and any other conditions imposed pursuant to this Chapter. It shall be posted in a conspicuous place upon the premises of the filming activity and shall not be transferred to any other person or location.

§ 135-13. Restoration.

A permittee shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use, maintenance of the area, and the clean up of all trash and debris. The area shall be cleaned of trash and debris within two (2) hours of the completion of the activity, or within such other time established in the permit to the City's satisfaction. The applicant shall be responsible for restoring any area damaged or disrupted before leaving the site. If the site is not repaired or restored to the City's satisfaction, the City Manager, or his/her designee, shall have the necessary restoration and/or repairs performed and the applicant shall reimburse the City for such work within ten (10) days of completed filming. In the event the applicant fails to reimburse the City, the City may secure its reimbursement from the deposit or the bond that was posted by the permittee during the application process. The amount of the bond shall no way limit the permittee's liability or responsibility for the costs of repairs or restoration in the event these costs exceed the bond amount.

§ 135-14. Filming Hours.

(A) Permitted Hours. It is prohibited for any person to commence or conduct, or permit the commencement or conducting of, any filming in residentially-zoned neighborhoods, and any other neighborhoods within a three hundred (300)-foot radius of a residential zone, except between the hours of 7:00 a.m. and 10:00 p.m., Monday through Friday; 8:00 a.m. through 10:00 p.m., Saturday; and 9:00 a.m. through 10:00 p.m., Sunday and City-specified holidays.

(B) Exception – Extended Hours. Filming activity in residentially-zoned neighborhoods, and other neighborhoods located within a three hundred (300) foot radius of a residential zone, shall be permitted beyond those hours set forth in this Chapter if the permittee submits signatures of approval from one adult resident of at least seventy percent (70%) of the dwelling units located within a three-hundred (300)-foot radius of the filming, at least forty-eight (48) hours prior to the scheduled start time of the filming. However, this signature requirement may be waived by the City Manager if he determines that the filming will not have any adverse effect upon the owners or occupants of such dwelling units.

§ 135-15. Parking and Street Closures.

(A) No person shall close any City street or alley, unless first authorized by the City.

(B) No person shall park a vehicle or place equipment associated with filming on any street or alley, except where parking is lawfully permitted.

(C) The permittee shall post "No Parking" signs, as required by the City Manager, at least twenty-four (24) hours prior to the scheduled start time of the filming.

§ 135-16. Violation; Revocation; Penalty.

(A) Any film permit may be revoked under the following circumstances:

(1) Where it has been determined that the permittee has violated or has failed to comply with any of the terms or conditions of the film permit;

(2) Where it has been determined that the permittee has violated or has failed to comply with any ordinances, resolutions, or applicable regulations;

(3) Where it has been determined that the film permit was granted pursuant to false or fraudulent information contained in the film permit application or verbally provided to City officials;

(4) Where it has subsequently been determined that filming activity will fail to meet the criteria enumerated in this Chapter for granting a film permit; or

(5) Where it has been determined that the preservation of the public health, safety, and general welfare demand revocation of the film permit.

(B) A notice of revocation shall be mailed to the permittee, by certified mail, stating the grounds for revocation and advising the permittee of the appeal rights afforded by this Chapter.

(C) City officials with the authority to revoke a permit include the City Manager, Police Chief, Fire Chief, or his/her designee.

(D) Revocation of a film permit shall be effective for a period of one year. No permits shall be issued to any individual or entity found to be in violation of this Chapter for the subsequent one year period of time. Thereafter, film permits may be granted on a restricted or conditional basis to ensure that the offender does not violate this Chapter again.

(E) Violation of any of the provisions of this Article or any of the terms and conditions of a film permit shall be punishable as set forth in chapter one of the City Code. In addition, it shall be a misdemeanor to:

(1) Provide false or fraudulent information to the City during the permit application process;

(2) Provide any false or fraudulent information after the permit has been issued, including but not limited to the possession or existence of consent or permission from property owners when required; or

(3) Fail or refuse to cease any film activities when ordered to do so by a City official due to violations of any code, ordinance, or this Chapter.

§ 135-17. Nuisance Violations.

Any filming, video recordings, or related activity conducted contrary to the provisions of this Chapter shall be and is hereby declared to be an unlawful action and a public nuisance. The City Council may authorize the commencement of an action at law or in equity in the name of the City in any court of competent jurisdiction against the permittee to ensure compliance with the terms of this Chapter. All remedies prescribed herein will be cumulative and the use of any one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this Chapter, nor shall the City's delay or failure to exercise any remedy result in a waiver of same.

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

7. Appointments.

Mayor John Chirkun reappointed Patricia Chownyk to the Library Commission.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to reappoint Patricia Chownyk to the Library Commission.
MOTION CARRIED UNANIMOUSLY

8. Reports of City Manager.

City Manager Stephen Truman had the following to report:

a. The annual fireworks celebration will be held on Saturday, June 20 at Veterans Memorial Park; activities will begin at 5 p.m. with fireworks at 10 p.m.
b. A bowling fundraiser will be held Saturday, June 13 to benefit the fireworks celebration. Registration begins at 6 p.m. and bowling will start at 7 p.m.

Scott Bala, president of the Roseville Firefighters Association presented City Council with $500 to help offset the costs of fireworks. The firefighters will work at the fireworks for compensatory time and not for overtime.

9. Reports of City Attorney.

City Attorney Tim Tomlinson reported that he will present a resolution on fees pertaining to the Film Ordinance for discussion at a future special meeting.

V. HEARING OF THE PUBLIC

James Goldwater, 19346 Brandt, discussed the SMART bus stop at Macomb Mall, commented on the Poker Room at Continental Lanes and complimented the Police and Fire Departments for their conduct during last year's Red Wing victory celebration.

City Manager Stephen Truman explained that Macomb Mall is aware of the situation with the bus stop; however, the Mall does not receive rent from SMART for the use of this location. This stop is a transfer station and receives a large volume of patrons; the Mall has moved the bus stop location. SMART will erect a permanent structure for the bus stop once the Mall and Smart decide the final location of the bus stop. Mr. Truman will look into this matter and get back to Council with an update.

City Attorney Tim Tomlinson discussed the licensing of charitable gaming licenses; the State of Michigan is in charge of licensing these establishments.

Scott Bala, 18750 Common, discussed the Standard Operating Agreement for exchange of services with Eastpointe and St. Clair Shores that was approved this evening.

Ronald Blazjewski, 18860 Victor asked Council for an update on snow removal at vacant homes throughout the City.

Mr. Truman explained that in August he will present a proposed ordinance to amend the weed cutting ordinance to include snow removal.

VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilwoman Colleen McCartney congratulated the graduating High School seniors of 2009, thanked the Roseville Firefighters for their support of the fireworks, commented on the Roseville Optimist golf outing and commented on the Relay for Life held this past weekend.

Councilwoman Jan Haggerty wished all of the block party petitioners good luck with their parties, commented on the Optimist golf outing and also commented on the Relay for Life. Mrs. Haggerty thanked the Firefighters for their contribution to the fireworks and for all of the work that they do.

Councilman Bill Shoemaker commented on the Relay for Life and thanked the firefighters for their contribution to the fireworks.

Councilman Salvatore Aiuto thanked the firefighters for their contribution to the fireworks and for all of the work that they do for the City, thanked City Attorney Tim Tomlinson for his pro-active approach with the film ordinance, thanked City Clerk Richard Steenland for the audio/video checkout system at the Library, commented on the Optimist golf outing and asked everyone to be careful if a Red Wings celebration takes place this evening.

Councilman Frank Maisano commented on the Optimist Club Golf Outing, thanked the firefighters for their contribution to the fireworks, discussed the Relay for Life breakfast and discussed the Mayor Millennial Congress meeting he attended this past week, and complimented all of his grandchildren for receiving passing grades this school year.

City Manager Stephen Truman stated that the Roseville Relay for Life raised $45,000 and the Roseville Cancer Crusader team raised $3,500.

Mayor Pro Tem Robert Taylor discussed the Relay for Life, commended Edward Stross for providing his services at no cost to the family of Ashley Drouillard, discussed "Operation Smack Down" that was conducted this past week in Macomb County and complimented the Police Officers who participated in this operation. Mayor Pro Tem Taylor discussed the activities that will take place at the fireworks celebration, the Optimist Club golf outing and thanked John and Cathy Surhigh for their work on the Golf Outing.

Mayor John Chirkun thanked City Attorney Tomlinson for his work on the film ordinance, thanked Mayor Pro Tem Taylor for his work on the Optimist's Club Golf Outing, commented on the Relay for Life, complimented the Roseville Team, and discussed a fundraiser held this past weekend at Continental Lanes and complimented the owners of Continental Lanes for their community involvement.

VII. ADJOURNMENT

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:58 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Richard M. Steenland, City Clerk