REGULAR MEETING
ROSEVILLE CITY COUNCIL

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

TUESDAY, JUNE 23, 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 June 9, 2009.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN FRANK MAISANO seconded to approve minutes of the Regular Meeting held June 9, 2009.
MOTION CARRIED UNANIMOUSLY

2. Approval of minutes of the Special Meeting held June 16, 2009.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to approve minutes of the Special Meeting held June 16, 2009.
MOTION CARRIED UNANIMOUSLY

3. Approval of Disbursement List.

COUNCILMAN BILL SHOEMAKER moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve Disbursement list #24 dated June 10, 2009 through June 23, 2009.
MOTION CARRIED UNANIMOUSLY

II. CORRESPONDENCE

City Clerk Richard Steenland announced that the last Regular City Council, Special City Council and Zoning Board of Appeals meetings are now available for check out in the Library; meetings will be available for check out on the Friday after the meeting.

Mr. Steenland offered his condolences to Anesta Niedermaier on the death of her daughter Diane.

III. HEARING OF THE PUBLIC

No one from the public wished to be heard.

IV. NEW BUSINESS

1. Request to block Garden Court between 20039 and 20461 on Saturday, July 18 from 3 p.m. until 11 p.m. to conduct a Block Party, Darlene Marchese, petitioner.

   Darlene Marchese, 20250 Garden Ct., appeared on behalf of this request.

COUNCILMAN FRANK MAISANO moved, COUNCILMAN SALVATORE AIUTO seconded to approve the request to block Garden Court between 20039 and 20461 on Saturday, July 18 from 3 p.m. until 11 p.m. to conduct a Block Party.
MOTION CARRIED UNANIMOUSLY

2. Request to block Wiseman between Frazho and Curtis on Saturday, July 25 from noon until 10 p.m. to conduct a Block Party, Lynn Fritz, petitioner.

   Lynn Fritz, 25840 Wiseman, appeared on behalf of this request.

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILMAN FRANK MAISANO seconded to approve the request to block Wiseman between Frazho and Curtis on Saturday, July 25 from noon until 10 p.m. to conduct a Block Party.
MOTION CARRIED UNANIMOUSLY

3. Request to block Felician between Martin and Northview on Saturday, August 8 (rain date August 22) from 1 p.m. until 8:30 p.m. to conduct a Block Party, Christine Cosner, petitioner.

   Christine Cosner, 28252 Felician, appeared on behalf of this request.

   This block party is a first-time request for this neighborhood; therefore, Mayor and Council explained the following conditions to Ms. Cosner:

   - The block party must close down by 8:30 and clean up must be completed by 9:30 p.m.

- Barricades to close the street shall be picked up no later than 2:30 p.m. on Friday, August 7, 2009.
- A deposit of $35 per barricade shall be made for the barricades at the time of pick up and will be refunded at the time of return of all the undamaged barricades.
- The residents shall be responsible for cleaning the roadway following the party.
- Barricades shall be returned no later than 2:30 p.m. on Monday, August 10, 2009.
- Emergency Vehicle access must be maintained at all times.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to approve the request to block Felician between Martin and Northview on Saturday, August 8 (rain date August 22) from 1 p.m. until 8:30 p.m. to conduct a Block Party.
MOTION CARRIED UNANIMOUSLY

4. Request adoption of Resolution to join the Southeast Michigan Regional Energy Office and adoption of Resolution authorizing submission of the 2009 Energy Efficiency Conservation Block Grant Application.

City Manager Stephen Truman explained that the City of Roseville was awarded an energy efficiency grant. The City's portion of the grant is $198,600. Due to the large number of entitlement applications the United States Department of Energy recommended the local collaborative such as the Southeast Michigan Regional Energy Office to aid in the administration and implementation of the grant. The SMREO offers many services such as joint purchasing and contracting which will save the City money on the purchase of solar panels or LED lighting.

If approved, the resolution will be submitted to the Federal Government with the City's grant application.

COUNCILMAN BILL SHOEMAKER moved, COUNCILMAN FRANK MAISANO seconded to adopt the resolution authorizing submission of the 2009 Energy Efficiency Conservation Block Grant Application as follows and adopt the Resolution to join the Southeast Michigan Regional Energy Office as follows:

WHEREAS, the City of Roseville is eligible to receive Energy Efficiency and Conservation Block Grant (EECBG) funds in the amount of $198,600,

BE IT RESOLVED, that the City of Roseville hereby authorizes the submission of the 2009 EECBG application to the Department of Energy, requesting 90% of the available funds for the purchase and installation of LED streetlights along Gratiot Avenue and the remaining 10% for participation in the Southeast Michigan Regional Energy Office.

BE IT FURTHER RESOLVED, that the City of Roseville hereby authorizes the City Manager to execute said application and any related documents.

BE IT FURTHER RESOLVED, that the City of Roseville will abide by the Davis-Bacon Act when using said funds. Proposals from contractors shall be required to provide written assurance that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by the EECBG program are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by Subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act).
MOTION CARRIED UNANIMOUSLY

COUNCILMAN BILL SHOEMAKER moved, COUNCILMAN FRANK MAISANO seconded, to adopt the resolution to join the Southeast Michigan Regional Energy Office.

WHEREAS, the City of Roseville recognizes that energy efficiency and the increased use of renewable energy increase regional prosperity and competitiveness; and

WHEREAS, the ability of southeast Michigan's local governments to cooperate is essential to resolving region-wide energy challenges;

WHEREAS, the City believes that local governments can remain on the forefront of energy policy and program development via intergovernmental collaboration; and

WHEREAS, the Michigan Suburbs Alliance, WARM Training Center, SEMCOG, and the Michigan Municipal League have created a regional partnership known as the Southeast Michigan Regional Energy Office through which communities may collaboratively address energy issues and aggregate buying power for energy efficient products and renewable energy projects; and

WHEREAS, by pooling the resources of communities the Southeast Michigan Regional Energy Office creates opportunities to coordinate strategic services such as (1) benchmarking and auditing, (2) sustainability planning, (3) evaluation and reporting, (4) advocacy and policy development, and (5) marketing; and

WHEREAS, to maximize the capacity of the City of Roseville to leverage its energy block grant funding, the Energy Office provides technical services in (1) grant research and writing, (2) technical assistance, (3) joint purchasing and contracting, (4) resolving loan fund management; and

WHEREAS, education being a fundamental part of the success of this program, the Energy Office provides customized staff training and community events, regional forums, and advanced technical seminars to the benefit of the City of Roseville; and

WHEREAS, the American Recovery and Reinvestment Act allocated $3.2 billion to the Energy Efficiency and Conservation Block Grant program and the City of Roseville will receive $198,600 from this program;

NOW THEREFORE BE IT RESOLVED, that Roseville joins the Southeast Michigan Regional Energy Office and appropriates the membership fee of $19,860 equal to ten percent of the City's Energy Efficiency and Conservation Block Grant;

BE IT FURTHER RESOLVED, that City Manager Steve Truman is hereby appointed to represent Roseville on the board of directors of the Energy Office and that he is further authorized to designate an alternate to serve in his absence; and

BE IT FURTHER RESOLVED, that Mayor John Chirkun is hereby authorized to sign all necessary forms, certifications and documents to execute membership in the Southeast Michigan Regional Energy Office.
MOTION CARRIED UNANIMOUSLY

5. Request approval to enter into City of St. Clair Shores and City of Roseville Collaborative Agreement.

City Manager Stephen Truman discussed this request and answered questions for Council. This agreement will allow Roseville residents access to two boat ramps and one pool in St. Clair Shores.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the request to enter into City of St. Clair Shores and City of Roseville Collaborative Agreement.
MOTION CARRIED UNANIMOUSLY

6. Request adoption of Resolution adopting a final project plan for wastewater system improvements and designating City Manager as the authorized project representative.

City Manager Stephen Truman introduced the Water Department Director Brian McGrail who explained this item to Council. City Controller/Assistant City Manager Peter Provenzano was also present to discuss this request.

Mr. McGrail explained that in 2006 the City was the recipient of an S2 Grant to study the City's sewer sanitary system. The Study is complete and the City is ready to proceed with the next step which is to apply for a State Revolving Fund Loan to finance the repairs to the sewer sanitary system. Approximately $10 million in repairs are needed to the sanitary sewer system. Some emergency repairs were made and more repairs are needed.

Mr. McGrail answered questions for Council.

Mr. Truman explained that the SRF Loan is a low interest loan at the rate of 2.5%.

COUNCILMAN FRANK MAISANO moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt the Resolution adopting a final project plan for wastewater system improvements and designating City Manager as the authorized project representative.
MOTION CARRIED UNANIMOUSLY

7. Request adoption of Ordinance to amend the City of Roseville Code of Ordinances Chapter 350, Section 350-3 A (1) (a) to provide for a readiness to service charge and the lapse of the "Retention Basin Operation and Maintenance Charge," to provide for repealer, severability, and effective date.

City Manager Stephen Truman explained to Council that the Ordinance must be amended to meet the standards to apply for the State Revolving Fund Loan.

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to adopt Ordinance No. 1223 to amend the City of Roseville Code of Ordinances Chapter 350, Section 350-3 A(1)(a) to provide for a readiness to service charge and the lapse of "Retention Basin Operation and Maintenance Charge," to provide for repealer, severability and effective date as follows:

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 1223

THE CITY OF ROSEVILLE ORDAINS:

TO ADOPT AN ORDINANCE TO AMEND SECTION 350-3 A (1) (a) TO PROVIDE FOR A READINESS TO SERVICE CHARGE AND THE LAPSE OF THE "RETENTION BASIN OPERATION AND MAINTENANCE CHARGE," TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

Section 1. Chapter 350, § 350-3 A (1) (a), is hereby amended as follows:

> A minimum charge per quarter as provided in Chapter 133, fees, shall be charged to offset the fixed expenses for operations, maintenance and replacement of the system and shall be called the "Readiness to Serve Charge."

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. Request approval to amend the Budget Resolution for 2009/2010.

City Manager Stephen Truman explained to Council that the water rates are not determined until after the approval of the City budget in April; therefore, this request is made annually to reflect revisions to the water and sewer rates including the new ordinances passed this evening. The City of Detroit Water and Sewerage Department increased the rates charged to Roseville which will not be passed along to the residents.

COUNCILWOMAN COLLEEN MCCARTNEY moved, MAYOR PRO TEM ROBERT TAYLOR seconded to adopt the amended Budget Resolution for 2009/2010 as follows:

WHEREAS, Section 8.6 of the City Charter for the City of Roseville provides that a budget shall be adopted for each fiscal year and that said budget shall be adopted by the City Council of said City in the form of a resolution; and,

WHEREAS, such Section 8.6 also states that such resolution shall provide for an appropriation of money budgeted for municipal purposes during the next fiscal year succeeding said resolution's adoption; and,

WHEREAS, such Section 8.6 of said City Charter also provides that such resolution shall determine the amount of revenue to be raised by taxation; and,

WHEREAS, under said Section 8.6 it is incumbent upon the said City Council for the City of Roseville now to provide a budget for the fiscal year from July 1, 2009 to June 30, 2010; and,

WHEREAS, a properly drafted and proposed budget has been submitted to the City Council in compliance with the requirements contained in Chapter 8 of the said City Charter, and in compliance with requirements of Public Act 621 of 1978; and,

WHEREAS, such budget proposal, together with all supporting schedules and the City Manager's budget statement, has been duly filed with the City Council and become a matter of public record, available for public inspection with the City Clerk and the Roseville Public Library; and,

WHEREAS, such proposed budget hearing has been advertised in the Eastsider on April 8, 2009, and a public hearing held on April 14, 2009, as required by statute and other regulations; and,

WHEREAS, the proposed budget as approved by the City Council reflects a total millage levy of 21.38 mills as detailed on Page 15 of the budget document; and,

WHEREAS, such millage is in accordance with Public Act 5 of 1982; and,

BE IT FURTHER RESOLVED, that the City's water and sewer rates be revised from the rates originally approved on April 28, 2009; that the combined Ready to Serve Charge for each customer connection be $15.69; that the water rate for each unit be $.92 per unit; that the rate for sewer treatment be $2.51 per unit and that the rate for the combined local operating maintenance be $1.63 per unit; this rate change shall provide a part of the revenue needed to cover the operations of the Water Department.
MOTION CARRIED UNANIMOUSLY

9. Request adoption of Ordinance to amend the City of Roseville Code of Ordinances Chapter 256, Section 256-17 to provide for a quarterly surcharge for a non-residential customer for industrial waste control, to provide industrial waste control excess strength surcharges, to provide for repealer, severability, and effective date.

City Attorney Tim Tomlinson explained that this item is in response to the City's State Revolving Fund Loan Application. Mr. Tomlinson asked that Council pass the Ordinance as presented.

Water Director Brian McGrail explained that this charge is currently assessed to all commercial and industrial businesses and is not a new fee; the Michigan Department of Environmental Quality required language in the City's Ordinance to clarify these fees.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to adopt Ordinance No. 1222 to amend the City of Roseville Code of Ordinances Chapter 256, Section 256-17 to provide for a quarterly surcharge for a non-residential customer for industrial waste control, to provide industrial waste control excess strength surcharges, to provide for repealer, severability, and effective date as follows:

CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 1222

THE CITY OF ROSEVILLE ORDAINS:

TO ADOPT AN ORDINANCE TO AMEND CHAPTER 256-17 TO PROVIDE FOR A QUARTERLY SURCHARGE FOR A NON-RESIDENTIAL CUSTOMER FOR INDUSTRIAL WASTE CONTROL, TO PROVIDE INDUSTRIAL WASTE CONTROL EXCESS STRENGTH SURCHARGES, TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

Section 1. Chapter 256-17, is hereby amended to add the following subsections:

(C) For water and sewer used for non-residential customers, a quarterly surcharge shall be invoiced equivalent to three monthly charges from the City of Detroit for industrial waste control meter charges as established from time to time by the City of Detroit, Michigan Water and Sewerage Department.

(D) For water and sewer used for non-residential customers who release pollutants in excess of the limits established by the City of Detroit for industrial waste control excess strength surcharge requirements as established from time to time by the City of Detroit, Michigan Water and Sewerage Department, shall pay the City of Detroit at the established rates based on City of Detroit invoices.

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

10. Request to extend 2006-2007 Pavement/Water Patch Contract for 2009-2010 program.

City Manager Stephen Truman requested that the 2006-2007 Pavement/Water Patch Contract with Galui Construction Company be extended for 2009-2010. The price remains the same as 2006-2007 and is competitive with what surrounding communities pay. Galui Construction has completed satisfactory work for the City and Mr. Truman recommended approval of this item.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN COLLEEN MCCARTNEY seconded to extend the 2006-2007 Pavement/Water Patch Contract with Galui Construction for the 2009-2010 program.
MOTION CARRIED UNANIMOUSLY

11. Request awarding of bid for HVAC Maintenance Contract.

City Manager Stephen Truman explained that specifications were written for Full Maintenance HVAC Service Contract for City buildings. Bid invitations were issued to 23 companies and a pre-bid meeting was held to review the specifications; 25 contractors attended this meeting and eight companies responded with bids. The low bid meeting specifications was submitted by Bumler Mechanical in the amount of $94,257. This contractor is a prevailing wage contractor and has conducted similar contracts with surrounding communities in a satisfactory manner. Mr. Truman recommended acceptance of this bid to Bumler Mechanical.

MAYOR PRO TEM ROBERT TAYLOR moved, COUNCILWOMAN JAN HAGGERTY seconded to award the bid for HVAC Maintenance Contract to the low recommended bidder Bumler Mechanical in the amount of $94,257.
MOTION CARRIED UNANIMOUSLY

12. Request denial of bid for Pavement Marking.

City Manager Stephen Truman explained that the Highway Department prepared specifications and bid invitations were issued to five companies; one company responded. The bid received from R.S. Contracting was $14,500, double the budgeted amount for this item. Mr. Truman recommended denial of this bid so that the bid may be re-solicited as the bid is higher than the budgeted amount of this project.

COUNCILWOMAN COLLEEN MCCARTNEY moved, COUNCILMAN FRANK MAISANO seconded to deny the bid for Pavement Marking.
MOTION CARRIED UNANIMOUSLY

13. Appointments.

Mayor John Chirkun reappointed Terry Mergenthaler to the Housing Commission for a five-year term.

14. Reports of City Manager.

City Manager Stephen Truman reported the following:

a. "Walk Michigan" and "Tunes in the Park" will begin on Thursday, June 26, 2009 at 6 p.m. These events will occur throughout the month of July on Thursdays, with the exception of July 2.
b. City Offices will be closed on Friday, June 3, 2009 in observance of Independence Day. Refuse, recycling and compost will be collected on its normal schedule.
c. The Roseville Handicapped Association will host its Annual Handicapped Olympics on Saturday, July 11, 2009 at 6 p.m. at the Roseville Recreation Center.

d. The Roseville Public Library is participating in the Summer Reading Program for all ages from preschool through adult; the deadline to register at the Library is July 17.
e. Mr. Truman updated Council on the Macomb Mall bus stop. The final decision for a permanent bus stop is still in negotiations between the Mall and SMART.
f. AT&T does not provide PEG channels for the City Government or local schools. The City will meet with AT&T about this issue and report back to the public at a future meeting.

Mayor John Chirkun commented on the bus stop at Macomb Mall and asked City Attorney Tim Tomlinson if the City is liable for it. Mr. Tomlinson responded that the stop is on private property and that the City has no control over the bus stop; the property owner and SMART would be responsible for any incidents that occur at the bus stop.

15. Reports of City Attorney.

City Attorney Tim Tomlinson had nothing to report.

V. HEARING OF THE PUBLIC

David Burley, 18641 Common Road, discussed the City's finances, suggested that the City re-open contracts of the City unions and discussed 12 hour shifts for the Police Department.

City Manager Stephen Truman addressed comments made by Mr. Burley.

Ronald Blazejewski, 18860 Victor, thanked the City Administration for the City Fireworks and commented on the bus stop at Macomb Mall.

David Rutsol, 25350 Macomb, discussed lighting in Macomb Gardens Park and activities in the park he feels are keeping other residents out of the park.

VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilman Frank Maisano congratulated the City on the Fireworks Celebration, thanked the Optimist Club and the City employees who volunteered or were compensated with comp time.

Councilman Salvatore Aiuto commented on the Fireworks Celebration and discussed the feedback he received on the fireworks. Councilman Aiuto wished everyone a Happy 4th of July.

Councilman Bill Shoemaker offered his condolences to the Niedermaier family, congratulated Terry Mergenthaler on his reappointment to the Housing Commission, commented on the Fireworks and the Eastpointe Cruise.

Councilwoman Colleen McCartney thanked Brian McGrail and Bernie Larsh for their work on a few of the agenda items this evening, offered her condolences to Anesta Niedermaier on the loss of her daughter, thanked the City employees who dedicated their time and for the donations for the fireworks, congratulated Terry Mergenthaler on his reappointment to the Housing Commission and wished Leonard Haggerty a Happy Birthday.

Councilwoman Jan Haggerty thanked Brian McGrail for his presentation this evening, offered her condolences to the family of Edward Squira and the Niedermaier family, wished good luck to the block parties, wished her husband Leonard Haggerty a Happy 89th Birthday, thanked all of the employees who volunteered at the fireworks, congratulated Terry Mergenthaler on his reappointment to the Housing Commission and wished everyone Happy 4th of July.

Mayor Pro Tem Robert Taylor thanked the Police and Fire Departments for a safe Fireworks Celebration, thanked the employee volunteers, especially City Manager Stephen Truman, City Controller/Assistant City Manager Peter Provenzano and Parks and Recreation Directory Tony Lipinski for their work on the fireworks, commented on the fundraiser for the fireworks and the

carnival held at Macomb Mall. Mr. Taylor wished Leonard Haggerty Happy Birthday, expressed get well wishes to his neighbor Bill Murray and his dad and wished everyone a Happy 4th of July.

Mayor John Chirkun commented on the Fireworks Celebration, discussed the fireworks fundraiser put on by the City employees which raised approximately $6800, thanked all of the City employees who volunteered at the Fireworks Celebration, discussed a grant received from JC Penney for the plantings at Memorial Park, offered his condolences to the Niedermaier family, wished Leonard Haggerty Happy Birthday, wished his wife a belated Happy Birthday and wished everyone a Happy 4th of July.

VII. ADJOURNMENT

COUNCILWOMAN JAN HAGGERTY moved, MAYOR PRO TEM ROBERT TAYLOR seconded that the agenda having been acted upon, the meeting is hereby adjourned at 8:08 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Richard M. Steenland, City Clerk