REGULAR MEETING
ROSEVILLE CITY COUNCIL

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

TUESDAY, SEPTEMBER 11, 2007

7 p.m.

ROLL CALL

PRESENT:	Mayor	Harold Haugh
	Councilpersons	Salvatore Aiuto John Chirkun Jan Haggerty Richard Steenland Robert Taylor
ABSENT:		Bill Shoemaker (excused)

OTHERS PRESENT:

City Manager	Stephen Truman
City Clerk	Rae A. Oldaugh
City Attorney	Tim Tomlinson

Mayor Harold Haugh called the meeting to order at 7 p.m. with a presentation of the Flag by the Roseville Police Honor Guard in honor of September 11, 2001. The Roseville Fire Department led the Pledge of Allegiance.

Council observed a moment of silence in honor of Norman Curtis.

COUNCILMAN JOHN CHIRKUN moved, COUNCILMAN ROBERT TAYLOR seconded to excuse absent Councilman Bill Shoemaker from the meeting.
MOTION CARRIED UNANIMOUSLY

PRESENTATIONS & PROCLAMATIONS

- Presentation of Proclamation to the Elizabeth Bienaime Chapter of the National Society of the Daughters of the American Revolution honoring Constitution Week, September 17-23, 2007.

  Jane May appeared on behalf of the Elizabeth Bienaime Chapter of the National Society of the Daughters of the American Revolution; Mayor Haugh presented Mrs. May with a Proclamation honoring Constitution Week, September 17-23, 2007.

I. ROUTINE MATTERS

1. Approval of minutes of Regular Meeting held August 28, 2007

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to approve minutes of the Regular Meeting held August 28, 2007
MOTION CARRIED UNANIMOUSLY

2. Approval of Disbursement List.

COUNCILMAN ROBERT TAYLOR moved, COUNCILWOMAN JAN HAGGERTY seconded to approve Disbursement list #5, voucher numbers 47388 through 47634.
MOTION CARRIED UNANIMOUSLY

II. CORRESPONDENCE

City Clerk Rae Oldaugh received no correspondence.

III. HEARING OF THE PUBLIC – AGENDA ITEMS ONLY

No one from the public wished to be heard.

IV. NEW BUSINESS

1. Request approval for issuance of Proclamation proclaiming September as Recovery Month in Roseville.

   City Manager Stephen Truman explained to Council that his office received a request from Community Assessment Referral & Education (CARE) for a proclamation from the Council supporting Recovery Month.

   COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the issuance of a Proclamation to proclaim September as Recovery Month in Roseville.
   MOTION CARRIED UNANIMOUSLY

2. Request adoption of Funding Resolution for noise abatement wall along I-94.

City Manager Stephen Truman explained to Council that the State previously denied the City's application for a noise abatement wall along I-94. If adopted, the City agrees to fund its share of the project cost if the State approves the funding.

Councilman Richard Steenland asked Mr. Truman if he knew the City's cost of the proposed project; Mr. Truman responded that using the City of St. Clair Shores as a pricing guideline, each ¼ mile costs $200,000. The City of Roseville's cost would be $600,000; Mr. Truman will verify whether any additional State funding is available to help to offset the cost.

Mayor Harold Haugh stated that he has spoken with the Chairperson of the Michigan Department of Transportation (MDOT) about this matter; this resolution is critical to proceed with the application process with the State.

Councilman Salvatore Aiuto asked Mr. Truman when a decision will be made by the State. Mr. Truman stated that the approval will take place quickly; however, the funding would not be done until October 1, 2009 with construction starting in the spring of 2010. Councilman Salvatore Aiuto inquired whether the City could withdraw its application at a later date if the funding is not available; Mr. Truman stated that one more resolution is required in order to receive the funding.

Mayor Haugh stated that he was surprised to see the noise abatement wall constructed in St. Clair Shores considering the State's financial situation.

COUNCILMAN RICHARD STEENLAND moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt the following resolution committing the City to participate in the construction of approximately 1.5 miles of noise abatement wall along I-94:

WHEREAS, the City of Roseville is interested in completing the remaining approximately 1.5 miles of sound walls necessary to insulate its residential neighborhoods from I-94 traffic; and,

WHEREAS, the Michigan Department of Transportation is in the process of approving a new type II noise mitigation application process; and,

WHEREAS, the City of Roseville is most interested in applying for such and has forwarded an application for the I-94 corridor along 10 Mile Road to Frazho Road, and Martin Road to 12 Mile Road, and 12 Mile Road to Cornillie Drive; and,

WHEREAS, a resolution of support is necessary and needs to be forwarded with applications.

NOW, THEREFORE, BE IT RESOLVED, that the City of Roseville hereby agrees to provide:

- Ten percent of the cost of the noise abatement at the time of construction.
- Aesthetic maintenance on the residential side of the structure or both sides when structure is on the residential side of a service road.
- Structural maintenance after five years when the structure is on the residential side of a service road.

- Have compatible land use zoning and/or building regulations in place precluding future noise abatement needs (currently in place).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City of Roseville, through its Mayor and Council, request consideration from the Michigan Department of Transportation, to construct a noise abatement wall, subject to this application and receipt of a grant.
MOTION CARRIED UNANIMOUSLY

3. Request from Parks & Recreation to conduct the 29th Annual Big Bird Run on the City streets, Sunday, November 11, 2007, from 10-11:30 a.m.

City Manager Stephen Truman explained to Council that this is an annual request and no changes have been made to the race route.

COUNCILMAN RICHARD STEENLAND moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt the resolution approving the request from Parks & Recreation to conduct the 29th Annual Big Bird Run on the City streets, Sunday, November 11, 2006 from 10-11:30 a.m. as follows:

BE IT RESOLVED that permission is hereby granted to hold the 29th Annual Big Bird Run on Sunday, November 11, 2007, at 10:00 a.m. until 11:30 a.m. Only the right lane of all roads will be used:

The above named applicant hereby makes application for a permit to use M-3 (Gratiot Avenue) and I-696 Service Drive, City of Roseville, County of Macomb, State of Michigan. The exact location is as follows:

Start at Recreation Department - West on Sycamore;

North on (M-3) Gratiot to Martin Road;

Martin Road east to Van Howe;

Van Howe south to Hazelwood;

West on Hazelwood to Pinewood;

South on Pinewood to I-696 Service Drive;

Westbound I-696 Service Drive to pedestrian bridge;

Pedestrian bridge south over I-696 Expressway;

Eastbound I-696 Service Drive east to Arlington;

South on Arlington to Frazho;

Frazho west to Pinehurst;

Pinehurst north to Marquette;

East on Marquette to Barbara;

North on Barbara to Glendale;

West on Glendale to Fernwood;

North on Fernwood to pedestrian bridge over I-696 Expressway;

Pedestrian bridge over I-696;

East on Westbound I-696 Service Drive to Nieman;

North on Nieman to Blue Island;

East on Blue Island to Kelly;

North on Kelly to Hazelwood;

West on Hazelwood to finish area near Spruce.

MOTION CARRIED UNANIMOUSLY

4. Public Hearing on the proposed establishment of an Industrial Development District per P.A. 198 of 1974 on property described as Permanent Parcel No. 14-18-128-014, commonly known as 28370 Groesbeck Highway, Detroit Edge Tool Company, petitioner.

City Manager Stephen Truman explained to Council that this is the first step that must be completed to establish an Industrial Development District.

James Goldwater, 19346 Brandt, is opposed to this request.

Tammy Harrison, 18047 Eastland, is employed by Detroit Edge Tool Company and spoke highly of her employer.

Councilman Richard Steenland commented that this request is for new equipment only; therefore, it is a request for a personal property exemption.

Jonathan Raiss, 29325 Galloway, spoke in favor of this request.

Mack Gilles, 16218 12 Mile, is employed by Detroit Edge Tool Company and agreed with Ms. Harrison and Mr. Raiss's comments.

COUNCILMAN SALVATORE AIUTO moved, COUNCILMAN JOHN CHIRKUN seconded to close the Public Hearing.

MOTION CARRIED UNANIMOUSLY

5. Request adoption of Resolution to establish an Industrial Development District for Detroit Edge Tool Company on property as described in Item 4.

City Manager Stephen Truman explained that Council must vote at this time whether an Industrial Development District for Detroit Edge Tool Company should be established.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to adopt the Resolution to establish an Industrial Development District for Detroit Edge Tool Company as follows:

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, this City

Council has the authority to establish "Industrial Development Districts" within the City of Roseville; and

WHEREAS, Detroit Edge Tool Company has petitioned this City Council to establish an Industrial Development District on its property located in the City of Roseville hereinafter described; and

WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Macomb Daily and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on September 11, 2007 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Roseville were afforded an opportunity to be heard thereon; and

WHEREAS, the City of Roseville deems it to be in the public interest of the City of Roseville that the following described Industrial Development District be established as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville that the following parcels of land situated in the City of Roseville, Macomb County, and State of Michigan, to wit:

SEC 18; COM AT N ¼ POST SEC 18; TH S0*23´E 1183.26 FT ALG N-S ¼ LINE TO POB; TH CONT S0*23´E 160.92 FT; TH W 586.93 FT; TH N30*39´E 187.05 FT ALG SELY R/W LINE OF M-97; TH E 490.53 FT TO POB; ALSO LOT 43 OF ASSESSORS PLAT #2.2842A.

be and hereby are established as an Industrial Development District pursuant to the provision of Act No. 198 of the Public Acts of 1974 to be known as Detroit Edge Tool Company Industrial Development District No. 1.

Any and all resolutions in conflict herewith are repealed only to the extent necessary to give full force and effect to the foregoing provisions.
MOTION CARRIED UNANIMOUSLY

6. Public Hearing on application for an Industrial Facilities Exemption Certificate for Detroit Edge Tool Company, property located at 28370 Groesbeck Highway, Permanent Parcel No. 14-18-128-014.

No one from the public wished to be heard.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

7. Request adoption of Resolution approving application for Industrial Facilities Exemption Certificate for Detroit Edge Tool Company, property described in Item 6.

City Manager Stephen Truman introduced Ray Ebbing from Detroit Edge Tool Company and explained that Detroit Edge Tool Company has requested a 12 year abatement. The City has guidelines in place in regard to this type of request

which allows Council to deviate from the requested number of years. Mr. Truman explained that the City's amount abated over a period of two years is $2468 and the total tax abated is $6936. Mr. Truman recommended approval of this application for a period of three years.

Mr. Ebbing asked Council for 12 year abatement and explained the reason Detroit Edge Tool Company requested this abatement.

Councilmen Richard Steenland and John Chirkun asked Mr. Ebbing a few questions about this request.

Karen Hayes, Controller for Detroit Edge Tool Company, 28370 Groesbeck, answered questions for Council about the number of vendors they do business with in the City of Roseville. Mr. Ebbing listed a few of the Roseville vendors used by his company into the record.

Councilman Steenland asked City Attorney Tim Tomlinson a few questions about this request.

Councilman Salvatore Aiuto asked Mr. Tomlinson whether the equipment purchased has to be new or may used equipment be purchased; Mr. Tomlinson stated that a "new purchase" qualifies for an exemption which would include used equipment.

COUNCILMAN JOHN CHIRKUN moved, COUNCILMAN RICHARD STEENLAND seconded to adopt the resolution approving the application for Industrial Facilities Exemption Certificate for Detroit Edge Tool Company for a period of six (6) years as follows:

WHEREAS, Detroit Edge Tool Company (hereinafter "Petitioner") has submitted an application for a new Industrial Facilities Exemption Certificate under the provisions of Act 198 of the Michigan Public Acts of 1974, as amended, and

WHEREAS, Petitioner will execute a Letter of Agreement with the City of Roseville clarifying the understanding and commitment between the applicant and the City of Roseville, as required by Section 22 of Michigan Public Act No. 334 which amended Michigan Public Act No. 198 of 1974, as amended, and

WHEREAS, after due and legal notice the Roseville City Council has this day held a hearing on said application, and

WHEREAS, the City Council hereby makes the following findings of fact based upon the investigation it has heretofore caused to be made and the information obtained at the said hearing:

FACTS

1. That the granting of this New Industrial Facilities Exemption Certificate, considered together with the aggregate amount of industrial facilities exemption certificates previously granted and currently in force, shall not have the effect of substantially impeding the operation of this local government unit or impairing the financial soundness of any taxing unit which levies ad valorem property tax in this local governmental unit wherein the facility is to be located.

2. That the state equalized valuation of the property proposed to be exempt pursuant to this application, considered together with the aggregated

state equalized valuation of property exempt under certificates previously granted and currently in force does not exceed five percent (5%) of the state equalized value of the City of Roseville.

3. That the purchase of new personal property for which this exemption is sought was not commenced earlier than six (6) months before the filing of the application.

4. That the application relates to the purchase of new personal property costing $285,000.00 to be used within an existing industrial development district heretofore established in the City of Roseville.

5. That the purchase of the personal property here concerned is calculated to and will at the time of issuance of the certificate, have the reasonable likelihood to create employment within the City of Roseville.

NOW, THEREFORE BE IT RESOLVED, that based upon the foregoing findings from which this Council further determines that it is in the best interest of the City of Roseville that the industrial facilities tax exemption application of Detroit Edge Tool Company for the acquisition of new personal property costing $285,000.00 be and hereby is approved for a tax exemption as therein applied for six (6) years commencing December 31, 2007 for the tax year 2008 and continuing through the year 2014.

BE IT FURTHER RESOLVED, that the City Council does hereby authorize the Mayor and City Clerk to execute the Letter of Agreement to be executed by Applicant and such Agreement shall be incorporated as part of the documentation required to process the application to the State of Michigan for the requested Industrial Facilities Exemption Certificate.

BE IT FURTHER RESOLVED, the City Clerk is directed to forward a copy of the application together with a certified copy of this resolution of approval to the Michigan State Tax Commission.

Any and all resolutions in conflict herewith are repealed only to the extent necessary to give full force and effect to the foregoing provisions.
MOTION CARRIED

OPPOSED
Councilman Salvatore Aiuto

8. Request authorization to file small claims action for unpaid cost recovery fees incurred for a fire on June 16, 2007 at 17275 Martin Road, and to authorize Fire Marshal Craig Robertson as the representative on behalf of the City.

City Attorney Tim Tomlinson explained this request to Council. The amount owed to the City is approximately $3300 and Mr. Truman recommends that this item proceed in Small Claims Court and that Fire Marshal Craig Robertson be appointed the City's representative for this matter.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN SALVATORE AIUTO seconded to authorize the filing of a small claims action for unpaid cost recovery fees incurred for a fire on June 16, 2007 at 17275 Martin Road, and to authorize Fire Marshal Craig Robertson as the representative on behalf of the City.
MOTION CARRIED UNANIMOUSLY

9. Appointments.

Mayor Harold Haugh reappointed Rita Lentz to the Beautification Commission.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to reappoint Rita Lentz to the Beautification Commission.
MOTION CARRIED UNANIMOUSLY

10. Reports of City Manager.

City Manager Stephen Truman had the following to report:

a. The Roseville Recreation Center will host "Family Night at the Movies" on September 15, from 6-9 p.m.
b. The Library will hold "Story Time" for preschoolers and toddlers beginning the week of September 17.
c. The Roseville Police Department received a Safe Schools Grant in the amount $239,000. This grant will be utilized by the Roseville Schools for purchase of security equipment, cameras, security lock systems and training.
d. Mr. Truman provided Council with an Engineering report to update them on various projects in process within the City.

11. Reports of City Attorney.

City Attorney Tim Tomlinson had nothing to report.

V. HEARING OF THE PUBLIC

Jonathan Raiss, 29325 Galloway, thanked the Fire and Police Departments for their bravery and thanked City Manager Stephen Truman for his assistance.

Charles Frontera, 26240 Blumfield, addressed comments made at the last Council meeting regarding the Roseville Community Schools and the City millage increase last November.

Jonathan Coward, 15338 Petrie, discussed traffic problems in his neighborhood.

Terry Mergenthaler, 25801 Wiseman, stated that campaigning is occurring during the Public Hearing at Council meetings and discussed the Roseville School millage increase.

James Goldwater, 19346 Brandt, stated he was opposed to the Roseville School millage, discussed a few issues about the Roseville Schools and commented on Councilmembers missing meetings.

Irene Kepler, 15864 White Oak, Fraser, stated she took care of the debt she owed to Macomb County and invited everyone to the Roseville Jimmy Johns grand opening on September 22 from 11 a.m. to 3 p.m.

VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilman Robert Taylor offered his condolences to the Curtis family and congratulated the Roseville Honor Guard and the Roseville Fire Department for all of their services to the community.

Councilman Salvatore Aiuto thanked the Roseville Honor Guard and the firefighters. Councilman Aiuto reminded everyone to bring a blanket to the Family Movie Night,

announced the Holy Innocents Holy Hoe Down and wished Gina Aiuto and Councilman John Chirkun a happy birthday.

Councilwoman Jan Haggerty offered her condolences to the family of Norm Curtis, congratulated Yvette Krellwitz on the birth of her daughter and announced the VFW Neil Reid Post is hosting a "Meat & Miscellaneous" raffle on Saturday, September 29.

Councilman John Chirkun offered his condolences to the family of Norm Curtis, stated he is happy to see Charles Frontera and Terry Mergenthaler at the Council meetings and addressed a statement made during the Public Hearing.

Councilman Richard Steenland offered his condolences to the family of Norm Curtis, and stated he is very proud of his father.

Mayor Harold Haugh stated he is happy to be back this evening and thanked Mayor Pro Tem Steenland for chairing the meeting in his absence. Mayor Haugh thanked the firefighters and the police department and wished Councilman Chirkun a happy birthday.

VII. ADJOURNMENT

COUNCILMAN RICHARD STEENLAND moved, COUNCILWOMAN JAN HAGGERTY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 8:01 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
RAE A. OLDAUGH
City Clerk

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