REGULAR MEETING
ROSEVILLE CITY COUNCIL

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

TUESDAY, JULY 24, 2007

7 p.m.

ROLL CALL

PRESENT:

Mayor	Harold Haugh
Councilpersons	Salvatore Aiuto John Chirkun Jan Haggerty Bill Shoemaker Richard Steenland Robert Taylor

ABSENT: None

OTHERS PRESENT:

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

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

PRESENTATIONS AND PROCLAMATIONS

- Presentation of Proclamation honoring Elizabeth DeSantos on her 103rd Birthday.

  Mayor Harold Haugh presented Roger Windemuth with a Proclamation honoring Elizabeth DeSantos on her 103rd Birthday.

I. ROUTINE MATTERS

1. Approval of minutes of Regular Meeting held July 10, 2007.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN ROBERT TAYLOR seconded to approve minutes of the Regular Meeting held July 10, 2007.
MOTION CARRIED UNANIMOUSLY

2. Approval of minutes of special Meeting held July 17, 2007.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN SALVATORE AIUTO seconded to approve minutes of the Special Meeting held July 17, 2007.
MOTION CARRIED UNANIMOUSLY

3. Approval of Disbursement List.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN BILL SHOEMAKER seconded to approve Disbursement List #2, voucher numbers 46393 through 46661.
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 to block Garfield between Martin and Meier on Saturday, July 28 from 9 a.m. until 11 p.m. (with rain date of July 29 from 12 noon - 10 p.m.) to conduct a Block Party, Annette Weiler, petitioner.

   Petitioner Annette Weiler, 19606 Martin, appeared and explained this request to Council.

   COUNCILMAN RICHARD STEENLAND moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the request to block Garfield between Martin and Meijer on Saturday, July 28 from 9 a.m. until 11 p.m. (with rain date of July 29 from 12 noon - 10 p.m.) to conduct a Block Party.
   MOTION CARRIED UNANIMOUSLY

2. Request to block Blossom between Roycroft and Everly on Saturday, August 11, from 3 p.m. until 11 p.m. to conduct a Block Party, Nanette Lutz, petitioner.

   Petitioner Nanette Lutz, 30233 Blossom, appeared to explain this request to Council.

COUNCILMAN SALVATORE AIUTO moved, COUNCILMAN ROBERT TAYLOR seconded to approve the request to block Blossom between Roycroft and Everly on Saturday, August 11, from 3 p.m. until 11 p.m. to conduct a Block Party, Nanette Lutz, petitioner.
MOTION CARRIED UNANIMOUSLY

3. Request from Sacred Heart Church to conduct their annual Summer Festival on the parish grounds July 27-29 with waiver of fees; also, that parking be permitted during festival hours on Martin Road between Gratiot and Jahns Drive on the north side, and between Gratiot and Brinker on the south side; and that both lanes of Utica Road be closed between the driveways of the Credit Union, allowing access to the facility during regular business hours, Mark Sulewski, petitioner.

Petitioner Mark Sulewski, 20651 Tullio, Clinton Twp, appeared and explained to Council that this is an annual request from Sacred Heart Church.

COUNCILMAN RICHARD STEENLAND moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the request from Sacred Heart Church to conduct their annual Summer Festival on the parish grounds July 27-29 with waiver of fees; also that parking be permitted during festival hours on Martin Road between Gratiot and Jahns Drive on the north side, and between Gratiot and Brinker on the south side; and both lanes of Utica Road be closed between the driveways of the Credit Union, allowing access to the facility during regular business hours, Mark Sulewski, petitioner.
MOTION CARRIED UNANIMOUSLY

4. Request from St. Athanasius Parish to conduct their annual Family Fun Fest on the church grounds September 7 through 9 with waiver of fees, John Surhigh, petitioner.

Petitioner John Surhigh, 20131 Voiland, appeared and explained to Council that this is an annual request from St. Athanasius Parish.

COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the request from St. Athanasius Parish to conduct their annual Family Fun Fest on the Church Grounds September 7 through 9 with waiver of fees.
MOTION CARRIED UNANIMOUSLY

5. Request from Cornerstone Baptist Church to conduct a Labor Day Fun Run in the City streets on Monday, September 3, starting at 9 a.m., Jim Alvaro, petitioner.

Petitioner Jim Alvaro, 23550 Dean Hurst, Clinton Twp, appeared with Joe Kopchek, 11248 River Drive, Warren, to explain this request to Council.

Councilmen Robert Taylor and Salvatore Aiuto asked the petitioners a few questions regarding this request.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN ROBERT TAYLOR seconded to approve the request from Cornerstone Baptist Church to conduct a Labor Day Fun Run in the City streets on Monday, September 3, starting at 9 a.m.
MOTION CARRIED UNANIMOUSLY

6. Council consideration for request of issuance of massage therapist license, Denise Sand, petitioner.

Petitioner Denise Sand, 22543 Schroeder, Eastpointe, appeared to answer questions for Council on this request. Ms. Sand will be employed by Natural Health located at 25869 Kelly.

Councilman Richard Steenland asked City Attorney Tim Tomlinson if Council approves this request will the petitioner be limited to working at the mentioned location only; Mr. Tomlinson replied that both the location where the therapist is working and the therapist have to be licensed.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to approve the request of issuance of massage therapist license to Denise Sand.
MOTION CARRIED UNANIMOUSLY

7. Council consideration for request of issuance of massage therapist license, Michael Burgess, petitioner.

Petitioner Michael Burgess, 2177 Cunningham, Warren, appeared to answer questions for Council. Mr. Burgess will be employed by Natural Health located at 25869 Kelly.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to approve the request for issuance of massage therapist license to Michael Burgess.
MOTION CARRIED UNANIMOUSLY

8. Request adoption of Resolution and Abatement of Public Nuisance, parcel #14-16-156-035, commonly known as 28075 Ginley, Kazimer Grabowski, owner of record.

City Attorney Tim Tomlinson explained this request to Council; this house has been vacant since 2004 and is not maintained.

Councilman Richard Steenland asked Mr. Tomlinson why it took so long for the City to act on this nuisance. Mr. Tomlinson stated that is an issue the Building Department would have to address; Mr. Tomlinson felt that some areas of the house may have been able to be rehabilitated and that the City may have recently received a complaint about this property.

Councilman Steenland asked Mr. Tomlinson if this request may be expedited due to the length of time the property has been an issue; Mr. Tomlinson stated that the owner of record has the statutory and court rule time to answer any type of complaint filed on this property and the City cannot establish that this property is an immediate public danger.

Councilwoman Jan Haggerty asked Mr. Tomlinson if there has been any communication from the property owner; Mr. Tomlinson stated that that is his understanding and briefly explained the history of issues at this property.

Councilman Salvatore Aiuto commented on the dilapidated state of the property.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN SALVATORE AIUTO seconded to adopt the Resolution and Abatement of Public Nuisance, parcel #14-16-156-035, commonly known as 28075 Ginley as follows:

WHEREAS, the Building Director for the City of Roseville, Mr. Glenn Sexton, has determined that the property at the following location:

Lots 119 and 120, Schram & Ginley Subdivision, according to the plat thereof as recorded in liber 7, page(s) 31 of Plats, Macomb County Records.

PP# 14-16-156-035

more commonly known as 28075 Ginley, Roseville, Michigan has become and does present an immediate and continuous danger and hazard to the health, safety and welfare of the residents,

of the City of Roseville, for the following described reasons: the home has been "red tagged" since October of 2004; there is junk and debris and an unlicensed, inoperable vehicle on the property; there is grass and weeds in excess of two feet tall; and the property in its present condition poses a threat to the health, safety and welfare of the general public, and

WHEREAS, the Building Director has notified the owner, Kazimer Grabowski, of the above described property of the condition of the property and has demanded that same be corrected; and

WHEREAS, the owner has failed, refused and neglected to correct said violations and comply with building and health ordinances of the City of Roseville; and

WHEREAS, the existence of the above described property in its present condition is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and must be abated and removed;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the property at the afore described location for the afore described reasons is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and said violations and dangerous conditions must be abated and removed.

2. That the afore described property be and is hereby declared a public nuisance, and it is hereby ordered that all code violations and dangerous conditions existing on said property be abated and removed.

3. That the Attorney for the City of Roseville and the Building Director for the City of Roseville are hereby authorized to commence all necessary actions to clean up the property pursuant to Section 203-9 of the Code for the City of Roseville, and abate said public nuisances; that all costs incurred by the City of Roseville to abate said nuisances, plus interest at seven (7%) percent per annum, shall become a lien for the benefit of the City of Roseville on all or part of the real property where the violations are located, and such liens shall be of the same character and effect as created by the Roseville City Charter for taxes.

MOTION CARRIED UNANIMOUSLY

9. Request adoption of Resolution and Abatement of Public Nuisance, parcel number 14-08-378-002, commonly known as 17512 Eastland, EMC Mortgage Group, owner of record.

City Attorney Tim Tomlinson explained this request to Council; this property was damaged by a fire in January 2006 and has not been rehabilitated.

Mayor Harold Haugh asked Mr. Tomlinson if this matter may be expedited; Mr. Tomlinson replied that the Building Official is unable to demonstrate that this is an immediate health, public safety, welfare issue as the hose is secure.

Bill Menard, of Reality Executives located at 50190 Schoenherr, Shelby Township, appeared and stated that this property is owned by Country Wide Home Loans. Mr. Nard stated that the intent of the mortgage company is to either rehab or demolish the house.

City Attorney Tim Tomlinson instructed Council that they may pass this resolution and he may hold off pending administration determining if any action has been taken by Country Wide to abate the nuisance.

Mayor Harold Haugh stated that the City may hold off on filing the law suit in Circuit Court on this issue until August 1.

COUNCILMAN RICHARD STEENLAND moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt the Resolution and Abatement of Public Nuisance, parcel number 14-08-378-002, commonly known as 17512 Eastland as follows:

WHEREAS, the Building Director for the City of Roseville, Mr. Glenn Sexton, has determined that the property at the following location:

Lot 70, NELSON PARK SUBDIVISION, according to the plat thereof as recorded in liber 30, page(s) 38 and 39 of Plats, Macomb County Records.

PP# 14-08-378-002

more commonly known as 17512 Eastland, Roseville, Michigan has become and does present an immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, for the following described reasons: the house was damaged by fire on January 18, 2006; no steps have been taken to repair or maintain the property; the grounds are overrun with tall grass and weeds; and the property in its present condition poses a threat to the health, safety and welfare of the general public, and

WHEREAS, the Building Director has notified the owner, EMC Mortgage Corp., of the above described property of the condition of the property and has demanded that same be corrected; and

WHEREAS, the owner has failed, refused and neglected to correct said violations and comply with building and health ordinances of the City of Roseville; and

WHEREAS, the existence of the above described property in its present condition is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and must be abated and removed;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the property at the afore described location for the afore described reasons is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and said violations and dangerous conditions must be abated and removed.

2. That the afore described property be and is hereby declared a public nuisance, and it is hereby ordered that all code violations and dangerous conditions existing on said property be abated and removed.

3. That the Attorney for the City of Roseville and the Building Director for the City of Roseville are hereby authorized to commence all necessary actions to clean up the property pursuant to Section 203-9 of the Code for the City of Roseville, and abate said public nuisances; that all costs incurred by the City of Roseville to abate said nuisances, plus interest at seven (7%) percent per annum, shall become a lien for the benefit of the City of Roseville on all or part of the real property where the violations are located, and such liens shall be of the same character and effect as created by the Roseville City Charter for taxes.

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. The Recycling Center at the DPW will be open on Saturday, August 4 from 9 a.m. to 11 a.m.
b. The Macomb County Community Services Agency will host two energy education seminars on August 9 from 6-8 p.m. at Greater New Hope Missionary Baptist Church in New Haven and August 14 from 6-8 p.m. at St. Mark Catholic Church in Warren.
c. The 13 Mile Road railroad tracks have been repaired; Mr. Truman thanked Councilman John Chirkun for his effort with this project.
d. Mr. Truman provided Council a report on Capital improvements within the City.
e. Mr. Truman updated Council on a Nuisance Abatement located at 29315 Little Mack.

12. Reports of City Attorney.

City Attorney Tim Tomlinson reported to Council that he is in the process of working through a series of Nuisance Abatements.

V. HEARING OF THE PUBLIC

Mike Clover, 16279 12 Mile, thanked Councilman John Chirkun for his effort to get the railroad tracks repaired, thanked City Manager Stephen Truman for posting the schedule of County Commission meetings on the City cable channel and discussed having other City boards and Commission meetings schedules posted on cable.

James Goldwater, 19346 Brandt, discussed the millage increase.

Terry Mergenthaler, 25801 Wiseman, discussed the Deferred Retirement Option Plan (DROP).

VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilman Robert Taylor wished Elizabeth DeSantos a 103rd Birthday, congratulated Sacred Heart Parish on their festival and congratulated Tony Lipinski and the Recreation Department for a job well done with the Handicapped Olympics. Councilman Taylor mentioned that Roseville has been awarded a grant from the State of Michigan to fund red light enforcement and said hello to his niece and nephew watching the meeting on television.

Councilman Salvatore Aiuto wished Elizabeth DeSantos a happy Birthday, congratulated the Roseville Handicapped Association on the success of their Olympics, announced the final concert in the park on Thursday, July 26 at Veterans Memorial park and commented on the Summer Day Camp held by Parks and Recreation. Councilman Aiuto offered his prayers to George Rollinger and wished Councilman Taylor a happy Birthday.

Councilman Bill Shoemaker congratulated all of the participants in the Roseville Handicapped Olympics, wished Elizabeth DeSantos a happy Birthday and announced various events happening at the Sacred Heart Church festival.

Councilwoman Jan Haggerty congratulated Mrs. DeSantos on her 103rd Birthday, commented on the Sacred Heart Church festival and announced a blood drive on August 6 from 1-7 p.m. at

St. Donald's Church. Councilwoman Haggerty wished happy Birthday to Councilman Taylor and sent a hello to her friend Jan Brown.

Councilman John Chirkun wished Mrs. DeSantos a happy Birthday, congratulated the Roseville Handicapped Association on the Handicapped Olympics, commented on the railroad track repairs and congratulated Police Chief Richard Heinz, the Police Department and the Fire Department for their hard work.

Councilman Richard Steenland wished Mrs. DeSantos a happy Birthday and commented on the Summer Day Camp at the Roseville Recreation Center.

Mayor Harold Haugh congratulated the Roseville Recreation Center and all of the volunteers who worked at the Handicapped Olympics, wished Sacred Heart and St. Athanasius good luck with their festivals and wished Mrs. DeSantos well. Mayor Haugh commented on statements made during the Public Hearing this evening.

VII. ADJOURNMENT

COUNCILMAN JOHN CHIRKUN moved, COUNCILMAN ROBERT TAYLOR seconded that the agenda having been acted upon; the meeting is hereby adjourned at 7:48 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.