# REGULAR MEETING
# ROSEVILLE CITY COUNCIL

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

## TUESDAY, NOVEMBER 14, 2006

7 p.m.

ROLL CALL

PRESENT:

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

ABSENT:

OTHERS PRESENT:

| | |
|---|---|
| City Manager | Stephen Truman |
| City Clerk | Rae Oldaugh |
| City Attorney | Tim Tomlinson |
| City Controller/ Assistant City Manager | Peter Provenzano |

Mayor Harold Haugh called the meeting to order at 7 p.m.

A moment of silence was observed in honor of Veterans Day.

**PRESENTATIONS & PROCLAMATIONS**

a. Presentation of twenty-five year service award to Carl Koehler, D.P.W.

Mayor Harold Haugh presented Carl Koehler with a twenty-five year service award.

Mr. Koehler thanked the residents of Roseville for passing the millage and made a few remarks regarding the steps being taken to conserve the City's budget and spoke about his employment with the City.

b. Presentation of Proclamation to the Roseville Public Library proclaiming November 13-19 as National Children's Book Week.

Mayor Harold Haugh presented the Library employees in attendance with a Proclamation proclaiming November 13-19 as National Children's Book Week.

c. Presentation of 2006 Phoenix Awards

Mayor Harold Haugh and the Beautification Commission presented the Golden Phoenix Awards to the following recipients in attendance this evening:

| | |
|---|---|
| RCO | 29200 CALAHAN |
| ATLAS TOOL | 29880 GROESBECK |
| NATIONAL CONEY ISLAND | 27947 GROESBECK |
| WHITE CASTLE | 26900 GRATIOT |
| KAUL FUNERAL HOME | 27830 GRATIOT |
| SACRED HEART CHURCH | 18430 UTICA RD |
| MACOMB MANOR APARTMENTS | 19700 MASONIC |

The following businesses did not attend this evening but were awarded the Golden Phoenix Awards by the Beautification Commission.

| | |
|---|---|
| ALKAR STEEL | 29685 CALAHAN |
| FERLITO CONSTRUCTION | 27087 GRATIOT |
| SANDHURST APARTMENTS | 30582 SANDHURST ST. |

Beautification Commissioner Joann DiCiuccio explained to Council that the Golden Phoenix Award is awarded to businesses who have received at least three Phoenix Awards in the past.

**I. ROUTINE MATTERS**

1. Approval of minutes of Regular Meeting held October 24, 2006.

COUNCILMAN SALVATORE AIUTO moved COUNCILMAN ROBERT TAYLOR seconded to approve minutes of Regular Meeting held October 24, 2006.
**MOTION CARRIED**

Councilwoman Jan Haggerty
**ABSTAIN**

2. Approval of Disbursement List.

COUNCILMAN BILL SHOEMAKER moved, COUNCILMAN ROBERT TAYLOR seconded to approve Disbursement List #9, voucher numbers 41073 through 41484.
**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 adoption of Resolution and Abatement of Public Nuisance, parcel number 14-07-126-006, commonly known as 15748 13 Mile Road, Nader and Maria Odeh, owners of record.

City Manager Stephen Truman explained this request to Council.

Property owner Nader Odeh made a few statements to the Council.

City Attorney Tim Tomlinson explained the process of Public Nuisance Abatement to Council. Mr. Truman recommended the Resolution be adopted.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to adopt the Resolution and Abatement of Public Nuisance as follows:

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

Lot 5, Venetian Village Grove Subdivision, according to the plat thereof as recorded in liber 41, page(s) 35 through 38, both inclusive of Plats, Macomb County Records.

PP# 14-07-126-006

more commonly known as 15748 Thirteen Mile Road, 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 is vacant; the yard is overrun with tall grass and weeds; the windows have been broken and the interior has been damaged by vandals; there have been numerous police reports of homeless people and/or kids going in and out of the house; 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 owners, Nader A. Odeh and Maria R. Odeh, husband and wife, of the above described property of the condition of the property and has demanded that same be corrected; and

WHEREAS, the owners have 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**

2. Request adoption of Resolution and Abatement of Public Nuisance, parcel number 14-19-133-011, commonly known as 26500 Belanger, Ronald O'Dell, owner of record.

City Manager Stephen Truman explained this request to Council.

The property owner failed to appear.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to adopt the Resolution and Abatement of Public Nuisance as follows:

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

Commencing at north 1/4 post section 19; town 1 north, range 13 east, thence north 87 degrees 30 minutes west 680.4 feet; thence south 02 degrees 08 minutes west 1270.85 feet to the point of beginning; thence south 02 degrees 08 minutes west 45 degrees; thence north 87 degrees 16 minutes west 135 feet; thence north 02 degrees 08 minutes east 45 feet; thence south 87 degrees 16 minutes east 135 feet to the point of beginning, being vacated Lot 31 of McDougall Land Co's Subdivision.

PP# 14-19-133-011

more commonly known as 26500 Belanger Street, 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 as not approved for occupancy; the exterior and interior of the property is overrun with junk and debris; the interior has been damaged by leaking and is unliveable in its current condition; 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 owners, Ronald M. O'Dell and M. Diane O'Dell, husband and wife, of the above described property of the condition of the property and has demanded that same be corrected; and

WHEREAS, the owners have 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**

3. Request adoption of Ordinance to amend the City of Roseville Code of Ordinances, Chapter 142, Section 142-1 (A) to specifically reference adoption of appendixes to the International Fire Code 2003 Edition, and amending any amendments in the future to provide for repealer, severability and effective date.

City Manager Stephen Truman explained this request to Council.

COUNCILMAN JOHN CHIRKUN moved, COUNCILWOMAN JAN HAGGERTY seconded to adopt Ordinance No. 1206 to amend the City of Roseville Code of Ordinances, Chapter 142, Section 142-1 (A) to specifically reference adoption of

appendixes to the International Fire Code, 2003 Edition, and amending any amendments in the future, to provide for repealer, severability and effective date as follows:

**CITY OF ROSEVILLE**
**MACOMB COUNTY, MICHIGAN**

**ORDINANCE NO. 1206**

AN ORDINANCE TO AMEND THE CITY OF ROSEVILLE CODE OF ORDINANCE, CHAPTER 142, §142-1(A) TO SPECIFICALLY REFERENCE ADOPTION OF APPENDIXES TO THE INTERNATIONAL FIRE CODE, 2003 EDITION , AND AMENDING ANY AMENDMENTS IN THE FUTURE, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

THE CITY OF ROSEVILLE ORDAINS:

**Section 1.** Chapter 142, §142-1(A) is hereby amended by inserting after "2003 Edition" and before "," the following "and all appendixes thereto."

**Section 2.** Repealer. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

**Section 3.** Severability. If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, being the intent of the City that this ordinance shall be fully severable.

**Section 4.** Effective date. Provisions of this Ordinance shall become effective twenty (20) days following adoption.

**MOTION CARRIED UNANIMOUSLY**

4. Request adoption of year-end budget adjustments as presented by the City Controller.

City Manager Stephen Truman explained to Council that this request is an annual request to comply with the Uniform Budgeting Act.

City Controller/ Assistant City Manager Peter Provenzano appeared to answer questions for Council.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to adopt the year-end budget adjustments as presented by the City Controller Peter Provenzano.

5. Request adoption of Resolution regarding approval of Budget Transfer in the amount of $1,150,000 from the Motor Vehicle Highway Major Fund to the Motor Vehicle Highway Local Fund.

City Manager Stephen Truman explained this request to Council.

City Controller/Assistant City Manager Peter Provenzano appeared to answer questions for Council.

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded to adopt the Resolution to approve Budget Transfer in the amount of $1,150,000 from the Motor Vehicle Highway major Fund to the Motor Vehicle Highway Local Fund as follows:

**WHEREAS,** the City of Roseville currently maintains our major streets in an adequate manner, those being:

| Street | Starting | Ending |
|---|---|---|
| Beaconsfield | 14 Mile Road | Masonic |
| Masonic | Kelly Road | East City Limit |
| Little Mack | Gratiot Avenue | 12 Mile Road |
| Calahan | 13 Mile Road | 12 Mile Road |
| Common Road | Hayes | Gratiot Avenue |
| Eastland | Utica Road | Beaconsfield Service |
| Beaconsfield | Gratiot Avenue | 12 Mile Road |
| Cole | Groesbeck | Martin Road |
| Groveland | 12 Mile Road | Frazho Road |
| Groveland | Curtis | Waterman |
| Maple | 12 Mile Road | I-696 |
| Pinehurst | 12 Mile Road | Longfellow |
| Biehl | Pinehurst | Utica Road |
| Allen | Maple | Gratiot Avenue |
| Melvin | Gratiot Avenue | Jahns |
| Jahns | Melvin | Martin |
| Martin | Hayes | I-94/East City Limit |
| Barkman | Martin Road | I-696 |
| Meier | Gratiot Avenue | Brinker |
| Brinker | Martin Road | Hazelwood |
| Collingwood | Hazelwood | I-696 |
| Sycamore | Gratiot Avenue | Spruce |
| Nagel | I-696 | Frazho Road |
| Blumfield | I-696 | Frazho Road |
| Mayfield | Groveland | Gratiot Avenue |
| Marquette | Pinehurst | Oak |
| Oak | I-696 | Marquette |
| Ronald | Marquette | Frazho Road |
| Frazho Road | Hayes | I-94/East City Limit |

**WHEREAS,** the City of Roseville is following an asset management process for its major and local street systems and wishes to fund the construction and engineering costs budgeted in this year for certain improvements to local streets, those projects being:

- Normal Street
- Maschmeyer Subdivision
- Routine maintenance, patching and joint sealing of local road system

**NOW THEREFORE,** the City Council of the City of Roseville approves the transfer of $1,150,000 from the Motor Vehicle Highway Major fund to the Motor Vehicle Highway Local Fund, said monies to be utilized for the stated improvements.

**MOTION CARRIED UNANIMOUSLY**

6. Request awarding of bid for Emergency Generator.

City Manager Stephen Truman explained this request to Council.

COUNCILMAN JOHN CHIRKUN moved COUNCILMAN BILL SHOEMAKER seconded to deny the request to award a bid for Emergency Generator
**MOTION CARRIED UNANIMOUSLY**

7. Appointments.

Mayor Harold Haugh reappointed Otto Wilhelm to the Planning Commission.

COUNCILMAN JOHN CHIRKUN moved, COUNCILMAN RICHARD STEENLAND seconded to reappoint Otto Wilhelm to the Planning Commission for a three-year term.
**MOTION CARRIED UNANIMOUSLY**

Mayor Harold Haugh appointed John Surhigh to fill the vacancy on the Planning Commission.

COUNCILMAN SALVATORE AIUTO moved, COUNCILWOMAN JAN HAGGERTY seconded to appoint John Surhigh to fill the vacancy on the Planning Commission.
**MOTION CARRIED UNANIMOUSLY**

8. Reports of City Manager

City Manager Stephen Truman had the following to report:

a. The Library will host the program "Decorating with More Flashy Cash" on Thursday, November 16 and "Read to Me Roscoe" on Saturday, November 18.
b. No Council Meeting will be held on Tuesday, November 21. The Zoning Board of Appeals will meet on Tuesday, November 21.
c. City Offices will be closed on Thursday, November 23, and Friday, November 24, in observance of Thanksgiving.
d. The Library will be closed on Saturday, November 25.
e. Lake Port Medical has moved into Roseville from Warren; the business is located at 27733 Groesbeck.

9. Reports of City Attorney

City Attorney Tim Tomlinson had nothing to report.

## V. HEARING OF THE PUBLIC

Rob DeBruyn, President of Local 520, 29411 Calahan, congratulated the voters for making a decision on the millage. Mr. DeBruyn thanked all of the City employees and Council for their support of the millage and congratulated Carl Koehler on his service award.

Mike Clover, 16279 12 Mile, thanked everyone for voting on November 7, spoke regarding the attendance of Council meetings, and the Roseville Goodfellows need volunteers for their annual paper sale.

Debra Lynn Teeny announced that a benefit dinner for Stephanie Showell will take place on December 7 at Gourmet Manor from 4-6 p.m. and 7-8 p.m.

Ron Blaze, 18860 Victor & 27521 Tighe, spoke in opposition to the millage increase.

James Goldwater, 19346 Brandt, spoke regarding the millage election and the information distributed by the City regarding the millage election.

Frank Maisano, 26740 Barbara, commended the Council and City administration on a good job getting information out to the residents regarding the millage increase.

Terry Mergenthaler, 25801 Wiseman, spoke regarding the millage election, election workers, and revenue sharing.

Teresa Huck, 29777 Gratiot, Secretary of Roseville Clerical Alliance, thanked the voters for keeping city services.

Janet Gerebics, Deputy City Clerk, thanked the citizens of Roseville, the volunteers on the City of Roseville Millage Ballot Question Committee for their work to get the millage passed, the election workers who worked November 7, and the residents for their patience on Election Day. Mrs. Gerebics addressed comments made this evening regarding the Clerk's Office.

Tim Hoste, 15435 Chestnut, spoke regarding negative comments made at Council meetings and published in newspapers.

Edward Stross, 28305 Gratiot, spoke regarding the millage increase.

## VI. ITEMS FOR DISCUSSION BY CITY COUNCIL

Councilman Robert Taylor commented on the Roseville Big Bird Run and mentioned that Mount Clemens will host a "Santa Parade" in which the Roseville High School Marching Band will participate. Mr. Taylor commented on the millage election and wished everyone a happy Thanksgiving.

Councilman Salvatore Aiuto thanked the citizens of Roseville for participating in the election and Tim Hoste for his involvement in the City. Mr. Aiuto wished everyone a happy Thanksgiving and wished his wife a happy anniversary.

Councilman Bill Shoemaker thanked everyone who participated in the Big Bird Run congratulated Otto Wilhelm and John Surhigh on their appointments this evening and Carl Koehler on his service award. Mr. Shoemaker stated that the Roseville Goodfellows need volunteers for their paper drive, commented on the millage, and wished everyone a happy Thanksgiving.

Councilwoman Jan Haggerty wished Molly Stone a happy 100th birthday and congratulated Carl Koehler for his service award, the Roseville Library for the services they provide to the City and the Phoenix Award recipients this evening. Mrs. Haggerty thanked the Council and everyone who worked to get information out about the millage, thanked the voters for participating in the election, commented on the millage and wished everyone a happy Thanksgiving.

Councilman John Chirkun offered his condolences to the family of Danielle Milobar, congratulated Carl Koehler on his service award and thanked the citizens of Roseville,

City employees and administration for working to move Roseville forward. Mr. Chirkun congratulated the Phoenix Award recipients, the Beautification Commission and wished everyone a happy Thanksgiving.

Councilman Richard Steenland commented on the millage vote, thanked all of the citizens who came out to vote and the volunteers who worked hard to get information to the citizens about the millage. Mr. Steenland complimented Parks and Recreation on another successful Big Bird Run and wished everyone a happy Thanksgiving.

Mayor Harold Haugh congratulated all of the participants in the Big Bird Run and Carl Koehler on his service award. Mr. Haugh discussed an event where he delivered a speech on appreciation of our Veterans and mentioned presenting a proclamation to Molly Stone on the occasion of her 100th birthday. Mayor Haugh thanked all of the individuals who worked to get the millage passed, commented on comments made about the millage election and wished everyone a happy Thanksgiving.

## VII. ADJOURNMENT

COUNCILMAN RICHARD STEENLAND moved, COUNCILMAN JOHN CHIRKUN seconded that the agenda having been acted upon, the meeting is hereby adjourned at 8:30 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.