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**CITY OF ROSEVILLE  
MACOMB COUNTY, MICHIGAN**

**RESOLUTION ON ABATEMENT OF PUBLIC NUISANCE**

At a Regular Meeting of the City Council of the City of Roseville, held in the council chambers, 29777 Gratiot Avenue, Roseville, Michigan on the 9<sup>th</sup> day of June, 2015, commencing at 7:00 p.m.

PRESENT: MEMBERS \_\_\_\_\_

ABSENT: MEMBERS \_\_\_\_\_

**THE FOLLOWING MOTION WAS MADE:**

\_\_\_\_\_ moved, \_\_\_\_\_ seconded, to adopt the following resolution:

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

Lot 7, except the east 100 feet, Hulstyn Lolkus Subdivision, according to the plat thereof as recorded in Liber 8, Page 22 of Plats, Macomb County Records.

Tax Parcel No.: 14-08-178-007

more commonly known as: 30408 Utica, 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 property is vacant and has been “red tagged” by the Building Department since January 25, 2012; the house and garage are dilapidated; there is a hole in the roof of the house; there is siding missing; 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 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.

AYES: MEMBERS \_\_\_\_\_

NAYS: MEMBERS \_\_\_\_\_

ABSENT: MEMBERS \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED**

\_\_\_\_\_  
Robert Taylor, Mayor

\_\_\_\_\_  
Richard Steenland, City Clerk

STATE OF MICHIGAN     )  
                                  )ss.  
COUNTY OF MACOMB    )

I, Richard Steenland, the duly qualified and acting City Clerk of the City of Roseville, Macomb County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the City Council of the City of Roseville, Macomb County, Michigan on June \_\_\_\_\_, 2015, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance of the Open Meetings Act being Act 267 of the Michigan Public Acts of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

\_\_\_\_\_  
Richard Steenland, City Clerk

**YORK, DOLAN & TOMLINSON, P.C.**  
Attorneys and Counselors at law  
42850 Garfield, Suite 101  
Clinton Township, Michigan 48038  
586-263-5050  
Fax 586-263-4763

John A. Dolan (jdolan@yorkdolanlaw.com)  
Timothy D. Tomlinson (ttomlinson@yorkdolanlaw.com)

May 19, 2015

**Via Certified/Return Receipt Mail & First Class Mail**

Henry Krause Revocable Living Trust  
30408 Utica  
Roseville, MI 48066

RE: **Nuisance Abatement – 30408 Utica, Roseville, Michigan 48066**

Dear Sir/Madam:

We are the attorneys for the City of Roseville. You are the named owner of the above-described property. Please be advised that the Roseville City Council will consider adoption of a resolution commencing condemnation of this property on Tuesday, June 9, 2015 at 7:00 p.m. in the City Council chambers at City Hall. A copy of said proposed resolution enclosed herein.

If you have any questions regarding this matter, please feel free to contact me. We remain,

Very truly yours,

~~YORK, DOLAN & TOMLINSON, P.C.~~

Timothy D. Tomlinson  
Roseville City Attorney

/jabh  
Enclosure

cc: Scott Adkins, Roseville City Manager (Via Email w/Enclosure)  
Glenn Sexton, Roseville Building Director (Via Email w/Enclosure)



# City of Roseville

29777 GRATIOT, P.O. 290  
ROSEVILLE, MICHIGAN 48066

05/04/2015

Timothy Tomlinson  
York, Dolan & Tomlinson  
42850 Garfield, Suite 101  
Clinton Township MI 48038

Re: Condemnation - 30408 UTICA, Roseville MI 48066

Dear Mr. Tomlinson:

This department is requesting that you prepare a resolution for action by City Council at the soonest available City Council Meeting commencing the condemnation of the residential building at the above-mentioned location.

This property is vacant and has been red tagged by the Building Department since January 25, 2012. As evidenced on the attached photos, there is a hole in the roof, the deck is dilapidated, there is missing siding and the privacy fence is in disrepair. In its present condition it poses a threat to the health, safety and welfare of the general public and should be removed, as it is a public nuisance. City records indicate that the owner of record is:

7. The legal description is PP# 14-08-178-007.

Copies of our files are attached for your information. If you have any questions, please feel free to contact this department at 5864455450.

Sincerely,

Jim Osterhout  
Building Inspector

cc: Scott Adkins, City Manager  
Glenn Sexton, Building Director

Attachments

JO/tjh











30408 Utica Rd  
4-30-15  
Fr  
1:30pm





June 3, 2015  
FEDERAL EXPRESS  
(586) 445-5450

Glenn Sexton  
City of Roseville  
Zoning and Land Use  
Building Department  
29777 Gratiot Avenue  
Roseville, MI 48066

RE: Night Construction Request  
Costco Wholesale Retail Fueling Facility Diesel Addition  
27102 Gratiot Avenue, Roseville, Michigan 48066  
Costco Loc. No. 394 / Our Job No. 6320

Dear Glenn,

On behalf of our client Costco Wholesale (Costco), Barghausen Consulting Engineers, Inc. is submitting a Night Construction Request for the above-referenced project. We understand that approval is required for construction between the hours of 6 p.m. and 7 a.m. according to Chapter 203-3(8) of the City Code. With the nearest residence approximately 520 feet from the project area and separated from the site by the existing warehouse, we understand that public notification will not be required.

The project consists of the addition of two new dispensers to the existing Costco Gasoline facility, along with the installation of a 20,000-gallon diesel underground storage tank (UST) and a 1,500-gallon diesel additive tank. The project will install new piping and upgrade the existing dispensers and vapor recovery equipment. Please refer to the enclosed scope of work for more detail.

The approval of this request will allow Costco to keep the facility open during construction, and to limit the duration of construction to approximately 60 days. Although evening construction could temporarily exceed the existing ambient noise from the nearby roads and freeway, the contractor will make every effort to minimize this impact by scheduling louder construction activities for the daytime hours. Costco has experience throughout the country constructing fuel expansion projects with careful attention paid to minimizing nighttime impacts.

Thank you for your consideration of this request, and please contact me (425) 251-6222 if you have any questions or comments.

Respectfully,

Alexia Inigues  
Project Planner

MAI/MLW/kb [6320c.031.doc]

enc: As Noted

cc: Geir Mjelde, MulvannyG2 Architecture  
Victor Sung, MulvannyG2 Architecture  
Jay S. Grubb, Barghausen Consulting Engineers, Inc.  
Chris S. Ferko, Barghausen Consulting Engineers, Inc.  
Matt Cyr, Barghausen Consulting Engineers, Inc.  
Mary L. Weber, Barghausen Consulting Engineers, Inc.

## SCOPE OF WORK

*(For complete scope of work, please see plan set)*

### COSTCO GASOLINE

#### Existing Gas Station Expansion

27102 Gratiot Avenue, Roseville, Michigan 48066  
Costco Loc. No. 394 / Our Job No. 6320

- Install one (1) one 20,000-gallon diesel tank and one (1) 1,500-gallon diesel additive tank.
- Tanks are to be "Containment Solutions" double-wall fiberglass tanks.
- Install one (1) new F.E. PETRO IST 2HP variable speed turbine with pressure line leak detector at the new diesel tank.
- Install one (1) F.E. PETRO 3/4HP standard turbine with mechanical line leak detector at the diesel additive tank.
- Remove the existing 1-1/2-inch Environ gasoline piping and replace with new 1-1/2-inch "OPW Flexworks" flexible double-wall gasoline product lines routed inside existing and new 4-inch "Access Pipe" extending to all dispensers.
- Install 2-inch "OPW Flexworks" flexible double-wall diesel product lines routed inside 4-inch "Access Pipe" from new diesel tank to new 2+1 Dispensers.
- Install two (2) 3-inch over 2-inch double-wall fiberglass (N.O.V. Red Thread) vent lines and vent risers to the existing vent rack location.
- Install one (1) 3/4-inch "OPW Flexworks" flexible double-wall product line routed inside 4-inch "Access Pipe" extending from the diesel additive tank to the diesel tank.
- Expand the existing canopy, and remove six (6) existing Gilbarco Encore 300 dispensers including hoses, nozzles, and breakaway valves. Install two (2) Gilbarco Encore 700S series, single hose per side, two-product dispensers and six (6) Gilbarco Encore 700S series, dual hose per side, three-product dispensers as shown. Dispensers to be fitted with new non-Stage II hoses, nozzles, and breakaway valves.
- Existing 3-inch inside 4-inch and 2-inch inside 3-inch double wall FRP Stage II vapor recovery header for assisted vapor recovery system to be capped and abandoned in place.
- Install a new vapor processor unit mounted on new concrete pad at the existing gasoline vent stack.
- Install new 4HP turbine pump at 87 Unleaded Tank No. 2.
- Remove existing mechanical line leak detectors and install new Veeder-Root pressure line leak detectors (PLLDs).
- Break out concrete at gasoline tank turbines and replace the manhole covers with new composite manhole covers.

- Install a new 1-1/2-inch "OPW Flexworks" flexible double-wall product manifold line between Tank No. 1 and Tank No. 2.
- Existing "Veeder-Root" tank and line alarm control panel Model No. TLS-350 in the equipment enclosure building to remain. Contractor is to program the panel with additional sensors installed at new dispensers and for the additional line leak detector.



Councilperson moved, to adopt the following:

**TEMPORARY**  
**TRAFFIC CONTROL ORDER**  
**CITY OF ROSEVILLE**

**WHEREAS**, under the provisions of Section 340-19, Sub – Section 257.71 of Ordinance 895 of the Code of Ordinances of the City of Roseville, Michigan, as amended, the City of Roseville Police Department Traffic Bureau is authorized to place and maintain traffic control devices and traffic control signals on any public highway, street, alley or roadway under its jurisdiction, for the purpose of regulation, warning or guiding traffic; and

**WHEREAS,**

Is/are road(s) under the jurisdiction of the City of Roseville Police Department Traffic Bureau, and in the interest of public safety, it is deemed necessary to place and maintain certain control devices and/or signals on said road(s) to regulate, warn of guide traffic.

**NOW, THEREFORE, BE IT RESOLVED THAT**, due to an expected higher than usual flow of traffic and on street parking in and around Roseville Veteran Memorial Park as the result of Rose Fest. That in order to maintain an orderly flow of traffic and to ensure the passage of emergency vehicles, certain traffic restrictions must be put in place. The following temporary traffic control measures shall be in effect, Saturday June 20, 2015 from 9:00 am to 11:00 pm

**NOTE:**

**Fountain Street:** Limited to one way traffic only northbound from 11 Mile to Martin Road

**Fountain Street:** No Parking on the west side of Fountain Street from 11 Mile Road to Martin Road

**Blum Street:** Limited to one way traffic only southbound from Martin Road to 11 Mile Road

**Blum Street:** No Parking on the east side of Blum Street from Martin Road to 11 Mile Road

**Chestnut Street:** Closed to all vehicular traffic from Groveland Street to Academy Street

**Barkman Street:** Closed to all vehicular traffic\*\*\* mid-block from in front of the Junior High to Superior Street. (\*\*Home owners, Vendor Permit holders and handicap permit holders will be granted access to their home and Memorial Park Parking)

**Academy Street:** Limited to one way traffic only northbound from 11 Mile Road to Chestnut Street

**Academy Street:** No parking on west side of Academy Street from 11 Mile Road to Chestnut Street

**Grandmont Street:** Limited to one way traffic southbound from Chestnut Street to 11 Mile Road

**Grandmont Street:** No parking on the east side of Grandmont Street from Chestnut to 11 Mile Road

**Woodmont Street:** Limited to one way traffic northbound only from to 11 Mile Road to Martin Road

**Woodmont Street:** No Parking on the east side of Woodmont Street from Chestnut Street to 11 Mile Road

**Superior Street:** Closed to all but permitted vehicular traffic

**BE IT FURTHER RESOLVED THAT**, temporary signage shall be erected to give notice of the regulation hereinbefore established; and

**BE IT FURTHER RESOLVED THAT**, a certified copy hereof be filed with the City Clerk of the City of Roseville, Michigan

Motion supported by Councilperson \_\_\_\_\_ and carried by the following vote:

Ayes, Councilperson,

Nays, Councilperson,

**Certification**

I, Richard M. Steenland, City Clerk of the City of Roseville, Michigan, do hereby certify that the foregoing is a true and complete copy of an excerpt from the minutes of a meeting of the City of Roseville Council, held on June 9, 2015, A.D, as appears on record in the office of said Clerk; that I have compared it with the original and it is true transcript therefrom.

In testimony whereof, I have hereunto set my hand at Roseville, Michigan, this    day of        A.D.

\_\_\_\_\_  
*Richard M. Steenland, Roseville City Clerk*