

THE TWENTIETH REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, DECEMBER 1, 2014 BY MAYOR O'DWYER

PRESENT: Steve Baker Eileen Steadman
Jack Blanchard Daniel Terbrack
Tina Edgar Phil O'Dwyer
Alan Kideckel

APPROVAL OF AGENDA

Councilmember Baker moved to approve the Agenda.

Seconded by Councilmember Kideckel.

Ayes: Blanchard, Edgar, Kideckel, Steadman, Terbrack, Baker, and O'Dwyer

Nays: None

Motion Approved.

INVOCATION Reverend Tal Sullivan

CITIZENS COMMENTS

Berkley resident Gary Polk shared some information from the training he attended with the Gift for Life Michigan program that includes: everyday twenty eight people die in Michigan who are awaiting organ donation, there are no age limits to become a donor, and you can affect up to fifty lives with a donation. He encouraged everyone to consider becoming an organ donor and apply online at www.giftoflifemichigan.org or at the State of Michigan website.

Public Safety Director Richard Eshman gave some background information about Sergeant Jordan Kobernick that includes the following:

- 1) In 2008, Jordan was appointed Public Safety Officer with previous job experiences as a Corrections Officer with the Oakland County Sheriff's Department and a Project Manager in the Construction and Housing Industry.
- 2) From 2005 to 2008, Jordan was a Volunteer Police Reservist and he obtained an Associate's Degree in Criminal Justice from School Craft College.
- 3) He is currently a member of the Oakland County Hazmat Team, a Firearms Instructor, and Field Training Officer.
- 4) He displays absolute integrity, commitment to his job, and excellent people skills.

City Clerk Annette Boucher administered the Oath of Office to Public Safety Sergeant Jordan Kobernick.

Sergeant Jordan Kobernick thanked his family, the Public Safety Department, City Council, and the City Manager for being outstanding mentors. He looks forward to the next step of his career with the Berkley Public Safety Department.

Consent Agenda

Councilmember Kideckel moved to approve the following Consent Agenda, seconded by Councilmember Edgar:

APPROVAL OF MINUTES: Matter of approving the minutes of the regular 35th City Council meeting on Monday, November 17, 2014.

RESOLUTION NO. R-41-14: Matter of accepting a donation from the Berkley Dads' Club to the Berkley Parks and Recreation Department.

RESOLUTION NO. R-42-14: Matter of recognizing Roseland Park Cemetery for their contribution to the Berkley CruiseFest event.

Ayes: Edgar, Kideckel, Steadman, Terbrack, Baker, Blanchard, and O'Dwyer
Nays: None
Motion Approved.

Regular Agenda

RECOGNITIONS/PRESENTATIONS

Mayor Pro Tem Terbrack read Resolution No. R-41-14 into record.

President of the Berkley Dads' Club, Mike Kerby thanked everyone for the recognition and looks forward to future renovations for the Parks and Recreation Department.

Councilmember Kideckel read Resolution No. R-42-14 into record.

Superintendent of Roseland Park Cemetery, Larry Cross on behalf of his colleagues and coworkers thanked the City Council for the acknowledgement.

RESOLUTION NO. R-43-14: Matter of accepting the audited 2013/14 Comprehensive Annual Financial Report (CAFR).

Councilmember Baker moved to approve Resolution No. R-43-14.

Seconded by Councilmember Blanchard.

Ayes: Steadman, Terbrack, Baker, Blanchard, Edgar, Kideckel, and O'Dwyer

Nays: None

Motion Approved

City Manager Jane Bais-DiSessa updated the City Council of the following audit requirements:

- 1) Section 9.8 of the Berkley City Charter requires that an annual independent audit be made of all accounts of the City as required by State law.
- 2) Public Act 2 of 1968 as amended requires that the chief administrative officer of a Municipality of 4,000 or more people, file with the State of Michigan, an annual audited financial report with an independent audit opinion on said statements.
- 3) Public Act 2 of 1968 also requires that the Municipality disclose any material deviations by the local Municipality from generally accepted accounting practices or from applicable rules and regulations of any state department or agency.

Representatives from Plante Moran, Lisa C. Manetta and Beth A. Bialy gave a PowerPoint presentation and handout of the City of Berkley Presentation of Audit Result for the Fiscal year ended June 30, 2014.

City Manager Bais-DiSessa and Finance Director/Treasurer David Sabuda thanked Lisa C. Manetta, Beth A. Bialy, and Plante Moran auditors for all their hard work.

RESOLUTION NO. R-44-14: Matter of approving the amendment to the Intergovernmental CATV Agreement between the City of Berkley and ICCA.

Councilmember Edgar moved to approve Resolution No. R-44-14.

Seconded by Councilmember Kideckel.

Ayes: Kideckel, Steadman, Terbrack, Baker, Blanchard, Edgar, and O'Dwyer

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa updated the City Council to include information about Intergovernmental Cable Communications Authority (ICCA), membership fee, and cable franchise contracts.

City Attorney John Staran added to the report to the City Council changes to membership, negotiations, and subscribers/providers.

MOTION NO. M-80-14: Matter of authorizing Hubbell, Roth & Clark (HRC) to continue with professional services related to the Stormwater, Asset Management and Wastewater (SAW) Grant as administered by the State of Michigan.

Councilmember Blanchard moved to approve Motion No. M-80-14.

Seconded by Councilmember Steadman.

Ayes: Terbrack, Baker, Blanchard, Edgar, Kideckel, Steadman, and O'Dwyer

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa updated the City Council to include grant requirement and service agreement.

Executive Vice President of HRC, Thomas E. Biehl updated the City Council to include televising the cleaning of sewers, inspections of manholes, and developing GIS (geographic information system) database.

MOTION NO. M-81-14: Matter of authorizing the Mayor to execute a third party Specialized Services Operating Assistance contract between SMART and the City of Berkley for public transportation services primarily designed for senior citizens and persons who are handicapped. The contract period for this program is from October 1, 2014 to September 30, 2015, the City of Berkley will be awarded a total amount of \$22,880.00.

Councilmember Edgar moved to approve Motion No. M-81-14.

Seconded by Councilmember Kideckel.

Ayes: Baker, Blanchard, Edgar, Kideckel, Steadman, Terbrack, and O'Dwyer

Nays: None

Motion Approved.

Parks and Recreation Director Tom Colwell updated the City Council to include services provided, increase in participants, and program details.

MOTION NO. M-82-14: Matter of approving donation from the Beaumont Foundation of \$10,000.00 to the senior transportation program.

Councilmember Kideckel moved to approve Motion No. M-82-14.

Seconded by Councilmember Baker.

Ayes: Blanchard, Edgar, Kideckel, Steadman, Terbrack, Baker, and O'Dwyer

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa gave a brief summary to the City Council of the annual contribution and relationship with Beaumont Hospital.

MOTION NO. M-83-14: Matter of awarding a FY2014 contract for Senior Home Chore Snow Removal Service to Logan's Lawn Care. Total cost to be incurred is \$5,000.00 which will be paid from Account # 275-940-818-031.

Councilmember Steadman moved to approve Motion No. M-83-14.

Seconded by Mayor Pro Tem Terbrack.

Ayes: Edgar, Kideckel, Steadman, Terbrack, Baker, Blanchard, and O'Dwyer

Nays: None

Motion Approved.

Parks and Recreation Director Tom Colwell updated the City Council to include bid results, program details, and eligibility.

MOTION NO. M-84-14: Matter of reappointing Gerald L. Aben to serve on the Parks and Recreation Advisory Board, with a term expiring July, 2017.

Mayor Pro Tem Terbrack moved to approve Motion No. M-84-14.

Seconded by Councilmember Kideckel.

Ayes: Kideckel, Steadman, Terbrack, Baker, Blanchard, Edgar, and O'Dwyer

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa gave a brief background of Mr. Gerald L. Aben to the City Council.

Gerald L. Aben thanked City Council for the opportunity, he is proud to serve and give back to the community.

COMMUNICATIONS:

COUNCILMEMBER STEADMAN: encouraged everyone to visit the Amazon website at www.smileamazon.com to shop and donate to the Friends of the Library. She reminded everyone that the Beautification Committee will be reviewing all nominations for the Third Annual Holiday Spirit Award by Wednesday, December 10th. Nomination forms may be emailed to berkleybac@gmail.com and recognitions will be done at the Monday, December 15th City Council meeting.

COUNCILMEMBER BLANCHARD: invited everyone to attend the 10th Annual Berkley Holiday Lights Parade and Berkley Hometown Holidays on Saturday, December 6th. The events start with a vintage trolley ride at 1 p.m., petting zoo at 2 p.m., and parade at 5:30 p.m.

COUNCILMEMBER BAKER: announced that Business Insider has ranked the City of Berkley as one of the top 50 best suburbs in America, this can be found on www.msn.com. He reminded everyone that Safewise.com had ranked the City of Berkley as the 5th safest city in Michigan. Councilmember Baker read a quote by an American author, Helen Keller, "The best and most beautiful things in the world cannot be seen or even touched - they must be felt with the heart, wishing you happiness." He spoke about having gratitude and appreciation this holiday season. Councilmember Bakers looks forward to seeing everyone on Saturday, December 6th at the 10th Annual Berkley Holiday Lights Parade. He asked everyone to be safe, don't text and drive in this winter weather. Councilmember Baker wished everyone a safe and happy holiday.

MAYOR PRO TEM TERBRACK: reminded everyone of the following Parks and Recreation Programs: Jumparama Holiday Extravaganza on Saturday, December 6th from 2 p.m. to 5 p.m. at the Berkley Community Center, activities include pictures with Santa, craft station, bounce houses and Elmo, discounts are available if tickets are purchased by December 1st or half off of admission with a toy donation to Toys for Tots; Skate with Santa on Sunday, December 7th from 5 p.m. to 6 p.m. at the Berkley Ice Arena, donation of two or more can goods and skate for free; Senior Holiday Party on Thursday, December 11th from 12:30 p.m. to 2:30 p.m. at Farina's Banquet Center; and Candy Cane Lane on Saturday, December 13th from 10 a.m. to 4 p.m., this is a craft show at the Berkley Community Center. He hopes to see everyone at the 10th Annual Berkley Holiday Lights Parade on Saturday, December 6th at 5:30 p.m.

COUNCILMEMBER EDGAR: acknowledged the Public Safety Department and congratulated Public Safety Sergeant Jordan Kobernick on his promotion. She thanked Berkley Dads' Club and Roseland Park Cemetery for generosity to the City of Berkley. Councilmember Edgar expressed her appreciation to Plante Moran for their audit presentation showing financial responsibility and being proactive by addressing future concerns. She thanked SMART for providing a quality of life for Berkley seniors, Beaumont Foundation for their generous donation, and Parks and Recreation for the snow removal program. Councilmember Edgar looks forward to seeing everyone at the 10th Annual Berkley Holiday Lights Parade on Saturday, December 6th.

COUNCILMEMBER KIDECKEL: thanked Sue Thornton and the Parks and Recreation Department for hosting the Senior Thanksgiving Potluck Luncheon on Wednesday, November 19th at 12 noon. He attended a special service honoring six unclaimed veterans at the Sawyer-Fuller Funeral Home, 2125 Twelve Mile Road, Berkley on Saturday, November 22nd at 2 p.m. followed by a luncheon at the American Legion, 2079 Twelve Mile Road, Berkley. Councilmember Kideckel was present at the burial for the unclaimed veterans at the Great Lakes National Cemetery, 4200 Belford Road, Holly Township on Tuesday, November 25th at 1 p.m. He recognized

retired Berkley Public Safety Officer Mike Garnett, Berkley Chaplain Lieutenant Jim Smith, Public Safety Sergeant Corey Miller, Public Safety Officer Brian Laity, Berkley Public Safety Department Honor Guard, Public Safety Sergeant Justin Frost, Sawyer-Fuller Funeral Home staff, American Legion Post 374 Honor Guard, Berkley VFW Post 9222 Honor Guard, and Communications Coordinator Nancy Line. Councilmember Kideckel read the names of the following officers laid to rest: Lloyd Howard Brandymore, William James Finucan, Raymond John LaBarre, Milton Nathaniel Stewart, Oakie Edward Thaxton, and Edward Nicholas Walsh Jr. On a lighter note, he had the opportunity to speak at the Berkley High School to Mr. Leonard Waldman's Sociology Class discussing the Mayor-Council form of government. Councilmember Kideckel looks forward to the 10th Annual Berkely Holiday Lights Parade on Saturday, December 6th. He wished Mayor Pro Tem Dan Terbrack's father Roy Terbrack, a speedy recovery.

CITY MANAGER BAIS-DISESSA: reminded everyone to visit the city website at www.berkleymich.org for upcoming events. She encouraged everyone to email their nomination forms for the Third Annual Holiday Spirit Award to berkeleybac@gmail.com and with the deadline of Wednesday, December 10th. City Manager Bais-DiSessa recognized the Downtown Development Authority for coordinating the vintage trolley ride during the 10th Annual Berkley Holiday Lights Parade event. She acknowledged all the volunteers and encouraged others to get involved. City Manager Bais-DiSessa thanked the Chairperson of the Planning Commission, David Barnett and a member of the Parks and Recreation Advisory Committee, Josephine Brewer for their commitment to the City of Berkley.

FINANCE DIRECTOR SABUDA: advised everyone to visit city website at www.berkleymich.org to review the Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2014.

CITY ATTORNEY STARAN: had no comments this evening.

MAYOR O'DWYER: thanked Plante Moran staff and Administration for their involvement in the 2013/2014 audit. He spoke about the many challenges including roads in need of repair, infrastructure to be re-examined, and Information Technology in need of upgrades. Mayor O'Dwyer had the opportunity to speak at the Berkley Elementary School to the Second Grade Class discussing the responsibilities of the Mayor, City Council and how the government works.

ADJOURNMENT

Motion by Councilmember Kideckel to adjourn the regular meeting at 9:00 p.m.

Seconded by Councilmember Steadman.

Ayes: Steadman, Terbrack, Baker, Blanchard, Edgar, Kideckel, and O'Dwyer

Nays: None