

**THE FOURTH REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, FEBRUARY 3, 2014 BY MAYOR O'DWYER**

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

**ABSENT:** Jack Blanchard

**APPROVAL OF AGENDA**

Councilmember Kideckel moved to approve the Agenda  
Seconded by Councilmember Baker  
Ayes: Baker, Edgar, Kideckel, Steadman, Terbrack, and O'Dwyer  
Nays: None  
Absent: Blanchard  
Motion Approved.

**CITIZENS COMMENTS**

**CONSENT AGENDA**

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

**MINUTES:** Matter of approving the regular 35<sup>th</sup> City Council meeting minutes of January 6, 2014 and the Work Session of January 10, 2014.

**WARRANT:** Matter of approving Warrant No. 1274.

**PROCLAMATION NO. P-1-14:** Matter of approving a proclamation recognizing Alex Allie on the occasion of his retirement from the City of Huntington Woods.

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

***Regular Agenda***

**RECOGNITIONS/PRESENTATIONS**

Mayor Pro Tem Terbrack read Proclamation P-1-14 into the record.

**RESOLUTION NO. R-5-14:** Matter of authorizing the Mayor and City Manager to execute an agreement with the Berkley School District to collect and remit their July 2014 Property Tax Levy.

Motion by Mayor Pro Tem Terbrack to approve Resolution No. R-5-14  
Seconded by Councilmember Edgar  
Ayes: Edgar, Kideckel, Steadman, Terbrack, Baker, and O'Dwyer  
Nays: None  
Absent: Blanchard  
Motion Approved.

**MOTION NO. M-4-14:** Matter of approving appointments to the Parks and Recreation Advisory Committee.

Motion by Mayor Pro Tem Terbrack to approve Motion No. M-4-14  
Seconded by Councilmember Kideckel  
Ayes: Kideckel, Steadman, Terbrack, Baker, Edgar, and O'Dwyer

Nays: None  
Absent: Blanchard  
Motion Approved.

**MOTION NO. M-5-14:** Matter of approving and authorizing the City Manager to execute a Metro Act Permit for Fiber Technologies Network LLC, d/b/a Fibertech, to use the City of Berkley right-of-way to construct a fiber optic network extension to service its customers.

Motion by Councilmember Kideckel to approve Motion No. M-5-14

Seconded by Councilmember Baker

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

Nays: None

Absent: Blanchard

Motion Approved.

**CLOSED SESSION:** Matter of considering whether to meet in closed session to consider the purchase or lease of real property pursuant Section 8 of the Open Meetings Act.

Motion by Councilmember Kideckel to approve enter into Closed Session at 7:32 p.m.

Seconded by Councilmember Edgar

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

Nays: None

Absent: Blanchard

Motion Approved.

Motion by Mayor Pro Tem Terbrack to reconvene the Regular City Council meeting at 8:00 p.m.

Seconded by Councilmember Steadman

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

Nays: None

Absent: Blanchard

Motion Approved.

**MOTION NO. M-6-14:** Matter of considering the approval of a Purchase Agreement between City of Berkley, as Purchaser, and Berkley School District, as Seller, a parcel of real property located adjacent to Merchants Park, between Oxford and Cambridge Roads, west of Oakshire Ave.

Motion by Mayor Pro Tem Terbrack to approve Motion No. M-6-14

Seconded by Councilmember Kideckel

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

Nays: None

Absent: Blanchard

Motion Approved.

**MOTION NO. M-7-14:** Matter of approving a contract with Fuller Appraisal, L.L.C. for the appraisal of the Oxford Park property (parcel numbers 25-18-402-036 and 25-18-330-006) in an amount not to exceed \$6,000.

Motion by Councilmember Kideckel to approve Motion No. M-7-14

Seconded by Councilmember Edgar

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

Nays: None

Absent: Blanchard

Motion Approved.

### **COMMUNICATIONS:**

**COUNCILMEMBER BAKER** expressed his gratitude to the volunteers, employees, businesses and residents for their participation in the Winterfest. It is important to still be careful in this winter weather. Steven Covey shared with us, "the key is not to prioritize what's on your schedule, but to schedule your priorities." He stated that he offers this quote up because we are in scheduling our priorities as a city, and

entering the budget process for the next fiscal year. It is important for us to look at where we are headed and listen to opinions on where we are to go as a city. As we continue to work our way through the process, we cannot overstate the value of an increasing technology role. He is excited for the opportunities that are in front of us and looking forward to it. As a MML quick reminder, the Governor will be releasing his proposed budget on Wednesday, and it is important for us to pay attention and advocate for what is best for Berkley.

**MAYOR PRO TEM TERBRACK** acknowledged the extreme success of the Winterfest this past weekend, and he thanked staff and volunteers for their efforts. It truly is a great community event, with activities for all ages. The event certainly was a resounding success and he thanked everyone for their involvement.

**COUNCILMEMBER EDGAR** had no comments this evening.

**COUNCILMEMBER KIDECKEL** concurred with all of Mayor Pro Tem Terbrack's comments. He congratulated Cinda Coon for winning the chili/soup cook off. He noted that Firehouse Subs has opened and he encouraged the community to patronize of this business. He welcomed the new Recreation Board members and thanked Mr. Gaudet and Dale Goodcourage for their service to the board.

**CITY MANAGER BAISS-DESSA** encourage the audience to visit the City's website for a calendar of City events. She congratulated the Parks Department for all their great work and recognized the Public Safety Department. She noted that Mavoto Real Estate Research Group did a review of the three counties and out of the 102 cities with a population of over 10,000; the City of Berkley was one of the top 5 safest cities. She noted that an IT professional has been recently hired and he will be working on the mobile app. We are always striving to be faster, better, and more efficient. Public Works has been getting praised for their work on clearing the snow and we are doing our best to remove the snow from the roads. Please be patient in this very high volume of snow winter.

**FINANCE DIRECTOR SABUDA** had no comments this evening.

**COUNCILMEMBER STEADMAN:** stated that this past year, The Friends of the Library have given the library approximately \$11,000. This Saturday is the annual Friends Valentines Bake Sale from 10-2. Please visit the library's website for information on the many programs offered. Next Tuesday, Feb 11<sup>th</sup>, Dr. Roy E. Finkenbine of the University of Detroit Mercy will give a fascinating talk on Solomon Northrup, whose story inspired the book, *12 Years a Slave*.

**CITY ATTORNEY STARAN** returned to a recurring topic, the status of medical marijuana law. He gave a brief update and stated the Free Press reported on a couple of bills that are working their way through the State of Michigan. He noted that while it looked as if there was originally a lot of momentum behind the bills - which authorized additional types of products, and would allow dispensaries subject to local regulation - the bills are now in committee, and appears to be stalled at this time. It is hard to tell what may happen since the law continues to evolve.

**MAYOR O'DWYER** announced the City Councilmember assignments:

Mayor Pro Tem Terbrack - Parks and Recreation Advisory Board  
Councilmember Baker . Downtown Development Authority and Historical Commission  
Councilmember Edgar . Environmental Advisory Committee, Planning Commission, and Tree Board  
Councilmember Steadman - Library Board, Beautification Commission, and Communication Advisory Board  
Councilmember Kideckel . CruiseFest and Zoning Board of Appeals  
Councilmember Blanchard . Chamber of Commerce

He thanked the Council members for their time and efforts they spend on the committees. Related to this, we have a number of committees that could use some volunteers; CruiseFest is kicking into gear and we would like to encourage any residents interested in serving to contact City Hall.

He stated that Winterfest was a wonderful success; it was most enjoyable for every age. Public Works

has done an amazing job with record number of snow falls. They are doing the best they can to clear the roads, and taking every effort to minimize the inconvenience to residents. He stated that he is happy for the residents for the City of Berkley that additional park land has been secured for them, and is thankful for the School Board, Superintendent, and staff for working towards the betterment of the community.

**ADJOURNMENT**

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:31 p.m.

Seconded by Councilmember Steadman

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

Nays: None

Absent: Blanchard

Motion Approved.