

**THE NINETEENTH REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, NOVEMBER 17, 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 Kideckel moved to approve the Agenda.

Seconded by Councilmember Edgar.

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

Nays: None

Motion Approved.

**INVOCATION** Pastor Adam Groh

**CITIZENS COMMENTS**

Beautification Advisory Committee member Anela Mihaescu updated the City Council with information for the Third Annual Holiday Spirit Award. This program recognizes Berkley residential homes and businesses for their holiday decorations. Nomination forms may be emailed to [berkleybac@gmail.com](mailto:berkleybac@gmail.com) and the deadline for nominations is due by Wednesday, December 10<sup>th</sup> and recognitions will be done on Monday, December 15<sup>th</sup>.

Sons of the American Legion member Mike Garnett invited the City Council to attend a special service honoring six unclaimed veterans at the Sawyer-Fuller Funeral Home, 2125 Twelve Mile Road, Berkley on Saturday, November 22<sup>nd</sup> at 2 p.m. followed by a luncheon at the American Legion, 2079 Twelve Mile Road, Berkley. The ceremony will include speakers, the National Anthem, a 21-gun salute, The Metro Pipers, taps and a flag presentation. Honor Guards from Post 374, Berkley VFW Post 9222 and the Berkley Police will participate in the ceremony. The burial for the unclaimed veterans will be at the Great Lakes National Cemetery, 4200 Belford Road, Holly Township on Tuesday, November 25<sup>th</sup> at 1 p.m.

Marilyn Cichoracki, Berkley resident at 1881 Larkmoor Blvd, expressed her concerns regarding the August 11<sup>th</sup> flooding event, volunteers from United Way and volunteers from Americorps. She will be in contact with the City Manager's Office for further assistance.

Sally Schroeder, Berkley resident at 2312 Thomas and Val Bliss, Berkley resident at 2279 Cummings expressed their concerns regarding snow plow efforts by the Public Works Department.

Doug Deed, Berkley resident at 2053 Tyler and a member of the Beautification Advisory Committee thanked various Berkley businesses for their donations to the High School Garden Club. He recognized the Berkley School Board for their contributions of a wrought iron fence and artwork.

**CONSENT AGENDA**

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

**APPROVAL OF MINUTES:** Matter of approving the minutes of the regular 35<sup>th</sup> City Council meeting on Monday, October 20, 2014.

**APPROVAL OF THE WARRANT:** Matter of approving Warrant No. 1284.

**RESOLUTION NO. R-37-14:** Matter of accepting gifts from the Friends of the Berkley Public Library to the Berkley Public Library.

**RESOLUTION NO. R-38-14:** Matter of accepting a donation from A.J. Desmond & Sons to the Berkley Public Library.

**RESOLUTION NO. R-39-14:** Matter of accepting donated services from Four Seasons Garden Center to the Berkley Public Library.

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

### ***Regular Agenda***

### **RECOGNITIONS/PRESENTATIONS**

Councilmember Steadman read Resolution No. R-37-14 into the record.

Councilmember Baker read Resolution No. R-38-14 into the record.

Councilmember Edgar read Resolution No. R-39-14 into the record.

**MOTION NO. M-73-14:** Matter of authorizing the Berkley Lions Club to conduct a fundraiser on November 20<sup>th</sup>, 21<sup>st</sup> and 22<sup>nd</sup> at the intersection of 12 mile and Coolidge Hwy, from 9 a.m. to 5:30 p.m. During these three days, representatives of the Berkley Lions Club will wear reflective vests and collect money during daylight hours.

Councilmember Blanchard moved to approve Motion No. M-73-14.  
Seconded by Mayor Pro Tem Terbrack.

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

Councilmember Kideckel requested to abstain because he is an Officer of the Berkley Lions Club.

City Manager Jane Bais-DiSessa recommends approval of the motion and is available to answer any questions.

Mayor Pro Tem Terbrack gave clarification of the funds collected to benefit families over the holidays, free eye screening in the community, Leader Dogs for the Blind, and Beaumont Silent Children's Fund.

**MOTION NO. M-74-14:** Matter of approving the purchase of (7) new digital in car video/audio cameras and related server with L-3 Communications - Mobile Vision, Inc., at a total cost of \$45,583.65 which includes related equipment, installation and a (1) year warranty. The funds are available in the 2014/15 budget in account 101-310-982-000 – Equipment.

Councilmember Blanchard moved to approve Motion No. M-74-14.  
Seconded by Councilmember Baker.

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

Public Safety Director Richard Eshman gave the City Council a brief summary to include warranties, RFP requirements, and bid results.

Public Safety Sergeant Andrew Hadfield gave the City Council a brief summary to include the installation of equipment, training, and maintenance.

**MOTION NO. M-75-14:** Matter of receiving and filing the Berkley Public Library annual report for FY 2013-14.

Councilmember Steadman moved to approve Motion No. M-75-14.

Seconded by Councilmember Edgar.

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

Nays: None

Motion Approved.

Library Director Matthew Church gave the City Council a brief summary to include donations, programs, and attendees.

**MOTION NO. M-76-14:** Matter of approving the Odilo agreement form between the Berkley Public Library and The Library Network for downloadable library content.

Councilmember Edgar moved to approve Motion No. M-76-14.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

Library Director Matthew Church gave the City Council a brief summary to include downloadable growth, main stream authors, and cost.

**MOTION NO. M-77-14:** Matter of awarding the 2014-2015 DDA Holiday Lights Decorations Program to LeClerc Display Company, Inc. of Ann Arbor, Michigan in an amount not to exceed \$13,000.

Councilmember Steadman moved to approve Motion No. M-77-14.

Seconded by Councilmember Baker.

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

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa informed the City Council of the approval by the Downtown Development Authority (DDA) and explained the Purchasing Ordinance.

Public Works Director Derrick Schueller gave the City Council a brief summary to include RFP, references, and installation of decorations in late November.

**MOTION NO. M-78-14:** Matter of allowing the City Manager to purchase furniture from Discount Office Equipment, 1991 Coolidge Hwy, Berkley, for use in City Hall and Public Safety Department offices in an amount not to exceed \$14,689.00. Funding is from Public Safety account number 101-310-981-000 and City Hall account numbers 101-265-981-000 and 101-172-981-000.

Councilmember Blanchard moved to approve Motion No. M-78-14.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa gave the City Council a brief summary to include replacement of equipment, bids, and Court furniture purchase pending.

**RESOLUTION NO. R-40-14:** Matter of approving a resolution on electing to comply with the provision of Public Act 152 of 2011 by exercising the City's right to exempt itself from the requirements of the Act for Calendar Year 2014.

Councilmember Kideckel moved to approve Resolution No. R-40-14.

Seconded by Mayor Pro Tem Terbrack.

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

Nays: None

Motion Approved.

Finance Director/Treasurer David Sabuda gave the City Council a brief summary to include compliance with Public Act 152, opt out option, and negotiations for next fiscal year.

**MOTION NO. M-79-14:** Matter of approving the 2015 City Council Regular Meeting calendar.

Councilmember Baker moved to approve Motion No. M-79-14.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

City Clerk Annette Boucher gave the City Council a brief summary to include City Hall holiday schedule and upcoming elections.

#### **COMMUNICATIONS:**

**COUNCILMEMBER BAKER:** updated the City Council of the new CEO of the Southeast Michigan Regional Transit Authority Michael Ford. As of post-election, there has been transportation funding bills approved by the Senate and needing support from the House of Representatives. The Locally Preferred Alternative proposal has been submitted to the Regional Transit Authority (RTA). Councilmember Baker encouraged everyone to visit [www.woodwardanalysis.com](http://www.woodwardanalysis.com) for further information. He congratulated the City Clerk, the staff and volunteers for a successful election on Tuesday, November 4, 2014 General Election. Councilmember Baker concluded with a quote by Alexander Kjerulf, "The customer isn't always right but they do have a point." The quote applies to the election results, 3,811 votes and 62% in favor of the Charter Amendment sends a message for all to think about.

**COUNCILMEMBER STEADMAN:** updated the City Council of the following Library Programs: Lost Detroit: Stories Behind the Motor City's Majestic Ruins on Monday, November 10<sup>th</sup> had 72 attendees; Learn the Art of Origami on Monday, November 17<sup>th</sup> at 6:30 p.m.; and Sears Homes of Berkley on Tuesday, December 9<sup>th</sup> at 6:30 p.m. Councilmember Steadman reminded everyone about the Third Annual Holiday Spirit Award presented by Anela Mihaescu and to send their nominations to [berkleybac@gmail.com](mailto:berkleybac@gmail.com). She encouraged everyone to think of ideas and goals for the Beautification Advisory Committee, this information will be collected for the next committee meeting.

**COUNCILMEMBER BLANCHARD:** updated the City Council of the Public Safety training, Mutual Aid Box Alarm System (MABAS) evaluation on Sunday, November 9, 2014. This was a simulation three alarm fire conducted in Oak Park with the following participants: Berkley, Beverly Hills, Huntington Woods, Oak Park, Clawson, Farmington, Troy, Franklin, Bingham Farms, Bloomfield Hills, Alliance Mobile Health, and Oakland County Dispatch. The exercise was evaluated by the Fire Chiefs from Troy, Independence Township, and Brandon. Councilmember Blanchard encouraged everyone to visit participating Berkley businesses for the Chamber of Commerce Berkley Bucks from November 28<sup>th</sup>-30<sup>th</sup>, 2014. From December 1<sup>st</sup>-31<sup>st</sup>, 2014 customers can use the Berkley Bucks for purchases at participating Berkley businesses and enter to win great raffle prizes.

**MAYOR PRO TEM TERBRACK:** updated the City Council 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, discounts are available if tickets are purchased by December 1<sup>st</sup> or half off of admission with a toy donation to Toys for Tots; Skate with Santa on Sunday, December 7<sup>th</sup> 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 11<sup>th</sup> from 12:30 p.m. to 2:30 p.m.; and Candy Cane Lane on Saturday, December 13<sup>th</sup> 10 a.m. to 4 p.m. at the Berkley Community Center.

**COUNCILMEMBER EDGAR:** thanked the Friends of the Berkley Public Library, A.J. Desmond & Sons, and Four Seasons Garden Center for their donations to the Berkley Public Library. She recognized Public Safety Director Richard Eshman and Library Director Matthew Church for staying on the cutting edge for their respected departments. Councilmember Edgar had the pleasure of attending the 16<sup>th</sup> Annual Leadership Breakfast: "Leadership in Turbulent Times" hosted by the Tri-Community Coalition on Friday, November 7<sup>th</sup> at 7:30 a.m. She thanked Judy Rubin for coordinating this great event and thoroughly enjoyed hearing from guest speaker Stephen Henderson. Councilmember Edgar wished everyone a beautiful and happy Thanksgiving.

**COUNCILMEMBER KIDECKEL:** thanked Matt Church, President of the Berkley Rotary Club and committee members for the Pancake Breakfast on Saturday, November 8<sup>th</sup> at the Berkley High School. He thanked the American Legion and the Veterans of Foreign Wars (VFW) for the Veterans Day ceremony on Tuesday, November 11<sup>th</sup>. Councilmember Kideckel thanked the volunteers and encouraged everyone to become a member of a committee on the Boards and Commission. Further information may be found on the city website at [www.berkleymich.org](http://www.berkleymich.org) and applications may be submitted to Clerk's Office at the City Hall, 3338 Coolidge Highway, Berkley. He wished everyone a happy and safe Thanksgiving.

**CITY MANAGER BAIS-DISESSA:** thanked the City Council for all their hard work and keeping the residents well informed. She encouraged everyone to visit the city website at [www.berkleymich.org](http://www.berkleymich.org) for further information and the Third Annual Holiday Spirit Award nominations to be sent to [berkelybac@gmail.com](mailto:berkelybac@gmail.com). City Manager Bais-DiSessa recognized the Friends of the Berkley Public Library, A.J. Desmond & Sons, and Four Seasons Garden Center for their generous donations to the Berkley Public Library.

**FINANCE DIRECTOR SABUDA:** wished everyone a very happy and safe Thanksgiving.

**CITY ATTORNEY STARAN:** updated the City Council of the Charter Amendment language and issues that may arise. He spoke about the Kent County prosecutor and City of Grand Rapids court case at the Court of Appeals challenging the Ordinance Amendment for the City of Grand Rapids.

**MAYOR O'DWYER:** thanked the city staff for their heroism and residents who volunteer to help one another during the August 11<sup>th</sup> Flood Event. He gave a quote from former U.S. President John F. Kennedy's inaugural speech, "Ask not what your country can do for you—ask what you can do for your country." Mayor O'Dwyer gave thanks for the life we have in this great city, for the people with whom we share it with, and spare of thought for the people who are less fortunate this Thanksgiving. May our Berkley Residents have a wonderful and happy Thanksgiving.

#### **ADJOURNMENT**

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:23 p.m.

Seconded by Councilmember Steadman.

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

Nays: None