

THE TWENTY-THIRD REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, FEBRUARY 2, 2015 BY MAYOR O'DWYER

PRESENT: Steve Baker Eileen Steadman
 Jack Blanchard Phil O'Dwyer
 Alan Kideckel

ABSENT: Tina Edgar
 Daniel Terbrack

APPROVAL OF AGENDA

Councilmember Kideckel moved to approve the Agenda.

Seconded by Councilmember Baker.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.

CITIZENS COMMENTS

Shawn Ciavattone, District Director from State Senator Marty Knollenberg's Office, thanked the City Council for allowing him to attend the Council Meeting. He provided the State Senator's Office number (517) 373-2523 to the citizens if they have any problems or need any help.

Consent Agenda

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

APPROVAL OF MINUTES: Matter of approving the minutes of the regular 35th City Council meeting on Monday, January 5, 2015.

APPROVAL OF THE WARRANT: Matter of approving Warrant No. 1286.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.

Regular Agenda

RECOGNITIONS/PRESENTATIONS

MOTION NO. M-04-15: Matter of approving the Intergovernmental Agreement between the City of Berkley and Berkley School District for Shared Resources and Services.

Councilmember Kideckel moved to approve Motion No. M-04-15.

Seconded by Councilmember Baker.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.

Public Works Director Derrick Schueller gave a brief summary to the City Council to include contract, pricing changes, and appendices.

RESOLUTION NO. R-03-15: Matter of requesting approval of Department of Natural Resources and National Park Service Conversion Amendments.

Councilmember Baker moved to approve Resolution No. R-03-15.

Seconded by Councilmember Kideckel.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.

Parks and Recreation Interim Director, Theresa McArleton, gave a brief summary to the City Council to include maps, National Department of Parks and Recreation, and grants.

Gary Polk, Vice Chair of the Parks and Recreation Advisory Board, thanked the City Council, Parks and Recreation Department, and Berkley School Board for all their hard work.

Betty Smith, Member of the Parks and Recreation Advisory Board, is excited and ready to get her neighborhood park in shape.

Mayor O'Dwyer shared a text message from Council Liaison for Parks and Recreation, Mayor Pro Tem Terbrack, "I sincerely apologize that I am not there tonight to see this resolution formerly approved. This is a truly exciting time for our city, the city that was built around its park system. Instead of building around an existing park, we now have the opportunity to build a park to suit the needs and desires of our residents. I grew up on Oakshire between Cambridge and Oxford; I didn't realize how lucky I was to grow up across from an open field, a park and a baseball diamond until it was gone. It has been a lengthy process to acquire this land and to have it approved by the requisite authorities, the DNR, and the National Park Service. But we finally reached our desired outcome, the land is now owned by the residents of Berkley. And this conversion is set to be approved; now we have an exciting opportunity of designing and constructing a park to meet the needs of our residents. I want to thank everybody who is involved in the process. The City Manager, City Attorney, and the Finance Director for ensuring the process was handled correctly and with utmost professionalism. Mayor O'Dwyer for his communication skills and negotiating in good faith with our friends in the Berkley School District. Tom, Theresa, the Parks and Recreation staff, and members of the Parks and Recreation Advisory Board for the mountains of paperwork associated with the litigation, conversion, and subsequent approval of the land. And finally, I want to thank the residents for nearly ten years of patience as we sorted and worked our way through this process."

Mayor Pro Tem Terbrack's message expressed the sentiments of Mayor O'Dwyer and City Council. Mayor O'Dwyer recognized the residents, City Council, Administrative staff, Parks and Recreation Department, and Parks and Recreation Advisory Board for their efforts. A special thanks to the Berkley School District and Berkley School Board for their cooperation. The new park is a wonderful green space and contributes to the quality of life in our city.

RESOLUTION NO. R-04-15: Matter of establishing an "Ad Hoc Woodward Dream Cruise Committee" Coordinating the 2015 Dream Cruise Event for the City of Berkley.

Councilmember Kideckel moved to approve Resolution No. R-04-15.

Seconded by Councilmember Blanchard.

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

Absent: Edgar, Terbrack,

Nays: None
Motion Approved.

Mark Coon, Chair of the Ad Hoc Woodward Dream Cruise Committee, thanked the City Council for the approval of this resolution and the first meeting will be later in February.

Councilmember Kideckel moved to amend by removing Tom Colwell as representative from Parks and Recreation and replace with Theresa McArleton. Seconded by Councilmember Blanchard.

MOTION NO. M-05-15: Matter of awarding the Firing Range Renovation and Equipment Installation contract to Fusion Targets, 1187 South 1480 West, Orem, UT 84058, at a cost not to exceed \$35,349.95 from the Building Improvements account number 101-310-976-000.

Councilmember Blanchard moved to approve Motion No. M-05-15.
Seconded by Councilmember Kideckel.

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

Public Safety Director Richard Eshman gave a brief summary to the City Council to include bid results, warranty, and health concerns.

Sergeant Jordan Kobernick gave a brief summary to the City Council to include type of range, installation, and ammunition comparison.

MOTION NO. M-06-15: Matter of approving the Zinio agreement form between the Berkley Public Library and The Library Network for a downloadable magazine service to be paid from the Downloadable Content (101-738-731-001) account.

Councilmember Steadman moved to approve Motion No. M-06-15.
Seconded by Councilmember Kideckel.

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

Library Director Matt Church gave a brief summary to the City Council to include downloadable magazines, services, and anticipated launch in May.

MOTION NO. M-07-15: Matter of approving a contract to LSL Planning, 306 S. Washington, Suite 400, Royal Oak, MI 48067, at a cost not to exceed \$11,254.00 for the purpose of preparing a refined design concept for the Berkley Robina Project. A budget adjustment will be made in the near future.

Councilmember Baker moved to approve Motion No. M-07-15.
Seconded by Councilmember Kideckel.

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

City Manager Jane Bais-DiSessa introduced Keith Logsdon from the Downtown Development Authority and Brad Strader from LSL Planning to the City Council.

Keith Logsdon, Member of the Downtown Development Authority, gave a brief summary to the City Council to include pilot project, MML report, and DDA recommendations.

Brad Strader, Planning Manager at LSL Planning, gave a brief summary to the City Council to include timeline for completion, meeting with officials in April and public workshops in May.

RESOLUTION NO. R-05-15: Matter of authorizing the Mayor and City Manager to execute an agreement with the Berkley School District to collect and remit their July 2015 Property Tax Levy.

Councilmember Kideckel moved to approve Resolution R-05-15.

Seconded by Councilmember Blanchard.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.

Finance Director/Treasurer David Sabuda gave a brief summary to the City Council to include Royal Oak School District in Berkley, Berkley School District and contracts.

RESOLUTION NO. R-06-15: Matter of establishing the Policy and Guide for Granting an Exemption from Payment of Property Taxes.

Councilmember Kideckel moved to approve Resolution No. R-06-15.

Seconded by Councilmember Blanchard.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.

Finance Director/Treasurer David Sabuda gave a brief summary to the City Council to include Board of Review information, Assessment Notice and Veteran's Exemption.

RESOLUTION NO. R-07-15: Matter of authorizing amendment of the 2014/2015 Operating Budget – those Operating Funds as presented.

Councilmember Steadman moved to approve Resolution No. R-07-15.

Seconded by Councilmember Kideckel.

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

Absent: Edgar, Terbrack

Nays: None

Motion Approved.

Finance Director/Treasurer David Sabuda reviewed the budget amendment items with the City Council.

COMMUNICATIONS:

COUNCILMEMBER BAKER: shared a quote from an American Novelist, Sinclair Lewis, "Winter is not a season, it is an occupation." The quote is a tribute to the outstanding work from the Department of Public Works. He thanked the residents for showing neighborly support and helping one another get through the recent snow fall. Councilmember Baker congratulated the Historical Committee for their display of the Sears Kit Homes at the museum. He invited the residents to visit the Berkley Historical Museum to view this display on Sunday, February 22nd from 2 p.m. to 4 p.m.

Also, to visit the Berkley Public Library for the Sears Homes of Berkley program on Saturday, February 21st at 2 p.m. Councilmember Baker thanked the Downtown Development Authority for all their hard work and reminded everyone of the next DDA Meeting on Wednesday, February 11th at 8 a.m.

COUNCILMEMBER STEADMAN: invited everyone to join the Friends of the Library for their Bake Sale on Saturday, February 14th from 10 a.m. to 2 p.m. The proceeds will help the Berkley Public Library programs and services. She encouraged everyone to visit the Berkley Public Library and participate in the following programs: Saturday, February 14th at 2 p.m. is the "Magical Memories at the Library", the Mermaid Prince, Mermaid Princess, and the Snow Queen will share their stories and Tuesday, February 24th at 6:30 p.m. is the "United States in World War I: Idealism Disappointed", a lecture by Bruce Zellers of Oakland University. Councilmember Steadman had the opportunity to attend the "Off to the Races" fundraiser hosted by the Berkley Education Foundation. She congratulated the Berkley School District on a wonderful and fun event. Councilmember Steadman thanked the Department of Public Works for a great job this season.

COUNCILMEMBER BLANCHARD: thanked the Department of Public Works and commented that our streets are well maintained. He invited everyone to come join the "Comedy Night Fundraiser for Public Safety Honor Guard" on Saturday, February 7th from 5:30 p.m. to 8:30 p.m. at Farina's Banquet Center. This event will include the following: catered dinner, cash bar, performance by Comedian Bill Hildebrandt, silent gift basket auction, and an Honor Guard presentation. The proceeds will help the Public Safety Honor Guard pay for travel expenses, training and uniforms. The cost is \$40 per person, \$75 per couple or \$300 for a table of eight. The point of contact for this event is Andrew Hadfield with the Public Safety Department and he may be reached at (248) 658-3380 ext. 3392.

COUNCILMEMBER KIDECKEL: sends his condolences to the Boman, Fons, and Baker family for the loss of Keith A. Boman. He gave a brief history about Mr. Boman to include: that he was a long time Berkley resident, a brick mason for forty five years, worked as a Manager and Zamboni driver at the Berkley Ice Arena, and volunteered for the Moms' Club and the Dads' Club helping to raise money for the community. Councilmember Kideckel sends a get well wish to the son of the American Legion Commander, Darrell Todoroff. He thanked Derrick Schueller and the Department of Public Works for a great job. Councilmember Kideckel reminded everyone on Saturday, February 7th from 12 p.m. to 4 p.m. is "Winterfest" at the Community Center and the "Comedy Night Fundraiser for Public Safety Honor Guard" from 5:30 p.m. to 8:30 p.m. at Farina's Banquet Center. He had the opportunity to attend the "Off to the Races" and thanked Councilmember Steadman for her efforts of bidding for hockey tickets. Councilmember Kideckel invites everyone to join the Berkley Lions Club on Monday, March 23rd at 7 p.m. at Farina's Banquet Center. The guest speaker is Michigan Supreme Court Justice Richard Bernstein and admission is free. He thanked Farina's Banquet Center and Dr. Steven Shanbom of Shambom Eye Specialist. Councilmember Kideckel wished City Manager Bais-Disessa a Happy Birthday.

CITY MANAGER BAI-DISESSA: invited everyone on Saturday, February 7th from 12 p.m. to 4 p.m. The list of events includes: the petting farm, snowman building contest, children's crafts, cookie decorating, bon fire with s'mores, turkey bowling, ice sculpting, carnival games, bounce house, broomball, fowling, open skating in the Ice Arena, a hockey game between Bloomfield High School and Blackhawks Hockey Team, cake walk and much more. City Manager Bais-DiSessa received emails from residents showing their appreciation of the staff. She congratulated the Public Works Department and Public Safety Department for their hard work. City Manager Bais-DiSessa is a member of the Wayne State University Committee for Public Administration and had an opportunity to attend a class to speak about the budget process. She congratulated and thanked Adjunct

Professor Brady Baybeck for the experience. City Manager Bais-DiSessa reminded the resident to visit the city website www.berkleymich.org, and mobile app for more information. She reminded City Council of the upcoming Work Session on Friday, February 6th at 9:30 a.m. with a focus on strategic planning. City Manager Bais-DiSessa thanked Gerald Schroeder for watching the City Council Meeting.

FINANCE DIRECTOR SABUDA: had no comments this evening.

CITY ATTORNEY STARAN: gave an update on the Freedom of Information Act (FOIA) being amended effective July 1, 2015 and there will be fee schedule changes. The City Clerk and other city staff will be attending FOIA training and City Attorney will be attending a FOIA seminar. City Attorney Staran gave a report on the Medical Marijuana legislation proposal to amend the Michigan Marijuana Act authorizing dispensary, grow operation and regulatory process.

MAYOR O'DWYER: congratulated all parties involved with making our parks a major development for the city and community. He thanked the Department of Public Works for all their hard work. He recognized Parks and Recreation for their collaboration with the Berkley School District and the upcoming "Winterfest" event. Mayor O'Dwyer spoke about the Berkley Public Library for drawing great crowds for the many programs they provide. He announced that the City of Berkley was named the "Second Best Place to Live in Michigan" by AreaVibes.com. Mayor O'Dwyer thanked every resident for their kindness, generosity and being neighborly. It is the task of the members of City Council to help to harness and move our city forward. Independent outsiders are beginning to see what we have known and why we make Berkley our home. Mayor O'Dwyer is proud of everyone in the city for the achievement and he is especially proud to be the Mayor of the City of Berkley.

ADJOURNMENT

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:20 p.m.

Seconded by Councilmember Steadman.

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

Absent: Edgar, Terbrack,

Nays: None

Motion Approved.