

THE TWENTY-FIFTH REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 16, 2015 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 Deacon Brian Carroll

CITIZENS COMMENTS

Berkley resident and co-chair of Say Yes to Our Kids group, Shirley Hansen encouraged everyone to visit www.berkleyschools.org and click on the link to www.berkleyschools.org/bond to learn more about the Berkley Schools Bond Proposal that is on the ballot for the May 5th Special Election. Everyone is also welcome to visit www.voteyesforourkids.org for further information and help support the campaign theme of "Our Kids Our Community Our Future."

Berkley resident and Berkley Youth Hockey Association President, John Nicolai invited everyone to the Fourth Annual Mayor's Cup on Saturday, March 28th from 10 a.m. - 4 p.m. The hockey game will consist of sixth, seventh and eighth graders from Anderson Middle School Vikings and Norup International School Hawks. Mr. Nicolai recognized new sponsors the Berkley Dads' Club and the Oakland Junior Grizzlies Hockey Club.

Consent Agenda

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

APPROVAL OF MINUTES: Matter of approving the minutes of the regular 35th City Council meeting on Monday, March 2, 2015.

APPROVAL OF THE WARRANT: Matter of approving Warrant No. 1288.

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

Regular Agenda

RECOGNITIONS/PRESENTATIONS

RESOLUTION NO. R-09-15: Matter of approving a resolution authorizing the Execution of the Advance Construction Contract between the City of Berkley and Michigan Department of Transportation (MDOT) for the Coolidge Resurfacing Project, MDOT Contract #14-5651.

Councilmember Baker moved to approve Resolution No. R-09-15.
Seconded by Mayor Pro Tem Terbrack.
Ayes: Kideckel, Steadman, Terbrack, Baker, Blanchard, Edgar, and O'Dwyer
Nays: None
Motion Approved.

Public Works Director Derrick Schueller gave a brief summary to the City Council to include the advance construction option, bid opening requirements and the project start date of April 1, 2015 with a finished date of July 31, 2015.

City Engineer and HRC Executive Vice President, Thomas E. Biehl gave a brief summary to the City Council to include bid results, 10% to 35% base repair comparison and service life of 7 to 10 years, possibly 15 years.

City Engineer and HRC Vice President, Roland N. Alex gave a brief summary to the City Council to include the stages of traffic maintenance, base pavement information, and informing residents and businesses of the project.

Finance Director David Sabuda gave a brief summary to the City Council to include the approved \$760,000 budgeted amount at the July 2014 Council Meeting and a budget amendment for the project at the April 2015 Council Meeting.

MOTION NO. M-14-15: Matter of amending the budget for the Coolidge Resurfacing Project from \$700,000.00 to \$785,863.50. Further resolved, the City Council directs the Finance Director to bring forward the necessary budget amendment at a future Council Meeting.
Councilmember Kideckel moved to approve Motion No. M-14-15.

Seconded by Councilmember Edgar.

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

Nays: None

Motion Approved.

ORDINANCE NO. O-01-15: Second Reading, matter of adopting an ordinance to add Article XIII – Valet Parking to Chapter 30 Businesses, of the Berkley City Code to add the City's Valet Parking Rules.

Councilmember Edgar moved to approve Ordinance No. O-01-15.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

City Manager Jane Bais-DiSessa informed the City Council she has spoken with Vinsetta Garage to discuss items of concern and to be addressed by Administration.

City Attorney Dan Christ gave a brief summary to the City Council to include policy issues to take under advisement over a period of time, draft ordinance does not have a three strike provision and the ordinance will take effect 30 days after the first publication.

Curt Catalo, owner of Vinsetta Garage and Car Bar, expressed his concerns to the City Council to include valet parking comparison with City of Royal Oak and City of Birmingham, the 2007 master plan and valet parking ordinance being prohibitive.

MOTION NO. M-15-15: Matter of authorizing the City Manager to execute a contract with Kelly Lawn Service to serve as the City's grass and weed cutting contractor.

Councilmember Steadman moved to approve Motion No. M-15-15.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

City Planner Amy Vansen gave a brief summary to the City Council to include Kelly Lawn Service was the sole bidder, there was a modest increase in price, and the contract is renewed every three years.

RESOLUTION NO. R-10-15: Matter of adopting the Oakland County Hazard Mitigation Plan.

Councilmember Blanchard moved to approve Resolution No. R-10-15.

Seconded by Councilmember Egar.

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 to include the requirement for federal compliance, funding relief from natural disaster, and introduced Michael Pousak of the Oakland County Homeland Security Division. Ms. Bais-DiSessa informed the residents that the city website has information on hurricanes, floods, and training opportunities through Oakland County.

Emergency Management Coordinator from Oakland County Homeland Security Division, Micheal Pousak gave a brief summary to the City Council to include the 2012 CTV (City, Township, Villages) adopted by the communities in Oakland County, the Berkley School District is covered under the local plan that is updated every five years, qualify for grants through the State of Michigan, and trainings are done by individual municipalities such as the Emergency Management Courses.

Public Safety Director Rick Eshman gave an example of a hazmat situation in July 2012 there was a gasoline spill at the Oak Park Marathon located at 11 Mile Road and Greenfield Road.

MOTION NO. M-16-15: Matter of awarding the Structural Firefighting Replacement Protective Clothing Purchase to First One Fire Supply, 207 East Kipp, Suite A, Mason, MI 48854, at a cost not to exceed \$27,550.00 from the Uniforms – Cleaning and Purchasing account number 101-310-744-000.

Councilmember Blanchard moved to approve Motion No. M-16-15.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

Public Safety Director Rick Eshman gave a brief summary to the City Council to include the bid result, the correct spelling of company name is First Due Fire Supply, and the proper disposal of expired gear.

COMMUNICATIONS:

COUNCILMEMBER KIDECKEL: thanked Parks and Recreation for a successful turnout for the Cartoon Theatre held on Saturday, March 7th. He invited everyone to an event on Monday, March 23rd at 7 p.m. "Overcoming Challenges – You Can Do It!" at Farina's Banquet Center with guest speaker Michigan Supreme Court Justice, Richard Bernstein. This event is sponsored by the Berkley Lions Club, Farina's Banquet Center, and Shanbom Eye Specialist.

COUNCILMEMBER EDGAR: wished everyone a happy St. Patrick's Day for March 17th. She gave the following updates: the Tree Board is meeting for Arbor Day planning for the 2015 Fall Tree Planting program, further information to follow; the Planning Commission had a Work Session on Tuesday, March 10th with a presentation from LSL Planning regarding the residential form base code; and details on the Coolidge Resurfacing Project can be found on the city website at www.berkleymich.org.

MAYOR PRO TEM TERBRACK: encouraged everyone to participate in the following programs at the Berkley Parks and Recreation Department: Breakfast with the Bunny on Saturday, March 28th starting at 9 a.m. - 10 a.m.; the Fourth Annual Mayor's Cup on Saturday, March 28th from 10 a.m. - 4 p.m.; and the Spring Break Vacation Camp from Tuesday, April 7th through Friday, April 10th, the cost varies. Mayor Pro Tem Terbrack reminded everyone of Opening Day for Detroit Tigers is Monday, April 6th.

COUNCILMEMBER BAKER: updated everyone on the DDA meeting on Wednesday, March 11th which presented and passed their budget process with the upcoming year's projects. He invited everyone to the "Bowl for Kids' Sake" fundraiser event at Hartfield Lanes, benefiting the Big Brothers Big Sisters program. The Fifties Theme event is hosted by DTE and Strategic Staffing Solutions. Councilmember Baker shared a quote from our 16th President of the United States, Abraham Lincoln, "You cannot escape the responsibility of tomorrow by evading it today." He shared an average Michigan resident pays \$357 for vehicle repair annually and one third of fatal car accidents are due to road conditions.

COUNCILMEMBER STEADMAN: encouraged everyone to visit the Berkley Public Library and participate in the following programs: "Drying Up Your Home's Wet Basement" on Monday, March 23rd at 6:30 p.m.; and "Selma and the Voting Rights" on Tuesday, March 24th at 6:30 p.m. She recognized the Library Department for a successful event with the "Sears Homes of Berkley" program which was available in December of 2014 and February of 2015. The Beautification Committee is involved in a Coolidge Median Project planting seedlings with Angell Elementary School, Norup International School and Anderson Middle School. Councilmember Steadman wished everyone a safe and wonderful St. Patrick's Day.

COUNCILMEMBER BLANCHARD: invited everyone to "Slip into Spring Ladies Night Out" on Thursday, March 26th from 6 p.m. to 8:30 p.m. hosted by the Chamber of Commerce. He asked everyone to be safe on St. Patrick's Day.

CITY MANAGER BAISS-DESSA: reminded the residents to visit www.berkleymich.org or download our mobile app to receive updates. She will add the Fourth Annual Mayor's Cup information onto the city website. City Manager Bais-DiSessa proudly announced that the Finance Department received the Budgetary Award for eight years running. She thanked Finance Director David Sabuda and the Finance/Treasury Department. City Manager Bais-DiSessa wished everyone a happy St. Patrick's Day and wished a Happy Birthday to Mayor Pro Temp Terbrack.

FINANCE DIRECTOR SABUDA: wished everyone a happy and safe St. Patrick's Day.

CITY ATTORNEY CHRIST: had no comments this evening.

MAYOR O'DWYER: thanked John Nicolai, Berkley Youth Hockey Association, Berkley School District, and the Parks and Recreation Department for all their hard work with the Annual Mayor's Cup event. He reminded everyone of the "National Volunteer Week" from April 12 – 18, 2015. Personal invitations were sent to Berkley Board and Commission volunteers to the Volunteer Appreciation Ceremony on Wednesday, April 15th from 6:30 p.m. to 8:30 p.m. The majority of the funds were donated by members of the City Council, with a special thanks to Councilmember Blanchard and Councilmember Kideckel, Mayor O'Dwyer invited everyone to the "Bowl for Kids' Sake" event on Thursday, May 7th at Hartfield Lanes from 5:30 p.m. to 8:30 p.m. He recognized the Parks and Recreation Department for continuing to preserve our identity and focus on our mission. Mayor O'Dwyer spoke about Saint Patrick, a saint who lived a quality life with characteristics of kindness and caring. He wished everyone, "'Lá fhéile Pádraig sona dhuit!" in Gaelic meaning "Happy St. Patrick's Day."

ADJOURNMENT

Motion by Councilmember Steadman to adjourn the regular meeting at 8:22 p.m.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

Phil O'Dwyer, Mayor

Attest:

Phommady A. Boucher, City Clerk