

**THE TWENTY-EIGHTH REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MAY 18, 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 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** Deacon Brian Carroll

**CITIZENS COMMENTS**

Christine Germaine, Berkley resident for twenty-four years at 1186 Harvard, expressed her concerns regarding the road conditions on Harvard Road and would like the City Council look into these issues in the near future. She has emailed DPW with complaints, noticed that previous storms have caused pools of water on the roads, and the 1989 road construction was not sufficient enough to handle the road usage.

Devont'e Lyte is a senior at Oak Park High School, resident of Detroit, and a Community Ambassador with the Young, Optimistic, and United (YOU) Youth Coalition for the Tri-Community Coalition. He thanked the City Council for their time on behalf of the YOU Youth Coalition and Tri-Community Coalition. Mr. Lyte gave the City Council updates on the following events:

- 1) There are YOU Youth Coalition Chapters at Oak Park High School, Berkley High School, and Anderson Middle School.
- 2) Oak Park High School participated in the "Save a Life Tour", a Teen Awareness program promoting responsible and safe driving with the Drunk Driving and Distracted Driving simulator.
- 3) The YOU Youth Coalition participated in the "Sticker Shock Campaign", applying stickers to packages of alcohol with warning labels reminding adults the legal consequences of selling or distributing alcohol to minors.
- 4) Oak Park High School, Berkley High School and Oak Park Freshman Institute participated in Dialogue Day to identify issues in the community and possible solutions. Other attendees included adult representation from government officials, media sectors, parents, local community members, and law enforcement. The discussion help create a new marketing campaign called "Walk away, have a better day", to be featured on a billboard in the community.
- 5) The YOU Youth Coalition and Tri-Community Coalition introduced an additional leadership component, the Community Ambassador program. These students attend City Council Meetings, practice public speaking and leadership skills, and present at community meetings.
- 6) The YOU Youth Coalition partnered with Inforum, - a Professional Women's Alliance to host a trip to the Flint General Motors (GM) Plant on June 1, 2015. Students get the opportunity to meet with business leaders from General Motors and Blue Cross Blue Shield of Michigan. They will learn about leadership skills, job opportunities and get a tour of the plant.

- 7) Tri-Community Coalition sent letters out to parents of graduating seniors to educate them about the local ordinances about underage drinking. Free teen drug test are available with no questions asked at Tri-Community Coalition and Berkley Public Safety.
- 8) The Tri-Community Coalition annually awards six \$1000 scholarships to seniors in the Berkley, Huntington Woods, and Oak Park communities. Individuals interested may visit their website at [www.tricomcommunitycoalition.com](http://www.tricomcommunitycoalition.com) for applications that are due by May 29, 2015. Scholarship winners will be announced at the 17<sup>th</sup> Annual Golf Classic on Monday, June 15, 2015 at Rackham Golf Course.

### ***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 35<sup>th</sup> City Council meeting on Monday, April 20, 2015.

**APPROVAL OF THE WARRANT:** Matter of approving Warrant No. 1290.

**PROCLAMATION NO. P-06-15:** Matter of proclaiming May 2015 as Berkley History Month.

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

### ***Regular Agenda***

#### **RECOGNITIONS/PRESENTATIONS**

Councilmember Baker read Proclamation No. P-06-15 into record.

**MOTION NO. M-26-15:** Matter of authorizing the purchase of official Dream Cruise merchandise at wholesale, for a cost not to exceed \$32,000.00, and sell it at full retail. Funds for this expenditure will come from account 614-915-818-000.

Councilmember Kideckel moved to approve Motion No. M-26-15.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

Mark Coon, Dream Cruise Committee Chairman, gave an update to the City Council to include eliminating one merchandise booth and distributing merchandise amongst other booths, a booth will be open earlier in the day for presale, and the lanyard is a new merchandise to be sold at the booths. The presale tent will be open from Friday through Sunday at 12 Mile and Woodward. There are additional booths located at Catalpa and Woodward, 11 Mile Road at Royal Rent a Car and under the Marque on 12 Mile Road. There are over a hundred registered classic cars for the CruiseFest and applications are being accepted for models from 1979 and earlier.

**MOTION NO. M-27-15:** Matter of authorizing the City Manager to enter into a contract with MessageMakers, Lansing, MI in an amount not to exceed \$24,095.00 to conduct a branding study for the City of Berkley. Funding is from account number 101-265-818-000.

Councilmember Edgar moved to approve Motion No. M-27-15.

Seconded by Councilmember Kideckel.

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

Terry N. Terry, President of MessageMakers, gave a brief summary to the City Council to include being a integrated marketing communications company, company history, services they provided, and companies they have worked with over the years. He gave an estimated timeline for the study of at least three to four months or before the end of calendar year.

Matt Penniman, Writer and Communication Strategist at MessageMakers, gave a brief summary to the City Council to include the focus group sessions and company mission. Their focus is on visual identity for the city through logo, tag line, and style.

Tom Leitz, Chief Creative Officer at MessageMakers, is excited and looking forward to working with the City of Berkley.

**MOTION NO. M-28-15:** Matter of approving the District Court Joint Operating Agreement between the City of Royal Oak and the City of Berkley and authorizing the Mayor and City Manager to execute. Councilmember Kideckel moved to approve Motion No. M-28-15 and amending the language from "District Court Joint Operating Agreement" to "44th District Court Agreement". Seconded by Councilmember Blanchard.  
Ayes: Terbrack, Baker, Blanchard, Edgar, Kideckel, Steadman, and O'Dwyer  
Nays: None  
Motion Approved.

City Manager Bais-DiSessa thanked Finance Director/Treasurer David Sabuda and City Attorney Dan Christ for all their hard work with negotiations.

City Attorney Christ gave a brief summary to the City Council to include funding for cost associated with 44th District Court, the city is no longer the employer for the 44th District Court, and the City of Royal Oak will add City of Berkley to their insurance.

**PUBLIC HEARING:** Matter of holding a Public Hearing for the purpose of considering the proposed 2015/16 Annual Operating Budget and Supporting Tax Rates for the City of Berkley, Michigan.

Mayor O'Dwyer opened the Public Hearing at 7:52 p.m.  
Councilmember Kideckel moved to open the Public Hearing.  
Seconded by Councilmember Baker.

City Manager Bais-DiSessa gave a brief summary to the City Council to include the reviews at the Budget Work Sessions on Monday, May 11, 2015 and Tuesday, May 12, 2015, in accordance with the Uniform Budget Act known as Public Act 2 of 1968 as amended and Chapter 9 of the City of Berkley City Charter entitled the General Finance Budget Procedure.

Seeing no one else present wishing to speak, Mayor O'Dwyer closed the Public Hearing at 7:58 p.m.

**RESOLUTION NO. R-14-15:** Matter of approving a resolution of the Council of the City of Berkley, Michigan approving the 2015/16 through 2021/22 Capital Improvements Plan of the City of Berkley, Michigan. Councilmember Steadman moved to approve Resolution No. R-14-15. Seconded by Councilmember Blanchard.  
Ayes: Baker, Blanchard, Edgar, Kideckel, Steadman, Terbrack, and O'Dwyer  
Nays: None  
Motion Approved.

Finance Director/Treasurer Sabuda gave a brief summary to City Council to include the Planning Commission's recommendation from the April 2015 meeting, \$34 million in seven years, and \$28 million was budget for last year.

**RESOLUTION NO. R-15-15:** Matter of approving a resolution of the Council of the City of Berkley, Michigan establishing a Residential and Commercial Service Fee for the Collection and Disposal of Solid Waste.

Councilmember Edgar moved to approve Resolution No. R-15-15.

Seconded by Mayor Pro Tem Terbrack.

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

Nays: None

Motion Approved.

Finance Director/Treasurer Sabuda gave a brief summary to the City Council to include the last fiscal year to include commercial and industrial dumpster fees, solid waste charges are \$7.55 per quarter or \$30.20 per year for each household, and yard waste stickers cost \$2 per sticker.

**RESOLUTION NO. R-16-15:** Matter of approving a resolution of the Council of the City of Berkley, Michigan setting the charges for Water and Sewer Services, effective July 1, 2015.

Councilmember Blanchard moved to approve Resolution No. R-16-15.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

Finance Director/Treasurer Sabuda gave a brief summary to the City Council to include wholesale cost water rates up 14% from SOCCRA and City of Detroit, replacing equipment not included in rates, and Berkley is number nine on SOCWA rates is the second lowest out of the ten SOCWA communities.

**RESOLUTION NO. R-17-15:** Matter of approving a resolution of the Council of the City of Berkley, Michigan adopting a budget for the Fiscal Year beginning July 1, 2015 and ending June 30, 2016.

Councilmember Baker moved to approve Resolution No. R-17-15.

Seconded by Councilmember Edgar.

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

Nays: None

Motion Approved.

City Manager Bais-DiSessa thanked City Administration and especially Finance Director/Treasurer David Sabuda for their involvement in the budgeting process. She recognized the City Council for their leadership and support each budget session.

Finance Director/Treasurer Sabuda gave a brief summary to the City Council to include the \$10,000 increase in the Other Post Employment Benefits Contribution authorized by City Council at the Budget Work Session.

**MOTION NO. M-29-15:** Matter of awarding the 2015-2016 rock salt bid to the Detroit Salt Company as administered by the City of Farmington Hills and MITN cooperative bid program.

Councilmember Blanchard moved to approve Motion No. M-29-15.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

Public Works Director Scheuller gave a brief summary to the City Council to include bid results, \$56 per ton by Detroit Salt Company, and cooperative bid program \$75 per ton for salt in other communities.

**MOTION NO. M-30-15:** Matter of approving the NIPA purchase of Pipelogix Pipeline Inspection Software at a total cost of \$8,170 to Jack Doheny Companies of Northville, Michigan. The expenditure is chargeable to account number 592-536-818-000.

Councilmember Steadman moved to approve Motion No. M-30-15.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

Public Works Director Scheuller gave a brief summary to the City Council to include mapped sewer network electronically, pipeline inspection software, PACP standardized certification, and SAW Grant eligible 90% reimbursable.

### **COMMUNICATIONS:**

**COUNCILMEMBER BAKER:** thanked volunteers, teams, and participants for the success of Berkley Days. He congratulated Doug Deeds for receiving the Citizen of the Year award. He gave an update on the Municipal Building assessments of other City Halls and municipal buildings. Councilmember Baker thanked Councilmember Kideckel, Councilmember Steadman, City Planner Amy Vansen and Assistant to the City Manager Darchelle Love for their participation. The Regional Transit Authority (RTA) Oakland, Macomb, Wayne, Washtenaw, and Detroit open houses to share ideas, thoughts, needs, hopes, and concerns. This event is on Thursday, May 21, 2015 from 1 p.m. to 7:30 p.m. beginning with a series of presentations at the Royal Oak Elks Lodge located on 4th Street. He read a quote from American Author, Richelle E. Goodrich, "Every sunrise is an invitation for us to arise and brighten someone's day". Councilmember Baker recognized Hartfield Lanes for hosting a fundraiser to support the Big Brother Big Sister program and thanked everyone for their generosity.

**COUNCILMEMBER STEADMAN:** enjoyed participating in the fundraiser at Hartfield Lanes. She noticed that Berkley Days had good weather and drew in big crowds. Councilmember Steadman congratulated Doug Deeds on receiving the Citizen of the Year award.

**COUNCILMEMBER BLANCHARD:** thanked volunteers who worked at Berkley Days. He invited everyone to the Chamber of Commerce Art Bash and Lids for Kids at Public Safety on June 13<sup>th</sup>. The Chamber Commerce has a membership of 150 people. He congratulated the American Legion for the Humanitarian of the year award. They have provided hotdogs for the Lids for Kids event and hosted the pancake breakfast at Berkley Days. The American Legion is offering a fish fry on the first Saturday of every month and breakfast on Sunday's at their location on 12 Mile Road.

**MAYOR PRO TEM TERBRACK:** congratulated Doug Deed on the Citizen of the Year award and American Legion on the Humanitarian of the Year award. He thanked Sargent Hadfield and the Berkley Public Safety Officers for hosting the 7<sup>th</sup> Annual Golf Outing on Monday, May 11, 2015. Mayor Pro Tem Terbrack spoke about investment in capital improvement projects, reviewing the budget items line by line, and being transparent. He congratulated the Berkley Dad's Club and the Berkley Mom's Club on their victory during the Annual Softball Game on Wednesday, May 13, 2015. Mayor Pro Tem Terbrack recognized Denise Brainard and Berkley Days committee for a successful event.

**COUNCILMEMBER EDGAR:** thanked and congratulated everyone for making Berkley Days a great success. She thoroughly enjoyed herself at the Taste of Berkley on Thursday, May 14, 2015. Councilmember Edgar invites everyone to the Irish Night at the American Legion scheduled for Saturday, May 30, 2015. She wished everyone a happy history month and a Happy Memorial Day. Councilmember Edgar is excited about the branding study and exploring our image.

**COUNCILMEMBER KIDECKEL:** encouraged everyone to attend Dialogue Day with the Oak Park High School, Berkley High School and Oak Park Freshman Institute. He thanked Denise Brainard and Berkley Days committee for all their hard work during the Berkley Days event. Councilmember Kideckel recognized the sponsors, vendors, and attendees of the Taste of Berkley. He was able to join Councilmember Blanchard on Coolidge during the resurfacing project and looks forward to the finish product. Councilmember Kideckel wished everyone a happy and safe Memorial Day weekend, be safe and enjoy the time. He reminded everyone that the City Offices will be closed.

**CITY MANAGER BAIS-DISESSA:** encouraged everyone to visit the city website at [www.berkleymich.org](http://www.berkleymich.org) and will ensure the transportation information is available online. She congratulated Doug Deeds on the Citizen of the Year award. He is responsible for planting flowers around city hall and the public safety building. City Manager Bais-DiSessa gave a special thanks to Denise Brainard and Berkley Days committee for all their hard work during the Berkley Days event. She recognized city staff and City Council for their involvement with the budget. City Manager Bais-DiSessa looks forward to the branding study and if anyone has questions they may contact the City Manager's Office at (248) 658-3350. She wished everyone a Happy Memorial Day.

**FINANCE DIRECTOR SABUDA:** thanked City Council, City Manager, and city staff for all their hard work with the budget. He recognized Denise Brainard and Berkley Days committee.

**CITY ATTORNEY CHRIST:** reminded city staff and City Council of the FOIA changes signed by the Governor on January 2015 that is effective July 1, 2015.

**MAYOR O'DWYER:** congratulated Doug Deeds on the Citizen of the Year award. He proudly announced that the City Council won the horseshoe competition during the Berkley Days event. Mayor O'Dwyer reminded everyone that the Public Safety Golf Outing proceeds benefit the Lids for Kids, Fire Open House, and Honor Guard. He sends his sympathies to Gilda Jacobs for the tragic loss of her daughter. Ms. Jacobs is a former County Commissioner, a former State Representative, and a former State Senator. Mayor O'Dwyer wished everyone a safe, pleasant, and memorable Memorial Day weekend.

#### **ADJOURNMENT**

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:53 p.m.

Seconded by Councilmember Steadman.

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

Nays: None

Motion Approved.

---

Phil O'Dwyer, Mayor

Attest:

---

Phommady A. Boucher, City Clerk