

THE SEVENTEENTH REGULAR MEETING OF THE THIRTY-SIXTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, OCTOBER 17, 2016 BY MAYOR O'DWYER

PRESENT: Steve Baker Eileen Steadman
 Jack Blanchard Daniel Terbrack
 Colleen Graveline Phil O'Dwyer
 Alan Kideckel

APPROVAL OF AGENDA

Mayor Pro Tem Baker moved to approve the Agenda with an amendment to move communications between item #9 and #10, followed by closed session.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

INVOCATION PASTOR MATT BRUNNER

CITIZENS COMMENTS

Shirley Hansen, Berkley resident at 2050 Edgewood and a member of the Friends of the Berkley Public Library, thanked everyone who participated in the book sale. She recognized the people who donated books, the people who purchased books, and the people who volunteered their time selling books. She thanked Councilmember Jack Blanchard who helped her to deliver 1,100 paperback books to be donated to the VA Hospital.

Eric Bitel, Berkley resident at 2520 Phillips and the Treasurer of the Friends of the Berkley Parks and Recreation, invites everyone to an annual Fall fundraiser to be held on Tuesday, November 15th from 5 p.m. to 9 p.m. at Patrick J's on Twelve Mile Road.

Rachel Piacentini, Berkley resident at 1726 Oxford, shared a personal story and expressed the importance of the Ice Arena in the community. She suggests that the City Administration consider hosting a Pop Up Park in the city.

City Manager Matthew C. Baumgarten gave a brief update on the status of the Ice Arena to include Freon leaks, repair timeline, and work session for council to discuss possible options.

Councilmember Dan Terbrack added to the Ice Arena update to include the decision to close the ice rink and to inform all hockey teams that utilize the facility of the immediate changes.

John Nicolai, Berkley resident at 2744 Ellwood, thanked the council for the Ice Arena updates and their plans to keep the residents informed.

Paul Fox, Berkley resident at 1424 Cambridge, thanked the council for the Ice Arena updates and their efforts on saving the ice rink. He informed council that there is a group of anxious people who are willing to create a committee to solicit funds and look for investors to help save the Ice Arena.

Doug Deeds, Berkley resident at 2053 Tyler and a member of the Beautification Advisory Committee, informed council that the committees Spring project is to spruce up the median on Coolidge Highway. They are looking for individuals and non-profit organizations to assist them with their spring cleanup.

Wendy Zabramski, Berkley resident at 3340 Gardner, expressed her concerns of sign posts in the alleyway near her home and the parking issues on the south side of Twelve Mile Road.

Consent Agenda

Councilmember Terbrack moved to approve the following Consent Agenda, seconded by Mayor Pro Tem Baker:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the regular 36th City Council meeting on Monday, October 3, 2016.

WARRANT: Matter of approving Warrant No. 1307.

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

Regular Agenda

RECOGNITIONS/PRESENTATIONS: Matter of any recognitions or presentations from the Consent Agenda.

MOTION NO. M-80-16: Matter of reappointing Robert S. Penkala to serve on the Tree Board, with a term expiring July, 2019.

Moved by Councilmember Graveline to approve Motion No. M-80-16.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

RESOLUTION NO. R-34-16: Matter of designating Saturday, December 3, 2016 for the Annual Holiday Parade and Tree Lighting Ceremony in Berkley.

Moved by Councilmember Steadman to approve Resolution No. R-34-16.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

City Manager Baumgarten introduced Cinda Coon a member of the Berkley Holiday Lights Parade Committee.

Cinda Coon invites council and Berkley residents to join the festivities on Saturday, December 3rd for the Annual Holiday Lights Parade. The committee is looking for volunteers and she invites everyone to a Fundraiser for the Holiday Lights Parade to be held on Wednesday, November 16th from 6 p.m. to 9 p.m. at Patrick J's on Twelve Mile Road.

MOTION NO. M-81-16: Matter of accepting the \$25,000 donation from DTE Energy for its sponsorship of the 2016 Annual CruiseFest Classic Car Parade held on August 19, 2016.

Moved by Councilmember Kideckel to approve Motion No. M-81-16.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

City Manager Baumgarten introduced Daniel Smith a representative from DTE Energy.

Deputy City Manager Strickland Love presented a certificate of appreciation to DTE Energy for their donation to the Berkely CruiseFest. DTE Representative Daniel Smith accepted the certificate on behalf of Program Manager Cameron Knox.

Councilmember Kideckel thanked DTE Energy and Mr. Cameron Knox for their donation to the Berkely CruiseFest.

Mayor O'Dwyer thanked DTE Energy for their generous donation and expressed his gratitude on behalf of the Berkley residents.

RESOLUTION NO. R-35-16: Matter of approving a Resolution of Participation in the Oakland County Law Enforcement Mutual Aid Agreement Dated October 17, 2016.

Moved by Councilmember Blanchard to approve Resolution No. R-35-16.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

MOTION NO. M-82-16: Matter of approving the Public Safety Answering Point Agreement with Oakland County, 1200 North Telegraph, Pontiac, Michigan 48341.

Moved by Councilmember Blanchard to approve Motion No. M-82-16.

Seconded by Mayor Pro Tem Baker.

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

Nays: None

Motion Approved.

MOTION NO. M-83-16: Matter of approving the purchase of NG9-1-1 Equipment and Services from Emergency CallWorks, Inc. (ECW), 1900 International Park Drive, Birmingham, Alabama 35243 in the amount of \$88,787.48 from account number 101-306-982-000.

Moved by Councilmember Blanchard to approve Motion No. M-83-16.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

MOTION NO. M-84-16: Matter of authorizing the City Manager to execute an agreement with Oakland County to provide Animal Care services for the City of Berkley, effective October 1, 2016 through September 30, 2019.

Moved by Councilmember Blanchard to approve Motion No. M-84-16.

Seconded by Councilmember Graveline.

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

Nays: None

Motion Approved.

MOTION NO. M-85-16: Matter of awarding the 2016-2017 DDA Holiday Lights & Decorations Program to LeClerc Display Company, Inc. of Ann Arbor, Michigan in an amount not to exceed \$22,740.

Moved by Mayor Pro Tem Baker to approve Motion No. M-85-16.

Seconded by Councilmember Terbrack.

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

Nays: None

Motion Approved.

COMMUNICATIONS:

COUNCILMEMBER TERBRACK: invites everyone to participate in the following Parks and Recreation programs: Tale on the Trail on Thursday, October 20th begins at 6 p.m. at Jaycee Park; and Halloween Spooktacular on Thursday, October 27th for children ages 3 years old to 5th grade, session one is from 5 p.m. to 6 p.m. and session two is from 6:30 p.m. to 7:30 p.m., tickets are \$4 per person.

COUNCILMEMBER GRAVELINE: gave an update from the Tree Board meeting which includes trees being affected by the Harvard Project and a review of ordinances regarding tree maintenance compared with the City of Huntington Woods and City of Birmingham. She invites the residents to the next Planning Commission meeting on Tuesday, October 25th at 7:30 p.m. The commissioners will be discussing updates to the Residential Future Land Use Master Plan amendment.

COUNCILMEMBER KIDECKEL: congratulated the Berkley School District and the Berkley residents for voting for the School Bond Proposal. He had the pleasure of attending the ribbon cutting ceremony for Angell and Pattengill Schools. Councilmember Kideckel thanked the Parks and Recreation Department for a successful event Fall into Fun held on Saturday, October 15th. He wished everyone a happy and safe Halloween. Councilmember Kideckel reminded everyone to vote on Tuesday, November 8th General Election; he wished City Clerk Boucher and her staff another great election. Councilmember Kideckel recognized all the election workers for volunteering their time on Election Day. He invites the residents to the next Zoning Board of Appeals (ZBA) meeting on Thursday, October 20th at 7:30 p.m.

MAYOR PRO TEM BAKER: informed council that the Downtown Development Authority (DDA) met on Wednesday, October 12th. He advised council that the next Historical Committee meeting on Sunday, October 23rd at 4 p.m. in the museum. Mayor Pro Tem Baker extended best wishes to City Clerk Boucher and her team for the upcoming election. He thanked the election workers and volunteers for all their hard work on Election Day. Mayor Pro Tem Baker concluded with a quote from Chicago author and poet Auliq Ice, "We live in a society where mutual respect and appreciation should be considered pillars of modern life." He briefly spoke about four pillars for city improvement to include walk ability, bike ability, public spaces, and public transportation. Together we can do tremendous things.

COUNCILMEMBER STEADMAN: recognized the Beautification Advisory Committee for all their hard work and advised anyone interested in helping with the Coolidge Project next spring to contact her directly.

COUNCILMEMBER BLANCHARD: briefly spoke about the delivery of 1,100 paperback books that was donated to the VA Hospital and reminded everyone to keep the veterans in their thoughts with Veteran's Day coming up on Friday, November 11th.

CITY MANAGER BAUMGARTEN: advised council from a previous discussion, that a small "give up" animal is a dog or cat, not including skunks or rodents. "Give up" is an owner who has proper custody and drives the animal to the shelter to hand over the animal to them directly. He informed the registered voters in Berkley that the Clerk's Office will be in the office on Saturday, November 5th from 9 a.m. to 2 p.m. for election business. This is the last day voters may apply for an Absentee Ballot and take it home with them; they may apply for an Absentee Ballot on Monday but they are required to vote at the City Hall. Polls are open at 7 a.m. on Tuesday, November 8th for the General Election. City Manager Baumgarten invites the residents to the next Chat with Matt on Wednesday, October 19th at 6 p.m. at Robina Plaza.

CITY CLERK BOUCHER: informed the registered voters in Berkley that the General Election is on Tuesday, November 8th; polls are open at 7 a.m. and closed by 8 p.m. There are seven precincts and they are scheduled at their normal polling locations. The last day to register was on Saturday, October 11th and voters may contact the Clerk's Office at [\(248\) 658-3310](tel:2486583310) with any questions. The Clerk's Office is still accepting applications for election workers and the applications are available at the city website

at www.berkleymich.org. Unconfirmed election results will be available on the Oakland County website at www.oakgov.com.

CITY ATTORNEY STARAN: had no comments this evening.

MAYOR O'DWYER: thanked City Clerk Boucher, staff, and the election workers that volunteer their time on Election Day. It is wonderful to see the dedication to detail and to integrity in making sure the election is properly handled. Mayor O'Dwyer talked about the terrible sadness that the Ice Arena isn't in operation and hopes to communicate effectively with the residents of the resolutions to restore the arena. Mayor O'Dwyer spoke briefly about the City of Ithaca Mayor Tim Palmer and the City of New York Mayor Bill de Blasio. He announced that the 16th Annual State of the City hosted by the Berkley Area Chamber of Commerce and is scheduled for Friday, October 28th at 11 a.m. at Farina's Banquet Center on Coolidge Highway. Mayor O'Dwyer wished everyone happy and safe Halloween.

COUNCIL MEETING ADJOURNMENT:

Motion by Mayor Pro Tem Baker to adjourn the regular meeting at 8:18 p.m.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

CLOSED SESSION: Matter of considering convening in closed session to discuss Attorney Client privileged communication.

Adjourned to Closed Session at 8:18 PM:

Moved by Mayor Pro Tem Baker and seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

Mayor O'Dwyer reconvened the Closed Session at 8:38 PM:

Moved by Mayor Pro Tem Baker and seconded by Councilmember Blanchard.

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

Nays: None

Motion Carried

CLOSED SESSION ADJOURNMENT:

Motion by Councilmember Kideckel to adjourn the closed session at 8:41 p.m.

Seconded by Councilmember Blanchard

Unanimously approved.

Nays: None

Motion Approved.