

THE THIRTY-FIRST REGULAR MEETING OF THE THIRTY-SIXTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, AUGUST 21, 2017 BY MAYOR O'DWYER

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

Councilmember Terbrack moved to approve the Agenda.

Seconded by Mayor Pro Tem Baker.

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

Nays: None

Motion Approved.

INVOCATION PASTOR ADAM GROH

CITIZENS COMMENTS

Lindsey Armbrustmacher, resident of Brighton, request to declare September as "Childhood Cancer Awareness Month." She asked council for permission to place gold ribbons along the main streets of Berkley in honor of Tessa Prothero. Tessa was a beautiful 9 year old girl from Royal Oak who was diagnosed with a cancer known as neuroblastoma and has since passed away in June.

Consent Agenda

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

APPROVAL OF THE MINUTES: Matter of approving the minutes of the regular 36th City Council meeting on Monday, July 17, 2017.

WARRANT: Matter of approving Warrant # 1317

RESOLUTION NO. R-30-17: Matter of declaring month of September, 2017 as Substance Abuse Recovery Awareness Month and Friday, September 22, 2017 as Substance Abuse Recovery Awareness Day.

RESOLUTION NO. R-31-17: Matter of recognizing Rowen Crawford for the Civilian Citation Award.

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.

Councilmember Graveline read Resolution No. R-30-17 into record.

Councilmember Steadman read Resolution No. R-31-17 into record.

Councilmember Steadman recognized the Public Safety Department for providing a huge fan and smoke detectors to her family after the house fire.

Mayor O'Dwyer congratulated Rowen Crawford for being vigilant during the house fire. He thanked her for accepting the award and the Public Safety Department for taking care of all the residents.

OATH OF OFFICE: Oath of Office to the newly promoted Public Safety Sergeant Dennis Geary and newly appointed Public Safety Officer Robert Kwiecinski.

Councilmember Blanchard moved to approve the Oath of Offices for the Public Safety Department.

Seconded by Councilmember Terbrack.

Public Safety Sergeant Geary expressed his appreciation by thanking the Mayor, City Council, and City Manager for this opportunity. He introduced his family members who were in attendance beginning with his mother, father, brother, sister, future brother-in-law, his wife, and their two kids. Sergeant Geary expressed his gratitude by thanking his family for all their support.

Public Safety Officer Kwiecinski thanked the City of Berkley for this opportunity. He shared that he began his career with the city as a volunteer firefighter. The opportunity that the city has given him is something he will take with him for a lifetime. For the city and the community to support his career path is more than he can ask for. Public Safety Officer Kwiecinski thanked the City Council, the Public Safety Department, and his father for all their support. He looks forward to serving the residents of Berkley.

MOTION NO. M-61-17: Matter of approving appointments to various Boards and Commissions.

Mayor Pro Tem Baker moved to approve Motion No. M-61-17 with an amendment to appoint Gregory Patterson to the Parks and Recreation Advisory Board with a term expiring July 1, 2020.

Seconded by Councilmember Terbrack.

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

Nays: None

Motion Approved.

RESOLUTION NO. R-32-17: Matter of amending Oxford/Merchants Park Resolution No. R-07-17 approved March 20, 2017, supporting the city's Michigan Natural Resources Trust Fund (MNRTF) grant application.

Councilmember Terbrack moved to approve Resolution No. R-32-17.

Seconded by Councilmember Kideckel.

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

Nays: None

Motion Approved.

MOTION NO. M-62-17: Matter of approving Engineering Services for Water Main Asset Management Plan with Hubbell, Roth and Clark (HRC) for \$56,500.00. Engineering funds have been allocated in the current year fiscal budget under account number 592-536-821-000.

Councilmember Kideckel moved to approve Motion No. M-62-17.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

MOTION NO. M-63-17: Matter of approving the purchase of two (2) 2017 Ford 250 pickup trucks through Macomb County Cooperative Bid Program from Signature Ford at a total cost of \$58,589.00. These replacement vehicles were identified in the City of Berkley Capital Equipment Replacement Program (CERP). Funds for this expenditure will come from account number 101-441-985-000.

Councilmember Steadman moved to approve Motion No. M-63-17.

Seconded by Councilmember Graveline.

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

Nays: None

Motion Approved.

RESOLUTION NO. R-33-17: Matter of authorizing the amendment of the 2017/2018 Operating Budget as presented.

Councilmember Kideckel moved to approve Resolution No. R-33-17.

Seconded by Councilmember Steadman.

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

Nays: None

Motion Approved.

MOTION NO. M-64-17: Matter of approving the appointment of Deputy City Manager, Darchelle Strickland Love, as the 2017 Officer delegate representing the City of Berkley Municipal Employees' Retirement System (MERS) at the MERS Annual Conference in Detroit, Michigan.

Councilmember Graveline moved to approve Motion No. M-64-17.

Seconded by Councilmember Steadman.

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

Nays: None

Motion Approved.

COMMUNICATIONS:

COUNCILMEMBER KIDECKEL: spoke about the August 9th SaveMICity program brought together by the partnerships of the cities of Pleasant Ridge, Ferndale, Oak Park, Hazel Park, and Berkley. The presentation was held at the Detroit Zoo in Royal Oak and hosted by the Michigan Municipal League (MML). Councilmember Kideckel thanked DTE Energy for their \$25,000 sponsorship of the 2017 Berkley CruiseFest. He recognized Chairman Mark Coon and the 2017 CruiseFest Ad Hoc Committee for their magnificent job during this event. Councilmember Kideckel expressed his appreciation to Brian Aniti for volunteering his time and Public Works Foreman Shawn Young for his leadership during the CruiseFest. He acknowledged Public Works Director Derrick Schueller, the Public Works Department, Deputy City Manager Darchelle Strickland Love, Administrative Assistant to the City Manager Cindy Chiara, and Communications Coordinator Chelsey Machota for all their hard work during this event. Councilmember Kideckel expressed his gratitude to Daniel Smith from DTE Energy, Glenda Lewis from Channel 7 news, Parks and Recreation Director Theresa McArleton, and the Parks and Recreation Department. He congratulated Public Safety Sergeant Dennis Geary on his promotion and Public Safety Officer Robert Kwiecinski on his appointment. Councilmember Kideckel praised all the volunteers that were appointed and reappointed to the various Boards and Commissions. He talked about working with City Manager Matthew Baumgarten and City Attorney John Staran to find a remedy to discourage distracted driving.

COUNCILMEMBER GRAVELINE: extended her congratulations to Rowen Crawford and thanked her for sharing her heroic story. She commented that the city is fortunate to have Sergeant Dennis Geary and Officer Robert Kwiecinski to serve in the Public Safety Department. Councilmember Graveline gave an update on the Monday, August 14th Tree Board meeting that the committee is finishing up on revisions to the tree ordinance. She reminded the community that the deadline to order trees is Friday, August 25th through the Public Works Department. The next Planning Commission meeting is on Tuesday, August 22nd at 7:30 p.m. in the Council Chambers and the La Salette proposal is on the agenda. Councilmember Graveline announced the new Planning Commission Chairperson is Ms. Michele Buckler. The next Environmental Advisory Committee meeting is on Thursday, August 24th at 6:30 in the Second Floor Conference Room at the Public Safety building. Councilmember Graveline welcomes a new member of the Environmental Advisory Committee Ms. Haley Riley. She concluded with some information from the Michigan Municipal League (MML) presentation on August 9th. Councilmember Graveline learned that revenue sharing from the state to the local municipality has decreased by nearly 10% from 2002 to 2012. During that time, the state revenue increased by nearly 30% but they opted to share with the local municipality 56% less of those dollars. The City of Berkley would have received from 2002 to 2012 an amount of \$5,633,603.64 into our operating budget had the state shared at the same levels during that time. In order for the city to operate at the same dollar amount as it had in 2005 than it would take until the year 2030 at the current rate. Councilmember Graveline encourages the residents to visit the website SaveMICity.org more information on revenue sharing and the city website at www.berkleymich.org for the state representatives contact information.

COUNCILMEMBER TERBRACK: hopes to raise awareness on revenue sharing to local municipalities and have legislature at Lansing listen to the residents in Michigan. He expressed his gratitude to DTE Energy for their generous donation and sponsorship of the 2017 Berkley CruiseFest. Councilmember Terbrack expressed his appreciation to Chairman Mark Coon, Parks and Recreation Director Theresa McArleton, the 2017 CruiseFest Ad Hoc Committee, the Parks and Recreation Department, the Public Works Department, the Public Safety Department, the volunteers, the residents, and all those who participated in the annual CruiseFest. He invites everyone to the Parks and Recreation Ice Cream Social on Tuesday, August

29th from 6 p.m. to 8 p.m. at the Community Center. Councilmember Terbrack thanked the teachers making a difference in the lives of their students and he wished the students a very successful 2017/2018 school year.

MAYOR PRO TEM BAKER: shared a quote from author Bryan McGill, "Curiosity is one of the great secrets of happiness." He is happy and thankful for the Dream Cruise, the Cruisfest Ad Hoc Committee, the Public Safety Department, and all the volunteers. The Historical Committee will be coming out with a new souvenir mug that helps recognize the history of the city. The Downtown Development Authority (DDA) has new members and has been making great progress. The DDA design guideline public input session will be on Wednesday, September 27th. Mayor Pro Tem Baker recognized Vivian Carmody for being a great representative of the DDA and the city. He is inquisitive about the La Salette proposal and hopes for a positive dialog that will help the community make an informed decision. Mayor Pro Tem Baker is inquisitive about bicycle outreach and to find ways to continue to spread the word about how everyone can enjoy cycling safely. He is inquisitive about where to hide his first Berkley rock and encourages everyone find out more about these rocks.

COUNCILMEMBER STEADMAN: commented that the Cruisefest was absolutely wonderful and recognized the Public Safety Department for the amazing work they do to close down Woodward Avenue. She expressed her gratitude to Sergeant Justin Frost who brought her family smoke detectors after the house fire at her home. Councilmember Steadman encourages everyone to visit the Berkley Public Library website at www.berkley.lib.mi.us to upcoming programs.

COUNCILMEMBER BLANCHARD: acknowledge the 145 First Responders from Berkley, Oak Park, Lathrup Village, Pleasant Ridge, Oakland County, State Police, and surrounding communities that assisted with the Cruisefest and Dream Cruise. He gave an update from the Coolidge Traffic Committee in which they had trees trimmed to help clearly post the speed limit, they installed signs to identify municipal parking on Dorthea Road and Coolidge Highway, they received informal surveys from local businesses, and reviewed the Wayfinding study from commissioned by the Downtown Development Authority (DDA) in 2013. The DDA has engaged Corbin Design to update the study and develop a sign message system. The City Engineers have developed an estimated cost to install additional crosswalks at Dorothea Road near the Library while the DDA and the city are looking for possible grants to fund this project. Future improvements will include microsurfacing overlay on Coolidge Highway, new pavement markings, and left turn signals to be installed on 11 Mile Road and Coolidge Highway.

CITY MANAGER BAUMGARTEN: expressed his appreciation to Public Works Director Derrick Schueller, Public Works Foreman Shawn Young, the Public Works Department, Parks and Recreation Director Theresa McArleton, the Parks and Recreation Department, Interim Public Safety Director Bob North, and the Public Safety Department for making the Cruisefest a successful event. He thanked Fox 2 news for showcasing the City of Berkley on their Zip Trip program. City Manager Baumgarten will advise Communications Coordinator Chelsey Machota to obtain a copy of the program for the city's archive. He is grateful to the councilmembers that provided the SaveMICity information and recognized Councilmember Graveline for providing the graphics to help bring awareness to the revenue sharing issues. This presentation will be available to the residents on the WBRK channel and can be downloaded from YouTube. City Manager Baumgarten invites everyone to the next Chat with Matt on Wednesday, October 4th at 6 p.m. in the Council Chambers at the City hall. The special guests will be from the Clerk's Office to unveil the new voting equipment.

CITY ATTORNEY STARAN: gave a brief update on the distracted driver ordinance that he is currently working on with City Manager Baumgarten. The State of Michigan does have a ban on texting while driving but it does not prohibit you from texting while you are stopped at a traffic light or stuck in traffic. Under the current law, drivers are able to send email, browse the internet, play games, go on Facebook, and Twitter. A bill was introduced earlier this year to expand the types of uses being reviewed by the State House committee. He advised council that there are limitations of what the city can do and traffic laws are uniform throughout the State of Michigan. City Attorney Staran informed council that we will hear and talk about medical marijuana in the coming weeks as the state continues to develop its regulations. Permits may be issued in the communities that are permitting marijuana businesses as soon as January.

MAYOR O'DWYER: spoke briefly about the wonderful week, the variety of celebrations, and the Fox 2 news Zip Trip program. He associates his thoughts with those that have been expressed by his colleagues. But these are unsettled days in our nation, ugly divisions at home, and an uneasy peace abroad leave many people dispirited. Yet we must trust the checks and balances of our system to field through these turbulent days. Temperate voices will prevail to reaffirm the fundamental values of this nation. Already the corporate executive community, all our military leaders, and all our religious leaders have joined many congressional leaders in denouncing bigotry, racism, and neo Nazi supremacist violence. This is a blemish on our national character and not speaking out against it testily affirms it. We are great and generous people and we will mute the voices of hatred as we seek to create a more perfect union.

COUNCIL MEETING ADJOURNMENT:

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:05 p.m.

Seconded by Councilmember Steadman.

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

Nays: None

Motion Approved.