

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, JULY 17, 2017 BY MAYOR O'DWYER

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

ABSENT: Steven Baker

Councilmember Terbrack moved to approve the Agenda.
Seconded by Councilmember Kideckel.
Ayes: Blanchard, Graveline, Kideckel, Steadman, Terbrack, and O'Dwyer
Absent: Baker
Nays: None
Motion Approved.

INVOCATION NONE

CITIZENS COMMENTS

David Mills, Berkley resident at 2935 Tyler, shared a story in which a piano was donated to the Senior Center at the Community Center. He thanked his wife Linda Mills, Mike Czech, MaryAnne Czech, the Parks and Recreation Department, Evola Music, and Parks and Recreation Director Theresa McArleton.

Martin Smith, Berkley resident at 1692 Earlmont and member of the Planning Commission, request that more information be provided on the city website for the residents in regards to the new mixed recycling bins.

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, June 19, 2017.

WARRANT: Matter of approving Warrant # 1316.

RESOLUTION NO. R-21-17: Matter of recognizing former City Planner Amy Vansen for her 19 years of service with the City of Berkley.

ORDINANCE NO. O-11-17: Matter of considering the second reading of an ordinance to add Section 122-95 to Article IV of Chapter 122, Traffic and Vehicles, of the City of Berkley Code of Ordinances to require vehicles parked on a street, highway, or municipal parking lot to have a valid registration plate. (Full copy of this ordinance is posted for ten days at the Berkley City Hall, Library, and Community Center)

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

Regular Agenda

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

Councilmember Graveline read Resolution No. R-21-17 into record.

David Barnett, Chairman of the Planning Commission, has had the honor to work with such a wonderful person like our former City Planner Amy Vansen. He spoke of her extraordinary knowledge, her ability to communicate well with all the Planning Commissioners, and it has been an absolutely fantastic experience working alongside her. Although he is sad to see her leave, it is certain that the Michigan Association of Planning will love her and she will do a great job for them as well. On behalf of the Planning Commission, Mr. Barnett thanked Ms. Vansen for everything she has done for them over the years.

Dean Smith, Planning Commissioner, during his career he has had the privilege of working with various municipalities throughout the State of Michigan and the world. Berkley has shown major improvements and increased in value during former City Planner Amy Vansen's tenure. A minor change that requires people to use better materials when homes are being renovated is just one example. Twenty years ago, people use to come to Berkley because it was an inexpensive place to buy single family homes for cheap, it had good schools and excellent Public Works Department. Now, new single family homes are selling for \$400,000 and much of it is due to the efforts of the Building and Planning Department. Mr. Smith is going to Ms. Vansen. He hopes that she will take what she has learned in the last 19 years and share it with other communities who will need her help. The Planning Commission and the Zoning Board of Appeals has a range of talent, skills, and backgrounds. Ms. Vansen has helped both committees to figure out what they should be doing and has given them the information to make the right decisions.

David Mills, Berkley resident at 2935 Tyler, personally thanked former City Planner Amy Vansen and has had the pleasure of working with her.

Martin Smith, Vice-Chairman of the Planning Commission, recognized former City Planner Amy Vansen and thanked her for always being prepared at all the Planning Commission meetings. It has been a pleasure working with Ms. Vansen and the city has come along ways with her help. The Planning Commission hopes to continue to work with the individual who will be taking Ms. Vansen's place; it will be a big job to fill.

Tim Murad, Planning Commissioner, is really going to miss former City Planner Amy Vansen. Ms. Vansen has been a tremendous help during the Planning Commission meetings. She always provides the Commissioners with prompt answers and has a vast knowledge of the city ordinances. Mr. Murad plans to become more familiar with the city ordinances. The Planning Commission members are going to miss Ms. Vansen and they wish her luck in the new position.

Shirley Hansen, Historical Committee member, met former City Planner Amy Vansen at the first Berkley Home Improvement Expo and that was the start of a long friendship. While Ms. Hansen was the President of the Oakland Manor Home Owners Association, she could always depend on Ms. Vansen to provide her with detailed information on any resident concerns. Ms. Vansen has been a considerable asset to the city and Ms. Hansen wishes her well.

Jim Cox, Berkely resident at 2701 Oxford, wished former City Planner Amy Vansen nothing but the best and hopes her next endeavor has as much enthusiasm as she has brought the City of Berkley.

Ryan Gesund, Zoning Board of Appeals member, attended a training session at Oakland County for Planning Commissioners and Zoning Board of Appeals members. Committee members from various communities advised him not to worry but to follow the former City Planner Amy Vansen's lead. With that, Mr. Gesund wished Ms. Vansen good luck and let her know the members of these boards will miss her tremendously.

Paul Evans, Chairman of the Zoning Board of Appeals, agreed that a lot of sentiments spoken tonight are true about former City Planner Amy Vansen. He made a comment that having someone here with 19 years of experience and who is so involved brings a lot of institutional knowledge. Whenever a question was asked of Ms. Vansen, she was sure to give full answers and never left a stone unturned. Mr. Evans expressed his gratitude of working with Ms. Vansen and he wished her the best in her future endeavors.

On behalf of the Berkley residents and businesses, Mayor O'Dwyer expressed his gratitude for all that the Former City Planner Amy Vansen has done for the city. He went on to say that she is the brightest employee the city has hired by far during his tenure on council. Mayor O'Dwyer thanked Ms. Vansen for her services.

Former City Planner Amy Vansen spoke about her many years of serving with the City of Berkley and she has made some observations. She shared that "No one in local government from City Council to Boards and Commissions and City Administration to staff goes into government to glory or for riches. They do it, to make the world a better place. Even if the city is only a two square mile. I am forever grateful for the opportunity to be part of all this. My work to make the world a better place continues in another place. For City Council, Boards and Commissions, administration, and staff, keep up the good work and thank you."

MOTION NO. M-50-17: Matter of approving appointments to various Boards and Commissions.
Councilmember Terbrack moved to approve Motion No. M-50-17.

Seconded by Councilmember Kideckel.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-51-17: Matter of considering a special event permit request allowing the Ancient Order of Hibernians in America to hold its second County Oakland Irish Festival on Saturday, September 9, 2017 from 10 a.m. to 12 a.m. and Sunday, September 10, 2017 from 10 a.m. to 6 p.m. The nonprofit has requested that 12 Mile Road, between Wakefield Road and Tyler, be closed for the event. Approval is contingent upon the city's receipt of all required documents before the event date.

Councilmember Terbrack moved to approve Motion No. M-51-17.

Seconded by Councilmember Steadman.

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

Absent: Baker

Nays: None

Motion Approved.

RESOLUTION NO. R-26-17: Matter of recognizing Second Chances Animal Rescue, Inc. as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming license.

Councilmember Kideckel moved to approve Resolution No. R-26-17.

Seconded by Councilmember Steadman.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-52-17: Matter of approving participation in the "Tie Berkley Teal" campaign to promote awareness of ovarian cancer and its symptoms.

Councilmember Steadman moved to approve Motion No. M-52-17.

Seconded by Councilmember Graveline.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-53-17: Matter of authorizing the purchase of temporary traffic control devices at a cost not to exceed \$19,698 from Howard T. Moriarty Company, 143 Broadway, Toledo, OH 43604. Funds for this expenditure will come from account 614-915-758-000.

Councilmember Blanchard moved to approve Motion No. M-53-17.

Seconded by Councilmember Terbrack.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-54-17: Matter of authorizing the Mayor to execute a contract between SMART and the City of Berkley for Fiscal Year 2018 Municipal Credit and Community Credit funds in order to provide public transportation services for the period of July 1, 2017 to June 30, 2018.

Councilmember Terbrack moved to approve Motion No. M-54-17.

Seconded by Councilmember Kideckel.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-55-17: Matter of approving a contract extension to SJR Pavement Repair, Inc. of Warren, Michigan in an amount not to exceed \$100,000 for the 2017-2018 Pavement Maintenance Program.

Councilmember Blanchard moved to approve Motion No. M-55-17.

Seconded by Councilmember Graveline.

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

Absent: Baker

Nays: None

Motion Approved.

RESOLUTION NO. R-27-17: Matter of approving MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services for a Bilateral Permit under the METRO Act.

Councilmember Steadman moved to approve Resolution No. R-27-17.

Seconded by Councilmember Terbrack.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-56-17: Matter of approving the purchase of new street name signs at a total cost of \$17,182.04 from Vulcan Signs of Foley, Alabama. Funds for this expenditure will come from account numbers 202-475-758-000 and 203-475-758-000.

Councilmember Terbrack moved to approve Motion No. M-56-17.

Seconded by Councilmember Kideckel.

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

Absent: Baker

Nays: None

Motion Approved.

RESOLUTION NO. R-28-17: Matter of authorizing additional service credit purchase for Richard Rzeczkowski under the Municipal Employees Retirement System.

Councilmember Graveline moved to approve Resolution No. R-28-17.

Seconded by Councilmember Steadman.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-57-17: Matter of amending the City of Berkley's Fee Schedule for the Public Library to reduce the credit card payment fee from 5% to 2.75% and eliminate the scanner use fees.

Councilmember Steadman moved to approve Motion No. M-57-17.

Seconded by Councilmember Blanchard.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-58-17: Matter of authorizing the purchase of two (2) 2018 Ford Utility Vehicles for patrol assignment, for a cost not to exceed \$55,340.00, (\$27,670.00 each). Funds for this expenditure will come from account 101-310-985-000.

Councilmember Blanchard moved to approve Motion No. M-58-17.

Seconded by Councilmember Terbrack.

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

Absent: Baker

Nays: None

Motion Approved.

MOTION NO. M-59-17: Matter of authorizing the purchase of four (4) mobile data computers for patrol vehicles for a total amount of \$24,600 from account 101-310-985-001.

Councilmember Blanchard moved to approve Motion No. M-59-17.

Seconded by Councilmember Kideckel.

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

Absent: Baker

Nays: None
Motion Approved.

RESOLUTION NO. R-29-17: Matter of authorizing acceptance of the State of Michigan/Michigan Department of State and Oakland County/City of Berkley Help America Vote Act (HAVA) Grant Agreement.
Councilmember Graveline moved to approve Resolution No. R-29-17.
Seconded by Councilmember Blanchard.
Ayes: Blanchard, Graveline, Kideckel, Steadman, Terbrack, and O'Dwyer
Absent: Baker
Nays: None
Motion Approved.

MOTION NO. M-60-17: Matter of authorizing membership in the Michigan Coalition to Protect Public Rights-of-Way (PROTEC) for fiscal year beginning July 1, 2017, for annual dues of \$1,871.25. Funds for this expenditure will come from account 101-284-803-000.
Councilmember Blanchard moved to approve Motion No. M-60-17.
Seconded by Councilmember Kideckel.
Ayes: Graveline, Kideckel, Steadman, Terbrack, Blanchard, and O'Dwyer
Absent: Baker
Nays: None
Motion Approved.

COMMUNICATIONS:

COUNCILMEMBER KIDECKEL: commented on the turn out for the Art and About hosted by the Chamber of Commerce and the Street Art Fest hosted by the Downtown Development Authority (DDA) this past weekend. He thanked all the volunteers such as former City Planner Amy Vansen and all the appointments to the Boards and Commissions for making a difference in the community. Councilmember Kideckel recognized David Mills, Mike Czech, MaryAnne Czech, and Evola Music for donating a piano to the Senior Center at the Community Center. He concluded by paying tribute to Dr. Morrie Dubin and sends his condolences to the Dubin family.

COUNCILMEMBER GRAVELINE: thanked the Chamber of Commerce for the Art and About and the Downtown Development Authority (DDA) for the Street Art Fest that were some great events this past weekend. She congratulated all the volunteers that were appointed to the Boards and Commissions. Councilmember Graveline reminded everyone that the next Planning Commission meeting is on Tuesday, July 25th at 7:30 p.m. in the Council Chambers at the City Hall.

COUNCILMEMBER TERBRACK: thanked all the volunteers at the Art and About hosted by the Chamber of Commerce and the Street Art Fest hosted by the Downtown Development Authority (DDA) this past weekend. He invites everyone to the upcoming Summerfest event Jaycee Jamboree on Thursday, July 20th at 6 p.m. at Jaycee Park. Councilmember Terbrack is honored to be chosen to wear the jacket for the 41st Polish Prince Golf Outing to be held in August and he gave a brief history of the tradition.

COUNCILMEMBER STEADMAN: gave an update on some upcoming projects for the Beautification Advisory Committee. On July 25th the committee will be planting flowers at both the welcome to Berkley signs on Webster/Coolidge Highway and Webster/Woodward Avenue. Also, they will be beautifying the 12 Mile Road/Coolidge Highway corner and Oxford Park on Harvard Road. In August, the Beautification Advisory Committee will be recognizing Landscapes of the Year to the top five residential homes. Councilmember Steadman invites everyone to the following Library programs: Build a Better Micro World on Tuesday, July 25th; Make Toys for Animals on Thursday, July 20th; Berkley Reading Society on Thursday, July 20th; Henna Workshop on Wednesday, July 26th; Tie Dye Like the Pros on Tuesday, August 1st; Rock Painting Party on Monday, July 24th; Baffling Bill the Magician on Thursday, July 27th; and, Evening Story Times for Families on Thursday, July 20th and Monday, July 31st. She encourages everyone to visit the Library website at www.berkeleylib.mi.us for more information and registration. Councilmember Steadman thanked the Downtown Development Authority (DDA) for hosting the Street Art Fest and all the participants.

COUNCILMEMBER BLANCHARD: thanked the Downtown Development Authority (DDA), Chamber of Commerce, and all the volunteers for making the Street Art Fest a successful event.

CITY MANAGER BAUMGARTEN: gave an update on the coalition between the City Berkley, Huntington Woods, Pleasant Ridge, Oak Park, Hazel Park, and Ferndale jointly invite the SaveMICity to bring awareness in reforming municipal finance in Michigan to encourage renewed investment in our communities. There will be meetings held on August 9th and August 10th at the Detroit Zoo in Royal Oak and August 15th at the Rust Belt Market in Ferndale. He thanked the Mayor and City Council for their regional approach to this issue.

CITY ATTORNEY CHRIST: had no comments this evening.

MAYOR O'DWYER: shared the following message from Mayor Pro Tem Steve Baker, "Greetings everyone! I write to you from downtown Chattanooga, Tennessee - where I am leading a two-day workshop on innovation with colleagues from across the country. Like Berkley, Chattanooga has an active downtown - but their art scene doesn't hold a train's whistle to what we have in Berkley! My congratulations to our DDA and Chamber for the lovely events this past weekend; we were amazed to watch the chalk art materialize before our eyes, and the murals that have already transformed our downtown take shape. These are signs of a vibrant, healthy city indeed. Majora Carter once wrote, "You shouldn't have to leave your neighborhood to live in a better one." Progress is about thoughtfully planning for the future and carefully acting on those plans. Our downtown is moving forward, and as a city we continue to grow, thrive, and advance. Thank you to all who have contacted me about recent events with your suggestions, questions, and concerns. I will continue to gratefully listen, carefully consider, and actively work with residents to ensure that Berkley reflects our values and that our downtown continues to thrive. Again, thanks — and while this workshop focuses primary on the energy and utility sector, we in the municipal sector have much in common with our utility-minded compatriots. I look forward to sharing the ideas, successes, and lessons learned that I gain this week with you."

Mayor O'Dwyer spoke about the recent Mayor's Conference he attended in Monroe, MI. He thanked City Council, City Administration, and Department Directors for the wonderful work they do throughout the city.

COUNCIL MEETING ADJOURNMENT:

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:57 p.m.

Seconded by Councilmember Steadman.

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

Absent: Baker

Nays: None

Motion Approved.