

**THE THIRTY-SECOND REGULAR MEETING OF THE THIRTY-SIXTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, SEPTEMBER 18, 2017 BY MAYOR O'DWYER**

**PRESENT:** Steve Baker Eileen Steadman (arrived @ 7 p.m.)  
Jack Blanchard Daniel Terbrack  
Colleen Graveline Phil O'Dwyer  
Alan Kideckel

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

**INVOCATION** REVEREND TAL SULLIVAN

**CITIZENS COMMENTS**

Jeff Tong, Berkley resident at 1628 Larkmoor and a member of the Historical Committee, announced that the new mug is a photo of the Berkley Theater Marquee on its last night in September of 1993 and it was featuring the 1942 movie Yankee Doodle Dandy. The mugs are on sale for \$10 at the Berkley Historical Museum, at the City Hall, and at the Berkley Public Library. The museum hours are Wednesdays from 10 a.m. to 1 p.m. and Sundays from 2 p.m. to 4 p.m. There are 288 mugs available and all proceeds benefit the Berkley Historical Committee.

Shirley Hansen, Berkley resident at 2050 Edgewood and a member of the Historical Committee, helped showcase the new Berkley Theater Marquee mugs.

Vivian Carmody, Downtown Development Authority (DDA) Director, invites everyone to the Design Guidelines Public Input Session scheduled for Wednesday, September 27th from 7 p.m. to 8:30 p.m. at the Berkley High School Collaborative Center. She announced that the DDA has now funded the crosswalks at Dorothea and Coolidge and at Earlmont and Coolidge. It is a collaborative effort with Hubble, Roth, and Clark (HRC), City Administration, and Spalding DeDecker.

***Consent Agenda***

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

**APPROVAL OF THE MINUTES:** Matter of approving the minutes of the regular 36<sup>th</sup> City Council meeting on Monday, August 21, 2017 and Work Session on Friday, August 25, 2017.

**WARRANT:** Matter of approving Warrant # 1318

**PROCLAMATION NO. P-06-17:** Matter of declaring the month of September as National Preparedness Month.

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 Blanchard read Proclamation No. P-06-17 into record.

**OATH OF OFFICE:** Oath of Office to the newly appointed Deputy City Clerk Gina Marie Cipriani.  
Councilmember Kideckel moved to approve the Oath of Offices for newly appointed Deputy City Clerk Gina Marie Cipriani.  
Seconded by Mayor Pro Tem Baker.  
Deputy Clerk Cipriani thanked everyone for the opportunity and looks forward to working with city staff. She introduced her parents Thomas and Noeleen Cipriani.

**MOTION NO. M-65-17:** Matter of approving the Macomb County Cooperative Bid Program purchase of one (1) 2017 Ford F250 pickup truck at a total cost not to exceed \$30,426 from Signature Ford of Owosso, Michigan. Funds from this expenditure will come from account number 614-105-985-000.

Councilmember Terbrack moved to approve Motion No. M-65-17.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.

**DISCUSSION:** Matter of receiving a summary of the September 7<sup>th</sup> meeting, update of staff progress, and potential action plans.

Start 7:17 p.m.

City Manager Baumgarten gave a PowerPoint presentation with updates from the Thursday, September 7, 2017 Special Meeting. He encourages everyone to visit [www.berkleymich.org/rainevent17](http://www.berkleymich.org/rainevent17) for more information. City Manager Baumgarten added that Beverly Hills and Birmingham have done similar capacity analysis with Oakland County. Berkeley is currently working with the City of Southfield, a Twelve Town Drain partner. City Manager Baumgarten would like to bring a budget amendment for council approval for purchases of restrictor plates. He has not seen a trend between the new builds and backups based on the capacity analysis and impervious surface study. City Manager Baumgarten explained that during the flood event when the rain lessens, the system was able to catch up quickly. He recommends that residents avoid walking or driving through flooded areas due to possible hazards. City Manager Baumgarten informed everyone that a GPS mapping was done prior to the capacity analysis study. In regards to the rain barrel, it needs to be done on a wide scope and little solutions. He informed everyone that the point of discharge is at Eleven Mile Road and Woodward Avenue and major exit for the county system. City Manager Baumgarten stated that new constructions are protected by individual valves. Property owners do have the option of having a whole home check valve properly installed and maintained.

Councilmember Blanchard inquired about the capacity analysis by Hubble, Roth, and Clark, Inc. (HRC). He questioned if the city has an agreement with Oakland County for them to help with the node analysis. Councilmember Blanchard asked what percentages of the pipes have been structurally lined. He informed everyone that when a rain event happens and the valve shuts, homeowners will not be able to use the system.

Public Works Director Schueller confirmed that the capacity analysis will generate models that can be used in the future. He shared that HRC did reference in recent discussions that information from Oakland County is available and may be incorporated in the studies. Public Works Director Schueller gave a brief summary on benefits of restrictor plates on the catch basins and he is waiting for further direction from HRC. He said that the department has maps of the catch basins and covers locations that have been in place for some time. Public Works Director Schueller stated that the catch basins and covers have helped over time and the study will provide more detail. He explained that the last city cycle was completed two years ago in which 57 miles of the sewer system was televised. Public Works Director Schueller answered that 28% or 16 miles of 57 miles of pipes have been structurally lined. He advised that the restrictor plate analysis will be part of the document council will be reviewing after more meetings with HRC. Public Works Director Schueller explained that additional restrictor covers may spur more calls and require staff maintenance. He agreed with Councilmember Steadman to provide information to residence about the drain covers and the safety concerns. Public Works Director Schueller stated that the cleaning of the catch basin is on a rotational method and residents may call the department for more information. He reconfirmed that the sewer maintenance program is completed every two years. Public Works Director Schueller confirmed that the street sweeper has been completed every two weeks in the city. He spoke about the holes in the system and the catch basin covers that may not allow for any air lock. Public Works Director Schueller expressed his concerns with the residents help to remove debris from the catch basin. He recommends that they contact the Public Works Department to address the problem.

Councilmember Terbrack request Public Works Director Schueller to further explain restrictor plates. He would like to have ideas with practical reason, have a strategic approach, explain why, and what is the impact. Councilmember Terbrack asked how frequently the Public Works department televised the sewer system. He would like to know the typical program to clean out the catch basin such as where, when, and how frequent.

Councilmember Kideckel thanked Public Works Director Schueller and City Manager Baumgarten. He requests that Public Works Director Schueller go into more detail about the 44% of catch basin covers throughout the city.

Mayor O'Dwyer questioned if we could deduce anything from the impact of having 44% of the catch basin and covers in place throughout the city. He asked if there could possibly be an air lock in the system.

Councilmember Graveline inquired about preliminary restrictor plate analysis to be completed by HRC and when it will be presented to council. She asked Public Works Director Schueller about the anticipated overtime hours for his staff to clear debris from restrictor covers. Councilmember Graveline had a question about the sewer system maintenance program timeframe.

Councilmember Steadman suggests that administration provide information to residence the importance of not removing drain covers.

Mayor Pro Tem Baker thanked staff and administration for the materials provided leading up to the session on Thursday, September 7th. He would like to see the residents be included in the conversation, to engage the community to provide input, and continue the collaborative effort.

Mary Stapula, Berkley resident at 2685 Kenmore, inquired about any pattern that has been identified connecting new builds and backups. She asked what may have caused the flood event to come and go so quickly. Ms. Stapula shared that her plumber suggests that the system was already filled when the rain event occurred. She inquired about the backflow valves and she was advised that a valve is needed for each drain line that comes into the basement.

Dennis Hennen, Berkley resident at 2411 Earlmont, suggests helping the county for the enforcement of silt in the sewer. He asked Public Works Director Schueller if it is safe for residents to clear catch basins and not move the covers.

Stacey Stevens, Berkley resident at 2615 Kipling, inquired about an incentive program and for administration to consider making it retroactive.

Jim Pesta, Berkley resident at 2795 Gardner, asked if the city knows the capacity analysis or why a study had not been done in 2014 and what size rain barrel will make an impact. He inquired about the lowest point in Berkley at Eleven Mile Road and Woodward Avenue.

End 8:06 p.m.

**MOTION NO. M-66-17:** Matter of approving a Special Land Use request for the Archdiocese of Detroit for Our Lady of LaSalette, 2600 Harvard, north side of Harvard, between Kipling and Coolidge; requesting special use approval for a parking lot for a place of worship.

Councilmember Steadman moved to approve Motion No. M-66-17.

Seconded by Councilmember Kideckel with an amendment to postpone the motion and return it to a future council meeting.

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

Nays: Terbrack

Motion Approved.

#### **COMMUNICATIONS:**

**COUNCILMEMBER TERBRACK:** invites everyone to a Parks and Recreation event Touch-A-Truck on Saturday, September 23, 2017 at 10 a.m. to 12 p.m.

**COUNCILMEMBER GRAVELINE:** the following are update from the Monday, September 11, 2017 Tree Board meeting: 92 trees ordered through the tree planting program; the committee is in a final review and will provide recommendations for the tree ordinance; and they encourage residents to the contact SOCWA with questions about rain gardens. The next Environmental Committee meeting is on Friday, September 22nd meeting at 6:30 p.m. and the Planning Commission meeting is on Tuesday, September 26<sup>th</sup> and La Salette will be under consideration.

**COUNCILMEMBER KIDECKEL:** spoke about the Stephen Siller's 5K run on Saturday, September 23, 2017. He recognized Public Safety Sergeant Justin Frost for fundraising efforts to support the cause. Councilmember Kideckel extends his condolences to Gail Payne's family and the Blarney Stone Pub. Thursday, September 21, 2017 is Rosh Hashana and Saturday, September 30, 2017 is Yom Kippur. He wished everyone a Happy and Healthy New Year. Councilmember Kideckel gave an update on the Michigan Municipal League (MML) Conference in Holland, the Council Manager relations break out session, and American in Bloom break out session. He concluded with a quote from our 35<sup>th</sup> U.S. President John F. Kennedy, ""Leadership and learning are indispensable to each other."

**MAYOR PRO TEM BAKER:** gave an update from the Michigan Municipal League (MML) Conference to include the Downtown Development Authority (DDA), Federal Supreme Court decisions, and a session on setting and improving energy strategy. He reminded everyone to check out the Historical Committees new Berkley Theatre Marquee mugs. Mayor Pro Tem Baker shared a quote from Bill Nye the Science Guy, "Everyone you will ever meet knows something you don't." He encourages everyone to join the DDA on Wednesday, September 27th for the Design Guidelines session at 7 p.m. in the Berkley High School Collaborative Center.

**COUNCILMEMBER STEADMAN:** reminded everyone that the Detroit Beer: A History of Brewing in the Motor City program is tonight at 6:30 p.m. She invites everyone to the following Library programs: Cocktails and Coloring at Amici's on Monday, September 25th from 7 p.m. to 9 p.m.; Film Screening: Wonder Woman on Wednesday, September 27 at 2 p.m. and 5:30 p.m.; A Parents Guide to Autism on Thursday, September 28th at 6:30 p.m.; and Berkley Reading Society on Thursday, September 21st at 6:30 p.m. The Berkley Reading Society is reading the Orphan Master's Son. Councilmember Steadman invites parents to register their children for the following programs: Family Movie: LEGO Batman on Saturday, September 30th at 11 a.m.; Lapsit Storytimes are on Mondays at 10:30 a.m.; Preschool Storytimes are on Tuesdays at 10:30 a.m.; and Parent Toddler Storytimes are on Thursdays at 10:30 a.m. She encourages the residents to visit the Berkley Public Library website at [www.berkley.lib.mi.us](http://www.berkley.lib.mi.us) for more information. Councilmember Steadman gave an update from the MML Conference in Holland and attends a session on providing a variety of housing to meet the needs of the needs of younger work force, senior citizens, and empty nesters. She encourages everyone to watch a video by Ms. Chesley Clark a member of the RMHIDA on the Impact of the legalization of marijuana in Colorado.

**COUNCILMEMBER BLANCHARD:** thanked all the volunteers, Chamber of Commerce, and Downtown Development Authority (DDA) for making the County Oakland Irish Festival a successful event.

**CITY MANAGER BAUMGARTEN:** gave an update from the Michigan Municipal League (MML) Conference. He invites everyone to join him at the next Chat with Matt on Wednesday, October 4<sup>th</sup> with the Clerk's Office as a special guest. Our Communications Coordinator Chelsey Machota has recently resigned and the city is recruiting for this position. The job posting may be found on the city website at [www.berkleymichl.org](http://www.berkleymichl.org) and on MML website. Our new Public Safety Director Matthew B. Koehn will be joining the Berkley family on Monday, October 2nd.

**CITY ATTORNEY STARAN:** No comments this evening.

**MAYOR O'DWYER:** thanked Mayor Pro Tem Baker for conducting the Thursday, September 7th Special Meeting in his absence. He welcomed our new Deputy City Clerk Gina Cipriani. Mayor O'Dwyer extends his condolence to Ed Swanson's family; he was the former mayor for City of Madison Heights who passed away this month.

**COUNCIL MEETING ADJOURNMENT:**

Motion by Councilmember Kideckel to adjourn the regular meeting at 8:39 p.m.

Seconded by Councilmember Blanchard.

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

Nays: None

Motion Approved.