

THE SIXTH REGULAR MEETING OF THE THIRTY-SEVENTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 5, 2018 BY MAYOR TERBRACK

PRESENT: Steve Baker Dennis Hennen
Jack Blanchard Eileen Steadman
Ross Gavin Daniel Terbrack

APPROVAL OF AGENDA

Mayor Pro Tem Baker moved to approve the Agenda

Seconded by Councilmember Gavin.

Ayes: Blanchard, Gavin, Hennen, Steadman, Baker, and Terbrack

Nays: None

Motion Approved.

INVOCATION - PASTOR MATT BRUNNER

CITIZENS COMMENTS

Kevin McNulty, Berkley resident at 1975 Royal, inquired about having the city adopt an ordinance in support of gun control with the recent Parkland, Florida school shooting.

Paul Benson, Berkley business owner for Be Well Medical Center and a member of Berkley Rotary Club, invites everyone to their upcoming event at Crispelli's Restaurant for a Dinner and Dialogue on Monday, March 26th at 6 p.m. and Monday, April 23rd at 6 p.m.

Doug Deeds, Berkley resident at 2053 Tyler and a member of the Beautification Advisory Committee informed everyone that there are 8 plots available for rent at the community garden, the Beautification Advisory Committee are looking for volunteers to help with future projects, and to visit the city website at www.berkleymich.org for more information. The next Beautification Advisory Committee meeting is scheduled for Wednesday, March 14th at 6:30 p.m. in the 2nd Floor Conference Room of the Public Safety Department.

Consent Agenda

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

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 37th City Council meeting on Monday, February 5, 2018, Special Meeting of the Subcommittee on Friday, February 16, 2018, and Special Meeting of the Council on Monday, February 26, 2018.

ORDINANCE NO. O-01-18: Matter of considering the second reading of an ordinance to Add New Article VI, Consultant Costs, to Chapter 2, Administration, of the City of Berkley Code of Ordinances to require the City's cost of City consultants to be charged to and paid by the applicant requesting the review or approval, and to Prescribe a Penalty for Violations. (Full copy of this ordinance is posted for ten days at the Berkley City Hall, Library, and Community Center)

Ayes: Gavin, Hennen, Steadman, Baker, Blanchard, and Terbrack

Nays: None

Motion Approved.

Regular Agenda

RECOGNITIONS/PRESENTATIONS

RESOLUTION NO. R-06-18: Matter of establishing an "Ad Hoc Woodward Dream Cruise Committee" Coordinating the 2018 Cruisefest events for the City of Berkley.
Councilmember Hennen moved to approve Resolution No. R-06-18.
Seconded by Councilmember Gavin.
Ayes: Hennen, Steadman, Baker, Blanchard, Gavin, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-12-18: Matter of authorizing a contract with C & D Flooring, LLC (35404 Mound Road, Sterling Heights, MI 48310) to install carpet in the meeting room and teen room at the library for a cost not to exceed \$6,603.82 from Building Improvements (101-738-976-000).
Councilmember Hennen moved to approve Motion No. M-12-18.
Seconded by Mayor Pro Tem Baker.
Ayes: Steadman, Baker, Blanchard, Gavin, Hennen, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-13-18: Matter of authorizing a purchase from Library Design Associates, Inc. (1149 S. Main St., Plymouth, MI 48170) for eight tables, seventy-five chairs, three stacking carts, and four lounge chairs at the library for a cost not to exceed \$15,991.00 to be paid from Building Improvements (101-738-976-000).
Councilmember Steadman moved to approve Motion No. M-13-18.
Seconded by Councilmember Gavin.
Ayes: Baker, Blanchard, Gavin, Hennen, Steadman, and Terbrack
Nays: None
Motion Approved.

RESOLUTION NO. R-07-18: Matter of authorizing the Berkley Downtown Development Authority (DDA) to apply to become a select community under Main Street Oakland County, and authoring the DDA to submit the application to Main Street Oakland County in furtherance of this resolution.
Mayor Pro Tem Baker moved to approve Resolution No. R-07-18.
Seconded by Councilmember Steadman.
Ayes: Blanchard, Gavin, Hennen, Steadman, Baker, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-14-18: Matter of considering a Letter of Support for a regional bike sharing grant
Councilmember Gavin moved to approve Motion No. M-14-18.
Seconded by Mayor Pro Tem Baker.
Ayes: Gavin, Hennen, Steadman, Baker, Blanchard, and Terbrack
Nays: None
Motion Approved.

ORDINANCE NO. O-02-18: Matter of considering the second reading of an ordinance to Add New Article VI, Complete Streets, to Chapter 106, Streets, Sidewalks, and Other Public Places, of the City of Berkley Code of Ordinances to Establish a Policy to Encourage Complete Streets, and to Prescribe a Penalty for Violations. (Full copy of this ordinance is posted for ten days at the Berkley City Hall, Library, and Community Center)
Mayor Pro Tem Baker moved to approve Ordinance No. O-02-18 with an amendment to changed "MPO" to "metropolitan planning organization" of 106-300, delete the redundant phrase in 2nd line of 106-302(4) and , insert new ending phrase to make subject to subsection (4) exceptions of 106-302(5)
Seconded by Councilmember Gavin.
Ayes: Hennen, Steadman, Baker, Blanchard, Gavin, and Terbrack
Nays: None

Motion Approved.

MOTION NO. M-15-18: Matter of approving the appointments to various Boards and Commissions.

Councilmember moved to approve Motion No. M-15-18.

Seconded by Councilmember

Ayes: Steadman, Baker, Blanchard, Gavin, Hennen, and Terbrack

Nays: None

Motion Approved.

RESOLUTION NO. R-08-18: Matter of amending Section 7 of the City Council Meeting Rules and Order of Procedure.

Mayor Pro Tem Baker moved to approve Resolution No. R-08-18 with an amendment to add a parenthetical sentence to address the possibility of the Mayor Pro Tem also is the most junior or senior member of council and change the candidate scoring scale from "1-3" to "1-5".

Seconded by Councilmember

Ayes: Baker, Blanchard, Gavin, Hennen, Steadman, and Terbrack

Nays: None

Motion Approved.

MOTION NO. M-16-18: Matter of an appointment to fill the current vacancy on City Council.

Councilmember Blanchard moved to approve Motion No. M-16-18.

Seconded by Councilmember Steadman.

Ayes: Steadman, Baker, Blanchard, Gavin, and Terbrack

Nays: Hennen

Motion Approved.

First roll call:

Councilmember Blanchard nominated Bridget Dean

Councilmember Gavin's candidate has already been nominated

Councilmember Hennen nominated Susan Citraro

Councilmember Steadman's candidate has already been nominated

Mayor Pro Tem Baker nominated Natalie Price

Mayor Terbrack's candidate has already been nominated

Mayor Terbrack reminded everyone of the approved Resolution R-08-18 establishing a process to fill a vacancy on city council. He nominated Bridget Dean because of her involvement in the city as a board member on the Chamber of Commerce and on the Downtown Development Authority (DDA). As a business owner in the city, Ms. Dean will bring a new perspective on current council. Mayor Terbrack advised council to not get into a position where they take or detract from another candidate. He encourages council to advocate for their nominee and explain the reason for their preference. Mayor Terbrack asked each council member to disclose the names of the groups, clubs, or boards they are affiliated with. He informed everyone that he is a member of the Berkley Democratic Club and he is aware that one of the candidates for council is the chairperson for this club. Mayor Terbrack has not received any campaign contributions from his nominee.

Councilmember Hennen mentioned that Bridget Dean knows the issues that the DDA faces but has very little knowledge of those outside of the committee and around the city. His preferred candidate, Sue Citraro has the best knowledge of issues that the city faces. She has researched a redevelopment ready community and it goes to show the passion she has for the city. Ms. Citraro is involved in organizations that selflessly benefit the community and she has many connections. Her focus is on communication, education, and getting information out to the public. Ms. Citraro has great work ethics and understands the importance of earning trust especially as a trustee of other people's assets. She takes responsibility for her actions and she has been involved in the city longer than any other candidate. He informed

everyone that Ms. Citraro has worked and contributed to his campaign. They are board members of Berkley Citizen's United.

Mayor Pro Tem Baker shared quotes from individuals who have reached out to council to recommend his nominee Natalie Price. One individual said, "Ms. Price is a creative thinker and contributes valuable ideas to group discussions. She also excels in putting these ideas into action by involving others. She has a great ability to develop realistic goals and drive a group into accomplishing these goals. She has a true passion for our community and is always willing to work hard towards its improvement." A second individual said, "As a mother of young children as so many Berkley families are, I am thoroughly moved by what Natalie has to say at the last meeting regarding her experience and vision for Berkley. Natalie is as solid, faithful, and dedicated as they come." A third individual said, "Natalie is a very thoughtful person who works very hard to consider all prospective before making a decision. She has a unique ability to encourage social involvement without being pushy. Helping others to realize the importance of community involvement and leading predominantly by example. I love this community, I love to have the opportunity to connect with my neighbors, and I very much credit Natalie Price's leadership in my development of community connectedness." These are voices from people across the spectrum including aspects of the community that we don't have represented. The stay at home parents of young children that have opportunities to contribute more are assets Natalie will bring to the table. Mayor Pro Tem Baker informed everyone that he is a member of the Berkley Democratic Club and has no affiliation with the Berkley Mom's Club that his nominee is a member of.

Councilmember Gavin will be supporting Bridget Dean because of her unique qualifications and prospective as a business owner in the city. She understands the challenges that face small business owners with her involvement through the Chamber of Commerce and the DDA. Ms. Dean has helped foster the downtown that speaks to the value of the city and the residents. She offers a unique prospective in her ability to communicate with individuals in the city and find creative ways to reach out to people. Bridget has a fundamental understanding of all issues that face the City of Berkley. She will be able to approach them with an open mind and heart with a commitment to the residence on how to move in the city. Councilmember Gavin informed everyone that he is a member and the Treasurer of the Berkley Democratic Club.

Councilmember Blanchard thanked all the candidates who applied for the council vacancy and encourage them to stay involved in the community. He is not a member of the Berkley Democratic Club or other affiliations that his nominee is a member of.

Councilmember Steadman suggests that City Administration send letters to all the candidates that applied for the council vacancy and include information of volunteer opportunities on the Boards and Commissions. She will be supporting Bridget Dean for the reasons that have already been mentioned by her colleagues. Councilmember Steadman informed everyone that she is a member of the Berkley Democratic Club and she is up to date with her dues.

Second roll call:

Councilmember Gavin nominated Bridget Dean
Councilmember Hennen nominated Susan Citraro
Councilmember Steadman nominated Bridget Dean
Mayor Pro Tem Baker nominated Natalie Price
Councilmember Blanchard nominated Bridget Dean
Mayor Terbrack nominated Bridget Dean

Mayor Terbrack confirmed and congratulated Bridget Dean for her appointment as the newest member of the 37th Council of the City of Berkley. Ms. Dean will be sworn in the next couple of days and she will officially take office at the next City Council meeting on March 19, 2018.

COMMUNICATIONS:

COUNCILMEMBER STEADMAN: encourages everyone to visit the Berkley Public Library website at www.berkley.lib.mu.us for information on the month of March programs. She spoke about the January 27th fundraiser event for the Beautification Advisory Committee held at Patrick J's restaurant. Councilmember Steadman recognized the Beautification Advisory Committee for a successful fundraiser on February 27th and thanked Patrick J's for donating 20% of the food bills back to the committee. She talked about the candidates that applied for the council vacancy and suggest that City Administration send letters to all the applicants and keep them involved.

COUNCILMEMBER BLANCHARD: informed everyone that Severe Weather Awareness Week is April 8 - 14, 2018 and in conjunction the county will be testing the outdoor warning systems on Wednesday, April 11th at 1 p.m. He gave a brief review of the brochures for Severe Weather Safety, Family Safety During Tornadoes, Sheltering in Place, Emergency Kit Guide, and Oak Alert. Councilmember Blanchard encourages everyone to sign up for Oak Alert through Oakland County; the severe weather brochures will be made available at the City Hall, Library, Parks and Recreation, and the Public Safety buildings. He gave a brief explanation about Skywarn a National Weather Service (NWS) program and he provided a schedule of basic severe weather safety classes that are open to the public.

MAYOR PRO TEM BAKER: thanked all the candidates that applied for the council vacancy. He is sad to see Bridget Dean leave the Downtown Development Authority (DDA) and welcomes her as the newest member of the City Council. He spoke about the 247 Da Bears Robotics Team at Berkley High School. They will be attending a competition in Belleville from March 23-24, 2018 and in Marysville from April 6-7, 2018. Mayor Pro Tem Baker encourages everyone to visit the 247 Da Bears Robotics Team Facebook page for more information. He invites everyone to the upcoming DDA workshop Design Guideline Open House on March 7th from 6:30 pm to 8:30 pm in the Collaborative Center at *Berkley* High School. Mayor Pro Tem Baker shared a quote from American comedian George Carlin, "Have you ever noticed that anybody driving slower than you is an idiot, and anyone going faster than you is a maniac?" He reminds everyone to drive safe and observe the posted speed limit. Data from SEMCOG in 2016 stated that the City of Berkley had 203 crashes and 26 resulted in injuries. Mayor Pro Tem Baker asked that everyone pay attention on the roads, distracted driving is not good, and to visit the website www.itcanwait.com for great information.

COUNCILMEMBER HENNEN: gave an update for the Tree Board to include preparation for Arbor Day in April, board vacancies, and their next meeting is on March 2nd at the Berkley Library starting at 7 p.m. He gave an update on the Environmental Advisory Committee to include the Recycler of the Year nominations, forms are available at city offices or online at www.bit.ly/berkleyrecycler, board vacancies, and their next meeting is on March 22nd at 6:30 p.m. Councilmember Hennen welcomed Julie Goldsworthy onto the Environmental Advisory Committee. He has material from the SEMCOG training "Local Government Finance 101" to share with his colleagues. Councilmember Hennen invites everyone to the next "Talk with Dennis" on March 26th at the Berkley Library from 6 p.m. – 8 p.m.

COUNCILMEMBER GAVIN: gave an update for Planning Commission to include drafting an automotive showroom ordinance and a public participation plan. The next schedule meeting for the Coolidge Traffic Committee is March 8th. He gave an update for the Parks and Recreation to include thanking the Friends of the Parks and Recreation for hosting a euchre fundraiser at the American Legion, Breakfast with the Bunny tickets are on sale, registration for summer camp is online, the Spring/Summer Buzz will be delivered to residents soon, and their next meeting March 8th at the Community Center beginning at 7:30 p.m.

CITY MANAGER BAUMGARTEN: thanked everyone that attended the recent Chat with Matt and the Town Hall meeting. For more information on the ballot proposals, please visit the city website at www.berklemich.net and search keyword infrastructure. City Manager Baumgarten informed everyone that Road Commission for Oakland County (RCOC) will begin the designated left turn signal project at the corner of Coolidge Highway and 11 Mile Road beginning in March.

CITY ATTORNEY STARAN: addressed Mr. Kevin McNulty's inquiry on gun control and school safety. He advised council that under state and federal law the local municipality has no authority over gun control. It is made clear by the court that this subject is exclusively reserved for the state and federal government. City Attorney Staran gave an update from the State Bar of Michigan Government Law Section: Winter Conference that discussed the licensing of medical marijuana facilities and a statewide issue for the November ballot to legalize all uses of marijuana. It is not likely that the local municipality will be able to rezone the type of businesses for medical marijuana facilities in the city. The current rules under the Michigan Medical Marijuana Act and the Michigan Medical Marijuana Facilities Licensing Act will supersede any local municipality restrictions.

MAYOR TERBRACK: announced that the City of Berkley has continued to receive more allocates for the following: the city ranked #12 for the National Council for Home Safety and Security Safest Cities in Michigan for 2018 and the city ranked #9 ranked for PennyGeeks.com Top 10 Cities & Towns for New Families in the United States. These awards are points of pride in the city and reflect true community efforts. These recognitions are thanks to a superior Public Safety Department, a thriving downtown, a dedicated business community, engaged residents, and a top notch school district. Mayor Terbrack congratulated Mayor Pro Tem Steve W. Baker for being a recipient of the Jim Sinclair Exceptional Service Award with the Michigan Municipal League (MML). He spoke briefly about gun control and the recent Parkland, Florida school shooting.

Suzanne Bailey, Berkley resident at 1690 Columbia, resolution to state legislature for gun control.

COUNCIL MEETING ADJOURNMENT:

Motion by Councilmember Steadman to adjourn the regular meeting at 8:45 PM

Seconded by Councilmember Hennen.

Ayes: Steadman, Baker, Blanchard, Gavin, Hennen, and Terbrack

Nays: None

Motion Approved.