



23925 Woodward Avenue  
Pleasant Ridge, Michigan 48069

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Pleasant Ridge Regular City Commission Meeting  
Tuesday, September 11, 2012

Having been duly publicized, Mayor Castelli called the meeting to order at 7:31 p.m.

Present: Mayor Castelli, Commissioners Bushey, Krzysiak, Perry, Rubino.  
Also Present: City Manager Ball, City Attorney Cooper, City Clerk Allison.  
Absent: None.

Mayor Castelli requested a moment a silence in memory of the anniversary of 9/11

**Minutes - Tabled**

**12-2874**

Motion by Commissioner Krzysiak, second by Commissioner Perry, that the minutes of the Regular City Commission Meeting held Tuesday, July 10, 2012, be tabled, in order to review the minutes for amendments.

Adopted: Yeas: Commissioners Krzysiak, Perry, Bushey, Rubino, Mayor Castelli.  
Nays: None.

**July and August 2012 Disbursement Report**

**12-2875**

Motion by Commissioner Bushey, second by Commissioner Perry, that the July and August 2012 Monthly Disbursement Report, be approved, as listed.

Adopted: Yeas: Commissioners Bushey, Perry, Krzysiak, Rubino, Mayor Castelli.  
Nays: None.

**Governmental Reports**

Commissioner Helaine Zack, Oakland County Commissioner, gave an update on events related to the County. Commissioner Zack introduced the City's new district County Commission Gary McGillary, who is also up for re-election in November 2012.

Mr. Gary McGillary introduced himself as the current County District 20 Commissioner. He is currently running for re-election in this district.

Ms. Heather Carmona, director WA3, introduced herself to the Commission and audience. She gave a brief overview of the organization, updated the Commission on a recent grant award, and welcomed Pleasant Ridge back to the organization. She welcomed Commissioner Perry to the WA3 Board as the City's representative, and recognized Mr. Mark Johnson, the City's Business Representative.

Kevin Howley, Democratic Candidate for County Executive. He gave brief overview of his personal and professional backgrounds.

Ms. Amy Butters, Candidate for Ferndale School Board. She introduced herself and gave a brief overview of her background.

Mr. Jim O'Donnell, Candidate for Ferndale School Board. He gave an overview of his motivation for running for the school board. He is looking forward to the election.

Ms. Raylon Leaks-May, Candidate for Ferndale School Board. She gave an overview of her motivation for running for the school board. She is excited to be a candidate.

Mr. Kevin Deegan-Krause, Candidate for Ferndale School Board. He gave an overview of his motivation for running for the school board.

### **City Commission Liaison Reports**

Commissioner Krzysiak gave an update regarding the Recreation Commission. Discussed the sports programs which have recently begun, thanked the coaches for the youth soccer teams, gave an update on the basketball rims for Gainsboro Park – one rim was recently installed. At the August meeting discussion was held regarding the reintroduction of the cable series "Inside Pleasant Ridge". Thanks and giving Artist market to be held November 16 and 17. Update regarding Community Garden – October 6 Harvest Party will be held at the garden. Update regarding Health and Wellness subcommittee. Lending Library back in swing at the Community Center. Update regarding playground improvement subcommittee.

Commissioner Bushey gave an update regarding the Planning Commission/DDA. Members of Planning Commission considered Outdoor Works of Art Ordinance amendment – Planning Commission determined no change to the Ordinance at this time. Concert in the Park will be held Sept 19. Public hearing will be held on September 24, regarding a pending liquor license application by Tom Pearlman, 24242 Woodward.

Commissioner Rubino gave an update regarding the Historical Commission. No Meeting was held in August. Antique Show and Sale to be held September 14-16. Tree lighting event with Photos with Santa being planned.

Commissioner Perry gave an update regarding Regional Transportation issues and the WA3. Gave an update regarding School Improvement Mondays at the Ferndale Public Schools. Commented on the importance of the November 6 Election.

Mayor Castelli commented there is no update regarding the 45<sup>th</sup> District Court.

**Consent Agenda**

**12- 2876**

Motion by Commissioner Bushey, second by Commissioner Rubino, that the Consent Agenda, be approved, as recommended.

Adopted:                   Yeas: Commissioners Bushey, Rubino, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

Mayor Castelli called for a recess at 8:15 pm

Mayor Castelli reconvened the meeting at 8:22 pm

**Dispatch Agreement – City of Berkley 2012-2017**

**12-2877**

Motion by Commissioner Rubino, second by Commissioner Bushey, that agreement between the City of Pleasant Ridge and the City of Berkley regarding dispatch services for a period of five years, effective July 1, 2012 through June 30, 2017, be approved, and that the Mayor, City Clerk, City Manager and City Attorney, be authorized to sign the agreement.

Adopted:                   Yeas: Commissioners Rubino, Bushey, Perry, Mayor Castelli.  
                                  Nays: Commissioner Krzysiak.

**Cork Plan of Operation Amendment –Sunday hours extension**

**12-2878**

Motion by Commissioner Bushey, second by Commissioner Rubino, that the City Commission approve the request by Ms. Nancy Crutchfield, of Crutchfield Inc./Cork Wine Pub, to alter its Plan of Operation and open the restaurant on Sundays from 11:00 am to 3:00 pm, as listed in and subject to the limitations of her letter of request and conditioned on no deliveries or recycling of glass on Sunday, as recommended.

Adopted:                   Yeas: Commissioners Bushey, Rubino, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

**Neighborhood Watch Update**

Officer Robert Ried gave an update

**MERS Service Purchase - Bunting**

**12- 2879**

Motion by Commissioner Bushey, second by Commissioner Rubino, that the request by Sergeant Michael Bunting to purchase additional service credit from the Municipal Employees Retirement System (MERS), be approved, conditioned upon Mr. Bunting incurring the entire cost of the purchase, as recommended.

Adopted:                   Yeas: Commissioners Bushey, Rubino, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

**MERS Service Purchase - Fearn**

**12- 2880**

Motion by Commissioner Rubino, second by Commissioner Bushey, that the request by Officer Glenn Fearn to purchase additional service credit from the Municipal Employees Retirement System (MERS), be approved, conditioned upon Mr. Fearn incurring the entire cost of the purchase, as recommended.

Adopted:                   Yeas: Commissioners Rubino, Bushey, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

**2010-2013 Sergeants Agreement**

**12- 2881**

Motion by Commissioner Perry, second by Commissioner Rubino, that the agreement between the City of Pleasant Ridge and the Command Officers Association for a period of three years, effective July 1, 2010 through June 30, 2013, be approved, and that the Mayor, City Clerk, City Manager and City Attorney, be authorized to sign the agreement

Adopted:                   Yeas: Commissioners Perry Rubino, Bushey, Krzysiak, Mayor Castelli.  
                                  Nays: None.

**Establish Public Hearing – T. Pearlman 24220-24242 Woodward-Liquor License**

**12- 2882**

Motion by Commissioner Bushey, second by Commissioner Perry, that a public hearing to solicit public comments on the proposed liquor license application request by Mr. Thomas Pearlman, 24220-24242 Woodward Avenue, Pleasant Ridge, Michigan, be established for Monday, September 24, 2012 at 7:00 pm, as recommended.

Adopted:                   Yeas: Commissioners Bushey, Perry, Krzysiak, Rubino, Mayor Castelli.  
                                  Nays: None.

**Establish Public Hearing – 2013 CDBG Application**

**12- 2883**

Motion by Commissioner Rubino, second by Commissioner Bushey, that a public hearing to solicit public comments on the 2013 Community Development Block Grant (CDBG) Community Application and Subrecipient Agreement, be established for Tuesday, October 9, 2012, at 7:30 p.m., as recommended.

Adopted:                   Yeas: Commissioners Rubino, Bushey, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

**Establish Public Hearing – Michigan Motor Vehicle Code Update**

**12- 2884**

Motion by Commissioner Perry, second by Commissioner Bushey, that a public hearing to solicit public comments on the proposed ordinance to amend Chapter 70, Traffic and Vehicles, of the Pleasant Ridge City Code, regarding the adoption of the Michigan Motor Vehicle Code amendments, be established for Tuesday, October 9, 2012, at 7:30 p.m., as recommended.

Adopted:                   Yeas: Commissioners Perry, Bushey, Krzysiak, Rubino, Mayor Castelli.  
                                  Nays: None.

**Marketing Agreement – Utility Service Partner Private Label**

**12-2885**

Motion by Commissioner Perry, second by Commissioner Rubino, that the marketing agreement between the City of Pleasant Ridge and Utility Service Partners Private Labels, Inc., regarding utility service line warranties, be approved, and that the City Manager be authorized to sign the agreement, as recommended.

Adopted:                   Yeas: Commissioners Perry, Rubino, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

**MML Annual Meeting Delegate Appointment - Castelli**

**12-2886**

Motion by Commissioner Bushey, second by Commissioner Rubino, that appointment of Mayor Ralph A. Castelli, Jr., as the City’s delegate to the Michigan Municipal League Annual Meeting to be held October 3 through October 5, 2012, be approved, as recommended.

Adopted:                   Yeas: Commissioners Bushey, Rubino, Krzysiak, Perry Mayor Castelli.  
                                  Nays: None.

**Recreation Commission Appointment – C. Matyas**

**12-2887**

Motion by Commissioner Krzysiak second by Commissioner Bushey, that appointment of Ms. Christine Matyas to the Pleasant Ridge Recreation Commission, to fill an unexpired term, term to expire December 31 2012, be approved, as recommended.

Adopted:                   Yeas: Commissioners Krzysiak, Bushey, Perry, Rubino, Mayor Castelli.  
                                  Nays: None.

## **Police Patrol Vehicle Purchase and Financing**

**12- 2888**

Motion by Commissioner Bushey, second by Commissioner Rubino, that the purchase of a new police patrol vehicle through the State of Michigan Cooperative Purchase Program, be approved, in the amount of \$31,104.00 and that the Segregated Capital Assets Fund (SCAF) finance the purchase of the vehicle over five (5) years at a rate of five percent (5%), as recommended.

Adopted:                   Yeas: Commissioners Bushey, Rubino, Krzysiak, Perry, Mayor Castelli.  
                                  Nays: None.

## **Public Discussion**

Mr. Joel Dault, 43 Devonshire, questioned why the water bills in Pleasant Ridge is so costly. He has done some research and found that the City of Pleasant Ridge is paying the highest rate among all the SOCWA communities.

Manager Ball commented she had sent an email to Mr. Dault answering his questions. There are other charges on the water bill that are not included in the rates that SOCWA charges. The cost of water is the only charge given by SOCWA. The other costs of Pleasant Ridge water include sewerage, GWK drain debt, and capital improvements.

Discussion between Manager Ball and Mr. Dault regarding how the water rates are determined in the City as well as other neighboring communities.

Mr. Dault also thanked the City Manager for saving the City \$52,000.

Ms. Colleen Stone, 14 Norwich, commented on fireworks use in the City. Understand the laws have changed, however, she feels that the fireworks use in the City is a disturbance. She does not agree with the state law, feels that the City should do something to curb the use of the fireworks that leave the ground. Also, she purchased the larger trash containers and feels it helps to keep animals out of her trash. Would like to see the City change to the larger recycle bins, similar to the City of Huntington Woods.

Mayor Castelli commented that Mayor Coulter, Ferndale Mayor, has spearheaded an effort among Mayors to petition Lansing to change the fireworks law.

Manager Ball explained that the City of Huntington Woods was part of a pilot program for the larger recycle bins. After the pilot, the Men's Club purchased recycle bins citywide. There is an additional expense and the recycling facilities are not retrofitted to handle the larger bins and single stream recycling.

Commissioner Bushey asked the City Manager to look into other communities restrictions regarding fireworks. Manager Ball will place this item on the next agenda.

Mr. Michael Berry, 56 Oakdale, commented that single stream recycling would be fantastic. He is frustrated that his recycling is not being picked up weekly. City Manager Ball commented he should contact City Hall so that the City may hold the contractor accountable. Assistant City

Manager Pietrzak commented the cardboard truck can arrive a number of hours after the regular recycling truck.

Mr. Ted Zachary, 56 Devonshire, commented that the easiest thing is to store all your broken down boxes in a larger box.

Ms. Susanne Levin, 9 Maywood, would be happy if the Maywood reconstruction would be completed soon. Commented on restrictive hours of the wellness center. Was at the Community Center at 4:30 pm and there was no one at the desk. Feels that the Wellness Center could have a swipe card entry. Center does not have to be 24 hours, but would like longer hours and no need to close on holiday weekends.

Manager Ball commented that the hours have not changed for the fitness center since it has been opened. Assistant Manager Pietrzak commented there was one change at the beginning, closing an hour earlier on Friday. The hours are set by need and budget constraints. The staff has been trained in CPR and AED. The Recreation Commission has reviewed the hours of the pool and wellness center on a yearly basis and has not recommended any changes.

Commissioner Perry questioned the idea of a pass/swipe card. Is this something that can be implemented?

Assistant Manager Pietrzak commented there has been discussion regarding extension of hours, up to the level of the City Commission. The Community Center is in a residential area, and there have been some concerns about disturbing the neighbors if the Wellness Center were to have extended hours.

Commissioner Bushey commented this was looked at by the Recreation Commission, and was not recommended.

Mr. Darryl Bridges, 34 Kensington, requests a “Do Not Block Intersection” sign at the Kensington and Main Street intersection. Main Street backs up and it is difficult to get out from Kensington. Commented about the sidewalks being done during the Maywood project, why has this not been done for other streets. He commented there are several areas in need of replacement. He commented that the sidewalks at MBS have been lifted along Woodward Avenue.

Manager Ball commented that some other streets have been done, not all streets. The cost of the program is borne by the Infrastructure Improvement Plan. The City is looking at a citywide program. Under the ordinance, the homeowner is responsible to the cost of the replacement.

Mr. Bill Hartman, 31 Elm Park, commented that at the end of the July meeting there was discussion among his friends that Mr. Hartman should apologize to some people. He apologized for some of the working he chose to use at the May meeting regarding the EVIP grant. He felt the Commission had a poor choice of words when referring to the EVIP grant as a feasibility study, when he feels this was not the case. Also commented on the water rates and the method of billing. At the June meeting there was discussion that the City’s method was the same as other communities. He feels this is not true. Many communities are doing the opposite of what Pleasant Ridge is doing. The Pleasant Ridge model has brought about a 40% increase in three years. Increase from DWSD, increase in sewer fees, increase in emergency reserves, feels the primary factor for the rate increase is the City is forecasting an 8% decrease in water sales, and

needs to raise the rate to cover the costs. The bulk of the increase and costs is because the City is anticipating a decrease in usage.

Commissioner Bushey commented he had heard that the City is not being transparent and not giving out information. Asked Mr. Hartman if he is receiving all the information he requested.

Mr. Hartman commented Commissioner Bushey's wife may not have understood his recent comment during a get together. His comment related to the Administrative service charges.

Commissioner Krzysiak commented that there was a workshop held yesterday regarding the water rates, and a continuing conversation. He felt he was negligent in not providing a clear breakdown of the administrative charges to the water fund.

Manager Ball commented that it is not the elected official's responsibility to have this information at all times. The City Administration would provide any and all documents to whoever requests them.

Commissioner Rubino commented he is in agreement that the water bills are high. There was discussion at the workshop regarding possible alternatives. Commented that residents can make payment arrangements on water bills, by entering into payment arrangements.

Mr. Bridges, 34 Kensington, questioned what the criteria is for the water payment arrangements. Manager Ball answered any bill would qualify.

Mr. Jay Foreman, 79 Maplefield, requested an update regarding the sidewalk along Kenberton.

Manager Ball commented that she has researched the request, and spoke with the residents who would be affected, and they would rather not pay for this improvement. Also the school district has offered to move the bus stop from Oakdale/Kenberton.

Mr. Foreman commented that he still has concerns regarding installing the sidewalk as a safety issue; the bus stop is not his only issue.

Manager Ball commented that it would be helpful if there were other residents who would need this sidewalk installation. She has not had any other requests for a sidewalk in that area. A traffic study will be commenced for the sidewalk on Kenberton.

### **City Manager's Report**

The Planning Commission took no action on a proposed Outdoor Works of Art ordinance. Polar Public Hearing will be held Thursday, September 27<sup>th</sup> at the Ferndale High School Auditorium. Currently in the public comment timeframe. Public comment will be taken from now to September 27<sup>th</sup>.

Liquor License request Public Hearing will be held September 24<sup>th</sup> at the Community Center.

DDA Concert in the Park will be held September 19<sup>th</sup>, Stevenson Park.

Sidewalk Improvement Pilot program was successful in the test areas.

Researching possible fee on tax bill for sidewalk replacement on a yearly basis.

Emergency sirens will be testing at various times throughout the week as a test of the system.



### **Other Business**

Commissioner Krzysiak thanked the audience for attending the meeting and gave a special thank you to Adrian Stone for helping with the cable broadcast. Commented on the approval for Sunday Brunch as well as a public hearing for an additional liquor license request. He is a friend and neighbor of the owners of Mae's, and Mae's is also applying for a liquor license, however, the application has been held up due to a missing application requirement. He questioned if the application requirement for medical records are necessary, which is one of the requirements Mae's is missing. He did not feel that obtaining this requirement was necessary and seemed extreme.

Manager Ball commented that the application has not been held up, it is incomplete and cannot be processed and the owners have been notified that the application is incomplete. She understands that information like medical records is personal and confidential, and those records are submitted to the City Attorney, so they are not subject to FOIA. The application was developed in conjunction with several attorneys including attorneys specializing in liquor licenses. Other applicants have met all the requirements. She is not recommending that the City accept a partial application.

Commissioner Krzysiak commented he is not asking for special consideration. Just questioning why this information is required.

Manager Ball commented that information such as a history of substance abuse would be considered when granting a liquor license. Those records will not be accessible to the Commission, but will be reviewed by the City Manager and City Attorney.

Commissioner Bushey commented that the application was drafted by an attorney specializing in liquor license applications. The information is submitted to the City Attorney and not subject to FOIA. He likes the Liquor Control process because it is through and restrictive.

Mayor Castelli commented that the City Commission is expected to separate themselves for issues as they related to their neighbors. The Commission has to stay impartial and stay out of the fray. They should not advocate for any individual and be expected to vote on an item related to the individual.

Commissioner Rubino commented the reason that Cork did not have to submit additional documents, other than the request to allow Sunday Brunch is due to the thoroughness of the Liquor Control Ordinance and the Liquor License Application and the contract with the City is restrictive.

Commissioner Krzysiak commented he is not asking for a special exception for Mae's, he is asking why the medical question is on the application at all.

Commissioner Perry commented she has spoken with other attorneys regarding the liquor application, they think that the medical requirement is unique to Pleasant Ridge.

Mayor Castelli commented the City retained one of the best LLC attorneys in the State to assist in the creation of the City's Liquor Ordinance and application.

Mr. Brad Scott, 6 Devonshire, commented the he felt that when business open on Woodward, we are hiring them to represent the City and the City should hire the best businesses. If the City was a company, we would administer a drug test. He feels it should be required.

Mr. Mike Barry, 57 Oakdale, understands following application process and rules, regarding of who they have to follow the rules. He agrees that the most respectful business should represent our community. Feels the medical records are not necessary, but does agree with Mr. Scott regarding a drug test. He does not feel Commissioner Krzysiak question was answered. He did not hear a legal explanation.

Mayor Castelli commented that the City Manager outlined the reasons for the requirement.

Commissioner Perry requested pothole filling in the alley from 696 and Devonshire. Also can a turn lane be installed on eastbound Oakland Park and Woodward.

Manager Ball commented that intersection was studied by the Police Department and it is not recommended by the Police Chief or the Traffic Improvement Association, who performs traffic studies for the City.

Mayor Castelli commented the July minutes should not reflect the account number for the Memorial Fund for Sgt. Leach.

With no further comments or discussion, Mayor Castelli adjourned the meeting at 10:44 pm

Respectfully submitted,

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Ralph A. Castelli, Jr., Mayor

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Amy M. Allison, City Clerk