



23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

Pleasant Ridge Public Hearing and Regular City Commission Meeting
Tuesday, May 8, 2012

Having been duly publicized, Mayor Castelli called the meeting to order at 7:34 p.m.

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

Amend the Agenda Remove item #10

12-2832

Motion by Commissioner Perry, second by Commissioner Rubino, that the May 8, 2012, agenda be amended to remove item # 10 regarding a moratorium on accessory outdoor dining areas, as recommended.

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

Minutes

12-2833

Motion by Commissioner Bushey, second by Commissioner Rubino, that the minutes of the Regular City Commission Meeting held Tuesday, April 10, 2012, be approved, as presented.

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

April 2012 Disbursement Report

12-2834

Motion by Commissioner Bushey, second by Commissioner Perry, that the April 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.

Chief Kevin Sullivan, Ferndale Fire Department, gave an update on events related to the Ferndale Fire Department.

City Commission Liaison Reports

Commissioner Krzysiak, gave an update regarding the Recreation Commission. discussed the Antiques Roadshow Appraisal Fair, Citywide Garage Sale to be held Saturday, May 12th, the Community Garden opened May 5th, and the Community Pool opens May 25th.

Commissioner Bushey, gave an update regarding the Planning Commission/DDA. No meeting held in April. Workshop was conducted with DDA regarding the business district goals and objectives.

Commissioner Rubino, gave an update regarding the Historical Commission. Home and Garden tour will be held June 9th, planning for fall - joint antique sale with the Recreation Commission. Centennial recognition plaque still in the works.

Commissioner Perry gave an update regarding the Ferndale Public Schools and Ferndale Youth Assistance Recognition Dinner. She also gave an update regarding Regional Transportation issues.

Mayor Castelli discussed the upcoming 45th District Court consolidation encompassing the Cities of Berkley, Huntington Woods, Oak Park, Pleasant Ridge, and Royal Oak Township.

Public Discussion

Mr. George Lenko, 32 Oakland Park, questioned transit policy regarding non-motorized transit.

Commissioner Perry is not certain where the policy is going, however, she is aware there has been discussion regarding a non-motorized plan.

Mr. Jimmy Angell and Mr. Steve Lukasik, 137 Cambridge, regarding issues the homeowners are having with a contractor, who performed work their property in 2008.

Manager Ball discussed the background of the building permit. The complaint was received three years after the original work. She believes that an agreement could not be reached between the homeowners and their contractors. The City cannot intervene in a civil case between the homeowner and their contractor.

Mr. Lukasik gave additional information regarding the permit process and the events related to the timeline regarding their project. He is requesting help from the City to have the contractors perform the work.

Mayor Castelli questioned whether the homeowners had tried to bring a civil case against the contractors. Mr. Lukasik responded they have not done anything in court against the contractor.

Homeowner contacted contractor and they came out and did some minor repairs to the porch, homeowners again tried to contact the contractor again to do some repairs, and the contractor never responded to the homeowners. Mr. Lukasik requests that the City intervene on their behalf and urge the contractor to perform the work under the permit.

Mayor Castelli urged the homeowners to file a civil suit against the contractor if they feel the contract was not honored. He stated that the homeowners had a contract with a contractor, if they are not satisfied with the work, they need to contact the contractor; but it sounds like the homeowners did nothing for three years.

Manager Ball commented that the City learned that there were issues with the work performed three years after the fact. She understands based on conversation with the City Attorney that the City is limited in what action it can take.

Mr. Lukasik requests that this matter be placed on the City Commission agenda for further conversation. Mayor Castelli recommended they have their attorney contact the City Attorney regarding items that the homeowner would like to discuss. The City Administration will review the letter and make a recommendation regarding whether or not this should be on a City Commission Agenda.

Mr. John Nehil, 23 Oakland Park, requested the City implement a Citywide Sidewalk Program.

Consent Agenda

12- 2835

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

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

PUBLIC HEARING Accessory Outdoor Dining Areas

Manager Ball explained there has been interest by the City's current restaurants to offer outdoor dining. The Planning and DDA has reviewed the concept of outdoor dining and have made a recommendation. The proposed ordinances were submitted at the last meeting, and have been placed on the agenda for consideration this evening.

Mayor Castelli opened the public hearing at 8:52 pm.

Jessica McCarthy, owner Mae's Restaurant, contacted the City Manager regarding placing benches outside the building for customers to wait. Manager Ball stated that the business owner would be required to purchase the benches that are placed throughout the City. Instead of purchasing the benches, at a cost of \$12,000.00, Ms. McCarthy requested the City allow her to provide a patio to allow for outdoor seating. She discussed this option with the City Manager.

She had concerns regarding a proposed moratorium, and learned that the moratorium was not going to be considered. Her request has taken 10 months to be considered. She feels discouraged by the process with the City regarding outdoor license, as well as liquor licensing. She feels that her establishment is not supported by the City in her endeavor.

With no further comments or discussion, Mayor Castelli closed the public hearing at 9:00 pm

Ordinance #398 and #399 regarding Accessory Outdoor Dining Areas

12- 2836

Motion by Commissioner Bushey, second by Commissioner Rubino, that the ordinance to amend the Pleasant Ridge Zoning Ordinance regarding Accessory Outdoor Dining Areas and an ordinance to amend Chapter 18, of the Pleasant Ridge City Code, by the addition of a new Division, Division 1, Accessory Outdoor Dining Areas, be approved, as recommended.

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

Schedule for the City Commission Coffee House Meetings

12-2837

Motion by Commissioner Bushey, second by Commissioner Rubino, that the City Commission establish three dates throughout the year for a City Commission Coffee House meeting, being the fourth Thursday of September, January, and May; that the Coffee House meetings not be deemed to be regular meetings of the City Commission; and that the officers of all junior commissions, as well as the officers of the Foundation, Garden Club, and Women's Club, be invited to participate.

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

Establishing Public Hearings – Tuesday, June 12, 2012

12- 2838

Motion by Commissioner Bushey, second by Commissioner Rubino, that the City Commission schedule a public hearing on Tuesday, June 12, 2012, at 7:30pm, to solicit public comments on the proposed fiscal year 2012-2013 millage rates, fiscal year 2012-2013 combined city budgets and the fiscal years 2013-2017 Five-Year Capital Improvement Plan, as recommended.

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

12-2839

Motion by Commissioner Rubino, second by Commissioner Bushey, that the City Commission schedule a public hearing on Tuesday, June 12, 2012, at 7:30pm, to solicit public comments on an ordinance to amend Section 74-183 (Combined Water and Sewer Rates) of Chapter 74 (Utilities) of the Pleasant Ridge City Code as recommended.

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

Quarterly Rubbish Collection charge

12- 2840

Motion by Commissioner Bushey, second by Commissioner Perry, that a Solid Waste user charge of \$42.51/quarter, effective on water bills due after June 1, 2012, be approved, as recommended.

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

2012 Industrial Waste Control Rates

12-2841

Motion by Commissioner Rubino, second by Commissioner Perry, that the proposed Industrial Waste Control Charges effective on water bills due after June 1, 2012, be approved, as recommended.

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

Mayor Castelli recessed the meeting at 9:36 pm. Mayor Castelli reconvened the City Commission Meeting at 9:45 pm.

Economic Vitality Incentive Program (EVIP) Grant Award

12-2842

Motion by Commissioner Perry, second by Commissioner Krzysiak, that the City of Pleasant Ridge amend the EVIP grant proposal by adding the City of Ferndale to the study being conducted under the state EVIP grant, as a third alternative, to study police and dispatch services. The scope would fit within the \$60,000.00 study budget and the City of Ferndale fits within the category neighboring communities as stated in the grant award.

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

12-2843

Motion by Commissioner Bushey, second by Commissioner Rubino, that the City of Pleasant Ridge accept the Economic Vitality Incentive Program (EVIP) grant program funding in the maximum amount of \$132,250.00, awarded by the Michigan Department of Treasury, as recommended, conditioned on the State of Michigan accepting the amendment contained in the City Managers letter of March 27, 2012.

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

12-2844

Motion by Commissioner Perry, second by Commissioner Krzysiak, that the City Manager be directed to discuss with the Ferndale City Manager, regarding conducting an equal study to the Berkley study of merging all emergency services with the City of Ferndale. Further City Manager Ball should research funding opportunities for a study to merge all emergency services with the City of Ferndale and the information be reported back in one month.

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

Historical Commission Appointment – J. Wright

12-2845

Motion by Commissioner Rubino, second by Commissioner Perry, that appointment to of Mr. John Wright to the Pleasant Ridge Historical Commission, to fill an unexpired term, term to expire December 31, 2014, be approved as recommended.

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

Maywood Avenue Road Project Bid Award – Tiseo Brothers

12-2846

Motion by Commissioner Rubino, second by Commissioner Bushey, that the bid for Maywood Avenue Road Reconstruction Project be awarded to the lowest qualified bidder, Tiseo Brothers, Inc., of Washington Township, Michigan, in the amount of \$436,709.00, plus a 10% contingency be approved as recommended.

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

City Manager's Report

Memorial Day Ceremony will be held Monday, May 28, 2012. Parade begins at 8:30 am at the corner of Oakland Park and Ridge Road. Ceremony begins at 9:00 am in Memorial Park.
50+ club Dinner to be held Wednesday, May 9, 2012, 6:00 – 8:00 pm, at 4 Ridge Road.
Citywide Garage Sale will be held Saturday, May 12, 2012, 9:00 am – 3:00 pm.
The opening of the Community Garden on Saturday, May 5, 2012, was a great event.
Brief update on Polar Environmental. Documents have been requested via FOIA from MDEQ regarding permit application information provided by Polar.

Other Business

Mr. Jim Baylerian announced the Pleasant Ridge Foundation will be holding its Annual Auction “Ridge Rodeo” will be held Saturday, May 19, 2012, beginning at 7:00 pm, to be held at 4 Ridge Road. If you are unable to attend the event, purchase a raffle ticket.

Commissioner Perry commented on the debate between the City Commission. Ms. Jane Makulski, 110 Elm Park, had made a statement prior to a vote on the motion regarding the Economic Vitality Incentive Program (EVIP) Grant Award, that she was disappointed by the apparent discord between the City Commissioners and rumors she’s heard about tension, negative comments about our City Manager and what seems to be a lack of trust. Commissioner Perry stated that she feels robust debate is a democracy and she wanted all to know that she respects the experience and wisdom of her peers.

With no further business, Mayor Castelli adjourned the meeting at 10:53 p.m.

Respectfully submitted,

Ralph A. Castelli, Jr., Mayor

Amy M. Allison, City Clerk