

Draft
CITY COUNCIL MEETING
Monday, November 9, 2009

A Regular Meeting of the Ferndale City Council was held Monday, November 9, 2009 at City Hall, 300 East Nine Mile Road, Ferndale. Mayor Covey called the meeting to order at 7:30 p.m.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

Present: Mayor Covey, Council Members Baker, Galloway, Gumbleton, Lennon
Absent: None

3. APPROVAL OF AGENDA

369. Moved by Councilman Lennon, seconded by Councilwoman Baker, to approve the agenda as submitted.

AYES: Council Members Baker, Galloway, Gumbleton, Lennon, Mayor Covey

NAYS: None

MOTION CARRIED

4. PRESENTATION

A. Ferndale Public Schools

Jessica Stilger, Communications Specialist, presented an update on the achievements of the students and schools and outlined some of the funding challenges facing the district.

5. PUBLIC HEARING

A. Request for transfer of Class C Liquor License & Sunday Sales Permit from Starving Artist Restaurant, Inc., 212 W. Nine Mile Rd., to Ferndale Mexican, Inc., d/b/a Diablo's Tex Mex & Sports Bar, 175 W. Troy St.

Mayor Covey opened the public hearing at 7:37 p.m.

Tom Pearlman, downtown business owner, supported the request and encouraged Council to approve the transfer.

There being no further comments, Mayor Covey closed the public hearing at 7:40 p.m.

Councilwoman Baker and the applicant, Brian Kramer, described the plan for an employee shuttle service with the intent to leave parking spaces in the downtown available for patrons.

370. Moved by Councilwoman Baker, seconded by Councilman Galloway, to approve the On Premises Public Act 501 of 2006 Liquor License (Class C License with Sunday Sales) to transfer ownership and location of an existing license currently held in escrow by Starving Artist Restaurant, Inc. at 212 W. Nine Mile Road, as requested by Ferndale Mexican, Inc., d/b/a Diablo's Tex Mex & Sports Bar to be located at 175 W. Troy Street, Ferndale, Michigan, which is located in the Ferndale Downtown Development District, and approved at the above location above all others, and to adopt the Liquor License Review Committee's findings of fact as set forth in City Manager Bruner's memo to Council.

AYES: Council Members Galloway, Gumbleton, Lennon, Baker, Mayor Covey
NAYS: None
MOTION CARRIED

Councilwoman Baker left Council Chambers at 7:47 p.m. and returned at 7:50 p.m.

6. CALL TO AUDIENCE

- Julie Glazier, Ferndale Youth Assistance, promoted the upcoming Bowl-a-thon fundraiser and provided a brief history of the purpose of Youth Assistance.
- Keith Dalton, event producer and conceptual designer of the Assembly Line Concert, noted he has completed a 13-disc boxed set of the concert and reported it goes on sale Friday, with proceeds going to local charities.
- Donna Reese, Southeast Coalition, congratulated the City's liquor establishments because at a recent compliance check of 20 businesses, only one violation for selling to minors occurred.

7. CONSENT AGENDA

371. Moved by Councilwoman Baker, seconded by Councilwoman Gumbleton, to approve the consent agenda as submitted:

- A. Approved the Minutes of the Regular Meeting held October 26, 2009, as submitted.
- B. Adopted Resolution of Appreciation for retiring Code Enforcement Officer Karen Blair.
- C. Granted approval to fill two full-time budgeted Code Enforcement Officer positions with contractual employees to be paid out of CDBG grant funds.
- D. Approved the U. S. Department of Transportation Motor Carrier Safety Administration Drug-Free Workplace Policy, which covers 24 hourly and three supervisory DPW employees, and to add said Policy to the Employee Handbook.
- E. Approved the proposed Michigan Humane Society 2010 Animal Sheltering Agreement, and authorized the Mayor and City Clerk to execute the agreement.
- F. Approved the Memo of Understanding for the EPA site assessment grant awarded to the Oakland County Brownfield Coalition.
- G. Awarded the demolition contract for 2012 Moorhouse to Cuda Construction in the amount of \$6,275, charged to 101-371-806, authorized the Mayor to sign the contract, and directed the Assessor/Treasurer to record the costs with the Oakland County Register of Deeds.
- H. Approved the bills and payrolls as certified by the City Manager to be paid subject to review by the Council Finance Committee.

AYES: Council Members Gumbleton, Lennon, Baker, Galloway, Mayor Covey
NAYS: None
MOTION CARRIED

8. REGULAR AGENDA

A. Consideration of Holiday Ice Festival Street Closing and Donation of Three 1-Year Parking Passes

372. Moved by Councilwoman Baker, seconded by Councilwoman Gumbleton, to approve:

- Hosting the Holiday Ice Festival event on the sidewalks in downtown Ferndale on December 12th, which will include strolling musicians, Photos with Santa, ice sculpture carvings, the Warm Hearted Cookie Challenge and displays on sidewalks, and hot beverages and treats for customers on-street.
- Closing Planavon from Nine Mile to the edge of the alleys on December 12 at 6:30 am and reopen on December 12 at 11 pm.
- Donating of Three 1-Year Parking Passes.

AYES: Council Members Lennon, Baker, Galloway, Gumbleton, Mayor Covey

NAYS: None

MOTION CARRIED

9. COUNCIL APPOINTEE REPORT- City Clerk

City Clerk Tallman presented a progress report on her 2009 goals and objectives.

10. COUNCIL LIAISON REPORTS

- City Manager Bruner reported that Council Members will begin receiving individual email updates from various organizations.
- City Manager Bruner reported the 8 Mile Boulevard Association Executive Director has been in the hospital with the flu.

11. CALL TO COUNCIL

- Recreation Director Hall reported on the upcoming Holiday Show Place event, the progress of the new youth center the Department is operating after school, plans to create a youth council, and the status of the Master Plan process.
- Fire Chief Schmidt asked that residents not park on leaves because of the danger of vehicle fires.
- Chief of Police Kitchen acknowledged the successful liquor compliance sting operation, reported on the recent Auxiliary awards banquet, and congratulated the winners of last week's election.
- DPW Director Photiades asked that residents not park on leaves because the DPW is in the process of picking them up.
- City Manger Bruner reported bike racks are in the process of being installed downtown.
- Councilwoman Baker asked that Council draft a resolution, to be directed at lawmakers, opposing school funding cuts, and offered condolences to Mayor Covey on the loss of his step mother.
- Councilman Lennon thanked the Police Auxiliary, congratulated Councilman Galloway on the birth of his son, congratulated the winner's of last week's election and extended condolences to the Covey family.
- Councilwoman Gumbleton congratulated everyone involved in the election, offered condolences to Mayor Covey, and acknowledged Robin and Scott Galloway as new parents.

- Councilman Galloway thanked all involved in the election, including the voters, thanked everyone for their well wishes on the birth of his son, Jack Wallace, and extended condolences to Mayor Covey.
- Mayor Covey congratulated the winners of last week's election, extended condolences to Kevin Rogers, owner of Just 4 Us, on the loss of his mother, asked that drivers be safe and watch for bicyclists and pedestrians, thanked the City for rescheduling the strategic planning sessions, and announced January 29 – February 6 as the dates for the 2010 Ferndale Blues Fest.

12. ADJOURNMENT

There being no objections, Mayor Covey adjourned the meeting at 8:22 p.m.

Craig Covey, Mayor

J. Cherilynn Tallman, City Clerk

CITY OF FERNDALE

RESOLUTION 2009 – 371(B)

Moved by Councilwoman Baker supported by Councilwoman Gumbleton, to adopt the following Resolution:

Karen Blair started her career with the City of Ferndale as a Clerk Typist II on January 6, 2004 and served exceptionally in that capacity; and

On December 13, 2004, Karen was promoted to Code Enforcement Officer; and

Throughout the five years she worked in Code Enforcement, Karen's quiet, yet firm, manner made her extremely effective as a Code Enforcement Officer as she was known to work with those in need and to be firm with those that needed it, not backing down when Court cases were difficult; and

The City is better without the trash, debris, long grass and weeds, unlicensed vehicles, non-compliant signs, and dilapidated buildings that would be present without code enforcement; and

The City has benefited from Karen's service and property values were maintained by complying with the International Property Maintenance Code, the Ferndale Code of Ordinances, and the Ferndale Zoning Ordinance; and

Karen has decided to retire to spend time with her family, who are always foremost in her thoughts and her heart.

THEREFORE, BE IT RESOLVED, that we, Ferndale's elected officials, do hereby recognize Code Enforcement Officer Karen Blair for her dedication and effort on behalf of the City and extend the City's appreciation for her outstanding service.

AYES: Council Members Gumbleton, Lennon, Baker, Galloway, Mayor Covey

NAYS: None

RESOLUTION ADOPTED