

CITY COUNCIL MEETING
MONDAY, OCTOBER 12, 2009

A Regular Meeting of the Ferndale City Council was held Monday, October 12, 2009 at City Hall, 300 East Nine Mile Road, Ferndale. Mayor Covey called the meeting to order at 7:32 p.m.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

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

3. APPROVAL OF AGENDA

349. Moved by Councilwoman Baker, seconded by Councilman Galloway, to approve the agenda as submitted.

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

NAYS: None

MOTION CARRIED

4. PRESENTATION

A. Ferndale Film Festival

Dean Bach introduced the Ferndale Film Festival Board of Directors. Bill Urich reported on activities that occurred during the event. Mr. Bach distributed proceeds from the event, giving \$1,000 each to Ferndale Youth Assistance and the Midwest AIDS Coalition and \$500 to the Muscular Dystrophy Association. The board also gave Certificates of Appreciation to MAC, FYA, the Ferndale Police and Fire Departments, the Ferndale Arts and Cultural Commission and the City of Ferndale.

5. CALL TO AUDIENCE

- Jeannie Davis provided an update on upcoming Seniors' activities.
- Trevor Johnson, owner New Dawn Landscapes, reported on the Good Neighbors Garden.
- Timothy Risk, Environmental Sustainability Commission, spoke about the October Green Tuesday event with the topic of home winterization.
- Ann Serafin, Disability Advisory Committee Chair, reported that she had examined curb cuts in the southwest quadrant of the City for ease of use. She stated that she had met with DPW officials to discuss ADA compliance regarding curb cuts.
- Sharon Chess, representing the DDA, provided an update on forthcoming events. Ms. Chess was commended by Mayor Covey for organizing the round table she hosted to unite non-profits and businesses.
- Greg Pawlica discussed the financial crisis facing the City and requested council delay building new facilities.
- Melanie Piana related resident's concerns about parking and the aging Court house.
- Cristina Sheppard-Decius, DDA Director, announced that on Saturday, October 17 the Guinness Book of World Records will be at AJ's Café to officially recognize AJ O'Neil for the

record-breaking Assembly Line Concert.

- Ken Seawell, Ferndale Youth Assistance Chair, announced a Bowl-a-Thon to be held at 1:00 p.m. on November 15 at Luxury Lanes to raise funds for their summer camp program. Businesses and others can purchase a banner for \$50 to support the goal to send 100 children to camp next year.

Councilman Lennon left Council Chambers at 8:03 p.m.

6. CONSENT AGENDA

Item 6D was requested to be removed the Consent Agenda to be considered following the Regular Agenda.

350. Moved by Councilwoman Baker, seconded by Councilman Galloway to approve the consent agenda as amended:

- A. Approved the Minutes of the Regular Meeting held September 28, 2009.
- B. Approved the Intergovernmental Agreements with the Cities of Oak Park and Huntington Woods for Southwest Storage Yard as a transfer site for leaves and authorized the Mayor and City Clerk to sign the Agreement.
- C. Approved the beautification segment of CDBG Program Year 2009 to Great Lakes Landscaping, of Ferndale, in the amount of \$4,390 and authorized the Mayor and City Clerk to sign the contract.
- E. Approved the bills and payrolls as certified by City Manager to be paid subject to review by the Council Finance Committee.

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

NAYS: None

ABSENT: Lennon

MOTION CARRIED

Councilman Lennon returned Council Chambers at 8:06 p.m.

7. REGULAR AGENDA

A. (1) Appointments of Jason Arnold and David Talucci to Disability Advisory Committee

351. Moved by Councilman Lennon, seconded by Councilwoman Baker, to confirm the appointments of Jason Arnold and David Talucci to the Disability Advisory Committee.

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

NAYS: None

MOTION CARRIED

A. (2) Appointment of Joe Barrett to the Arts and Cultural Commission for a term ending December 31, 2010.

352. Moved by Councilman Lennon, seconded by Councilwoman Baker, to confirm the appointment of Joe Barrett to the Arts and Cultural Commission for a term ending December 31, 2010.

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

NAYS: None

MOTION CARRIED

B. Consideration of DDA/City Michigan Economic Development Corporation Grant Administration Agreement

353. Moved by Councilwoman Baker, seconded by Councilwoman Gumbleton, to approve the grant administration agreement between the Ferndale DDA and City of Ferndale for the Ferndale Pedestrian Alley Improvement Project as presented by the Ferndale DDA to be signed by the Mayor and City Clerk on behalf of the City of Ferndale.

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

NAYS: None

MOTION CARRIED

C. Consideration of Ferndale Pedestrian Alley Project Property Transfer Agreement

354. Moved by Councilman Lennon, seconded by Councilwoman Baker, to approve the property transfer agreement between the City of Ferndale and Foley Mansfield as presented by the Ferndale DDA to be signed by the Mayor and City Clerk on behalf of the City of Ferndale with the additions mentioned by the City Attorney.

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

NAYS: None

MOTION CARRIED

D. Consideration of Ferndale Pedestrian Alley Improvement Construction Agreement

Mayor Covey left Council Chambers at 8:24 p.m., relinquishing the chair to Mayor Pro Tem Galloway.

355. Moved by Councilwoman Baker, seconded by Councilwoman Gumbleton, to approve the construction agreement with LaVant Landscaping & Construction Services, Inc. as presented by the Ferndale DDA to be signed by the Mayor and City Clerk on behalf of the City of Ferndale.

356. Moved by Councilwoman Baker, seconded by Councilwoman Gumbleton, to amend the motion by adding that approval of the construction agreement with LaVant Landscaping & Construction Services, Inc. is contingent upon the transfer of ownership from FM Detroit, LLC to the City of Ferndale.

Mayor Covey returned to Council Chambers at 8:27 p.m. and resumed the chair after the vote.

Vote on the Amendment:

AYES: Council Members Gumbleton, Lennon, Baker, Mayor Pro-Tem Galloway, Mayor Covey

NAYS: None

MOTION CARRIED

Vote on the Main Motion:

AYES: Council Members Lennon, Baker, Mayor Pro-Tem Galloway, Council Member Gumbleton, Mayor Covey

NAYS: None

MOTION CARRIED

E. Consideration of Preserve America Wayfinding Agreement

351. Moved by Councilwoman Baker, seconded by Councilwoman Gumbleton, to approve the

Preserve America Wayfinding and Cultural Tourism contract agreement with the Lakota Group for \$67,394 as presented by the Ferndale DDA to be signed by the Mayor and the City Clerk on behalf of the City of Ferndale.

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

NAYS: None

MOTION CARRIED

DDA Director Sheppard-Decius invited the public to attend an event at the DDA on Wednesday, October 14 from 6-7:30 p.m. Representatives from the Lakota Group will be available for residents to learn more about the Wayfinding project.

F. Consideration of Military Community Covenant

358. Moved by Councilman Lennon, seconded by Councilwoman Baker, to adopt the Military Community Covenant.

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

NAYS: None

MOTION CARRIED

6. CONSENT AGENDA (continued)

D. Approval of the bid of \$8,200 of H. Domine Enterprises, Inc., of Brownstown, to reline the underground storage tank for diesel fuel at the City Yard

351. Moved by Councilwoman Baker, seconded by Councilman Lennon, to approve the bid of \$8,200 of H. Domine Enterprises, Inc., of Brownstown, to reline the underground storage tank for diesel fuel at the City Yard and charge the Vehicle and Equipment Fund, Repair and Maintenance account no. 661-000-775

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

NAYS: None

MOTION CARRIED

8. COUNCIL APPOINTEE REPORT- City Manager

City Manager Bruner presented his goals and objectives progress report.

9. COUNCIL LIAISON REPORTS:

B. Michigan Suburbs Alliance (MSA) – Councilwoman Baker announced that MSA Program Director Brittany Galisdorfer has been awarded the 2009 Shining Light Award for regional cooperation by the Michigan Energy Office and has been named as a Dave Bing Future Leader honoree.

10. CALL TO COUNCIL

- City Manager Bruner announced that this is Code Enforcement Officer Appreciation Week. He thanked City Attorney Christ and DDA Director Sheppard-Decius for their work on the Pedestrian Alley Project and Wayfinding projects. He stated that DDA Director Sheppard-Decius was honored as one of Crain's Detroit Business' 40 under 40.
- Councilwoman Baker commented on DDA Director Sheppard-Decius' honor in Crain's and commended her efforts. She spoke of several events held the previous weekend. The 3rd Ferncare for Music Fundraiser will be held Saturday, November 7 at the House of

Shamrocks in Hazel Park at 7:00 p.m. Details can be found on their website at www.ferncare.org. She announced the Ferncare Bowl-a-thon on November 21 at 1:00 at Luxury Lanes and called for teams of four to participate. She announced that the Ferncare 2nd Annual Dinner will be held at the Royal Oak's Elks Club on May 2.

- Councilwoman Gumbleton commended DDA Director Sheppard-Decius on her recognition in Crain's and denounced attacks on the DDA. She acknowledged Trevor Johnson for his efforts in developing the Good Neighbors' Garden. She announced an event at the Detroit Zoo honoring Rep. Sander Levin. Councilwoman Gumbleton commented on the Mayor's recent newspaper articles and stated that she regretted supporting him.

360. Moved by Councilwoman Baker, supported unanimously, to adopt a Resolution of Condolence for the family of Jozette Grant.

RESOLUTION ADOPTED UNANIMOUSLY

361. Moved by Councilman Lennon, supported unanimously, to adopt a Resolution of Condolence for the family of John R. Marshall.

RESOLUTION ADOPTED UNANIMOUSLY

- Councilman Galloway echoed the comments about the Good Neighbors' Garden. He announced the upcoming Chamber of Commerce Gala and Silent Auction at Detroit Golf Club on November 12 and suggested contacting the Chamber of Commerce for tickets.
- Mayor Covey mentioned the upcoming League of Woman Voter's Candidate Debate on Sunday, October 18. He expounded on the Phil Hart Dinner of the Oakland County Democratic Party with keynote speaker Massachusetts Rep. Barney Frank. He spoke of his recent TV interview and mentioned that he received many comments about the pink hat he wore. He stated that he was wearing the hat to honor October as Breast Cancer Awareness Month.

11. ADJOURNMENT

There being no objections, Mayor Covey adjourned the meeting at 9:10 p.m.

Craig Covey, Mayor

Marne McGrath Schmidt, Deputy City Clerk

CITY OF FERNDALE
RESOLUTION 2009 - 360

At a Regular Meeting of the City Council of the City of Ferndale, Oakland County, Michigan, held in the Council Chambers at 300 E. Nine Mile Road, Ferndale, Michigan 48220 on the 12th day of October, 2009

The following Resolution was moved by Councilwoman Baker, and supported unanimously:

Jozette M. Grant, 51, of Ferndale passed away on September 26, 2009 in Royal Oak; and

Mrs. Grant was born January 11, 1958 to Joseph and Jolanda Franco in Wyandotte. She and Les Grant were married for 31 years and raised their daughters in Ferndale; and

Mrs. Grant will be remembered for her warm smile, caring nature and positive attitude. Even while fighting her own illness, she was an inspiration to others with her unconquerable spirit and strength; and

Mrs. Grant enjoyed bowling, attending Tigers games and spending time with family and friends; and

Jozette Grant will be missed by many but especially by her loving husband, Les; daughters, Sara and Rebecca, grandchildren, Richard and Joseph Saharchuk; and sister, Kim Franco.

THEREFORE, BE IT RESOLVED that we, Ferndale=s elected officials, do hereby extend our Community=s condolences to the family of Jozette Grant.

BE IT FURTHER RESOLVED that a copy of this Resolution, duly certified, be forwarded to the family.

ADOPTED UNANIMOUSLY

I, Cherilynn Tallman, City Clerk of Ferndale, certify that this is a true and compared copy of a Resolution duly made and passed by the Ferndale City Council at a meeting held October 12, 2009.

J. Cherilynn Tallman, City Clerk

CITY OF FERNDALE
RESOLUTION 2009 - 361

At a Regular Meeting of the City Council of the City of Ferndale, Oakland County, Michigan, held in the Council Chambers at 300 E. Nine Mile Road, Ferndale, Michigan 48220 on the 12th day of October, 2009

The following Resolution was moved by Councilman Lennon, and supported unanimously:

John R. Marshall, 72, of Holly Township, a retired Detective Lieutenant with the Ferndale Police Department, passed away September 20, 2009; and

Mr. Marshall was born September 25, 1936 in Windsor, Ontario to John and Mildred (Martin) Marshall; and

Mr. Marshall began his career with the Ferndale Police Department in 1960 and received promotions to Sergeant in 1969 and Lieutenant in 1974. He worked in the detective division until his retirement in 1986; and

Mr. Marshall was known as a man of good humor, sound judgment and unwavering loyalty. He received many salutations and awards throughout his career, including Policeman of the Year. He was named in a Council Resolution in 1982 as part of a team of officers who, due to their professionalism and restraint, safely apprehended a resident with a shotgun who had shot up two vehicles; and

After retiring Mr. Marshall worked in industrial sales and was an avid golfer; and

John Marshall will be missed by many but especially by his loving wife, Barbara; children, John, Rick, Jackie Murphy, and Sue Nelson; two grandchildren, Samie and Jackie Phipps; sister, Mary Lou Farmer and many nieces and nephews.

THEREFORE, BE IT RESOLVED that we, Ferndale=s elected officials, do hereby extend our Community=s condolences to the family of John R. Marshall.

BE IT FURTHER RESOLVED that a copy of this Resolution, duly certified, be forwarded to the family.

ADOPTED UNANIMOUSLY

I, Cherilynn Tallman, City Clerk of Ferndale, certify that this is a true and compared copy of a Resolution duly made and passed by the Ferndale City Council at a meeting held October 12, 2009.

J. Cherilynn Tallman, City Clerk