



23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

Public Hearing and City Commission Meeting
Tuesday, June 11, 2013

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

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

Amending the June 11, 2013 Agenda

13-2989

Motion by Commissioner Krzysiak, second by Commissioner Perry that item 14 be added to the June 11, 2013 City Commission Agenda, regarding endorsement of the City of Ferndale Proclamation regarding Gay Pride Month.

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

13-2990

Motion by Commissioner Perry, second by Commissioner Krzysiak, that the June 11, 2013 be amended by the placement of item 12 – Public Discussion, be moved to item 5a, limited to no longer than one hour, and any remaining comments after the one hour time limit, be received at the end of the City Commission Meeting.

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

Minutes

13-2991

Motion by Commissioner Rubino, second by Commissioner Bushey, that the minutes of the Regular City Commission Meeting held Tuesday, April 9, 2013, as amended, and that the minutes of the Public Hearing and Zoning Board of Appeals Meeting held Tuesday, April 30, 2013, the Regular City Commission Meeting held Tuesday, May 14, 2013, and the Special City Commission Meeting held Wednesday, May 29, 2013, be approved, as recommended.

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

May 2013 Disbursement Report

13-2992

Motion by Commissioner Bushey, second by Commissioner Perry, that the May Disbursement Report be approved, as listed.

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

Public Discussion

John Ulinski, 30 Wellesley, thanked the City Commission for their service. Disappointed with how the May City Commission meeting was held. Felt that Commissioner Krzysiak was set up by the City Manager and Mayor. Commissioner Krzysiak was not notified or prepared for that meeting. He knows Commissioner Krzysiak personally and feels that the portrayal of Commissioner Krzysiak is inaccurate. Felt it was unfair how Commissioner Krzysiak was treated.

Mr. Dave Tigertt, 14 Oakdale, commented regarding labor relations, which he had been a part of during his employment with the Detroit Public Schools. Feels that what he saw at the May Meeting was a grievance hearing. City Manager brought her grievance to the City Commission and asked for a remedy. In order for the City Manager to have her remedy voted upon, it needed to be done at a public meeting. There is no way the City Commission could have voted in a private meeting.

Mr. Don Gillis, 6 Norwich, commented he and his wife have been long time fans of the City of Pleasant Ridge. His wife, Cathie Gillis, has been active in the community. He served 28 years as the Pleasant Ridge City Attorney. Has also served as the attorney for 27 communities regarding cable matters. He has worked with many communities and personalities. Proposed that another meeting be held regarding his comments be held – he urges this meeting be open to residents of the community. He has evaluations of the Mayor and City Manager, which he would like to provide. Proposed the meeting will be held June 27, 2013 in conjunction with the City Commission Coffee House.

Ms. Anna Wooton, 20 Woodside Park, longtime resident of Pleasant Ridge. Over the years, harmony had been developed between east side residents and west side residents. Feels like the community is divided now and would like the community to be unified again. Elected officials should be kind. Matters should be discussed quietly.

Mr. Jay Foreman, 79 Maplefield, commented he was extremely disappointed regarding the City Managers' performance review being allowed at the last meeting and the way that the meeting was handled. Upset the meeting was allowed to get out of control and the tone that the meeting took. He does not want anything to occur like that again at a public meeting, felt disgusted and he was embarrassed and ashamed for the tone and image Pleasant Ridge broadcasted to the world that night.

Mr. David Stone, 14 Norwich, commented that he felt the May City Commission meeting was allowed to get out of control and was not right. Issues between people should be done privately and respectfully. People should remember there are kids watching these meetings. Evaluation was asked to be expunged in the minutes, but it is shown on You Tube, so how is that expunged.

Ms. Colleen Stone, 14 Norwich, commented she watches the meetings at home with her son, when she cannot attend the meeting. She was shocked by the City Managers' performance review, and felt it should have been stopped. She asked her son to stop watching the meeting because of that item. Commented about how a city employee can take a residents' personal information and allow it be discussed in public. The public trust and integrity is gone. How do citizens trust Ms. Ball with their personal information? Felt the Mayor should have stopped it. Wants a report from the Commission about how the public trust can be restored.

Ms. Valerie Espstien, 78 Oakdale, attended many City meetings as a newspaper reporter, and has not seen a meeting like the May City Commission Meeting. Thinks that employee performance reviews should be done in private.

Ms. Tracey Armstrong, 89 Oakdale, commented she lived in Pleasant Ridge for 20 years. Concerned with how the City was treating thoughts and concerns of residents. Thought the May City Commission meeting was disgusting and should not have been allowed to continue. Commissioner Krzysiak was not allowed to give a rebuttal and was allowed to be disrespected. Feels that the Mayor and City Manager owe Commission Krzysiak and the residents an apology.

Ms. Megan Bonanni, 46 Sylvan, commented she is an employment discrimination attorney, and watched the May City Commission meeting, and felt that Commissioner Krzysiak spent a lot of time and care in preparing the City Managers' evaluation. Sad on personal level about how the meeting was handled. Felt the City Managers' review should have been held in private. Because the review was raised publically, it needs to be discussed, which is what is happening now. Issues that are private should remain private. Defense of an employee should be in writing and placed in her employee file. Commissioner Krzysiak has a right to rate an employee fairly, as long as he is thoughtful and truthful.

Mr. Aiden Stone, 14 Norwich, related the City Managers' review to when he gets his report card. He doesn't complain to the teacher when he gets his grades, should not take it personally. Everyone has personal views and opinions.

Mr. David Epstien, 78 Oakdale, commented he never heard of something being removed from an employee file, because they didn't like it. Understands a vote was taken regarding the City Managers' review and understands that the vote was asked to be changed. He knows that a FOIA request was made for the review, and the response was that the document does not exist anymore. Feels that this is scary, that things can appear and disappear.

Manager Ball commented that there are differences between public employees and private employees. One of those differences is that a public employee can request the governing body remove an item from your employee file, or expunge it, and the City Commission would need to vote on that request. In the case of her review, that vote was taken and the motion was passed, and therefore, that document was removed and does not exist.

Ms. Bonanni questioned if there is some type of protocol or due diligence to determine whether or not an item should be removed from an employee file? What she saw was the City Manager expressing her view, but no opportunity for Commissioner Krzysiak to rebut her statements, so how is this allowed? How is this due process.

Manager Ball explained that she chose to do this in public, which is allowed, and Commissioner Krzysiaks' his due process was his evaluation. There is no investigation requirement. Commission was notified that review would be held in public, there was no way to prevent that choice, regardless of what the Commission would like.

Ms. Bonanni, understands the City Manager's rights, but what about how that looks to the City and the image of the City.

Manager Ball commented she is better off today because of her choice. She looks out for best interest of City and herself. She made her choice based on her experiences over the last year and half. She did not want to do her review in closed session. In closed session, nothing can be repeated. Her only opportunity to discuss what was in the evaluation was to do it publicly.

Ms. Bononni, questioned how is raising the water bill or personal financial circumstances of an individual appropriate.

Manager Ball commented the issue was not about a water bill, it was about her perception as to what was written in her evaluation. She feels her evaluation was retaliation for a water issue. Water bills are public records. The issue was not about one water bill, it is about comments that were made at the March meeting about her doing a good job and then an evaluation in May, that she feels was failing after a water shut off.

Commissioner Perry commented the memo was received by the City Commission and there was no understanding of the scope of her plan to discuss her review. This has hurt the City. What residents have expressed was thoughtful and deep concern. Commissioner Krzysiak has done many things for the community and how he was depicted was shocking to her.

Manager Ball commented she feels there are many good qualities in each of the Commissioners. She did not say anything derogatory to his character. She knows that the last meeting was uncomfortable, but it did not harm the City. The people here are saying it harmed the City but at last month's meeting there was a different feeling.

Ms. Pat Gross, 70 Wellesley, commented she did not like watching the May City Commission meeting, and did not agree with some of what Commissioner Krzysiak said in Manager Ball's review, but she also did not like the water bill being brought up by the City Manager. It was painful to watch, but it served a lesson.

Commissioner Krzysiak commented that the water bill issue and the connection to the Managers' evaluation were not connected in his mind, until the City Manager brought it up at the May meeting. That was the first time those ideas had been connected in his mind. He gave some background regarding his most recent water payment and water being shut off. The City Manager put two independent events together for an unknown reason. He feels this matter could have been discussed and handled in a closed session, and feels that the same vote could have been taken in closed session. He is disappointed that this was held in public. He is not purposefully dividing the City, which he feels he has been accused of. The acts of kindness between neighbors makes Pleasant Ridge what it is.

Supplemental Appropriations #A-2013-005 through #A-2013-008

13-2993

Motion by Commissioner Rubino, second by Commissioner Bushey, that Supplemental Appropriations #A-2013-005, through #A-2013-008, be approved, as recommended.

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

Transfer Appropriations #A-2013-001

13-2994

Motion by Commissioner Perry, second by Commissioner Rubino that Transfer Appropriations #A-2013-001, be approved, as recommended.

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

2013-2014 Combined City Budget, the proposed 2013-2014 Millage Rates and the 2014-2018 Five-Year Capital Improvement Plan

Assistant City Manager Pietrzak gave a brief presentation regarding the FY 2014 Budget, 2014 Millage rate and 2014-2018 Five-year Capital Improvement Plan.

Mayor Castelli opened the public hearing at 9:02 p.m.

Mr. David Stone, 14 Norwich, questioned if the expenses on the streets during construction projects, related water and sewer during those projects, are charged to the water and sewer fund or are they charged to the project.

Assistant Manager Pietrzak commented that charges for upkeep and maintenance to the water and sewer system, related to the street projects, is paid for from the water and sewer fund and not the street project.

Mayor Castelli commented that ballot language for infrastructure improvements, if renewed will help fund those projects as well as sidewalk replacement.

Assistant Manager Pietrzak gave an overview of the 5 year Capital Improvement Plan and the proposed millage rates.

Commissioner Perry commented that the proposed 5 year Capital Improvement Plan has the streets Cambridge and Oxford flipped in the grid, that are in the wrong years. She also commented on the new fund 401 Capital Project.

Assistant Manager Pietrzak commented he will correct the Capital Improvement Plan to reflect the actual street being done and explained the use of the Capital Project fund, which allows for budgeting over the length of the project and not the fiscal year. Allows for more than one year of budgeting funding.

Ms. Molly Goike, the City's financial consultant, commented that the Capital Project fund does not fall under state budget act and are used as planning tools. This fund can be budgeted differently and dollars in this fund can carry over several years.

Mr. Bret Scott, 6 Devonshire, questioned how the budget can have a deficit approved on paper, This question was specific to the Capital Project fund.

Commissioner Krzysiak commented that in the Recreation 5 year Capital Improvement Plan regarding planned building maintenance for community center. If these Plan is approved can these project be amended, to reflect need in other areas of the community center.

Assistant Manager Pietrzak replied these items in the Capital Improvement Plan can be amended. These items are just a detail of maintenance items already included in the Recreation budget.

Mayor Castelli commented that the most current year as being etched in granite, last year etched in sand, so that changes can be made to the plan.

Commissioner Krzysiak commented he has had some residents comment about the roof at the community center. He would like a long term infrastructure plan for the Community Center.

Assistant Manager Pietrzak commented that roof is scheduled to be repaired and the repairs to the Community Center are addressed in the Capital Improvement Fund.

Commissioner Perry questioned the upcoming road project, Cambridge, which is estimated to cost about \$600,000, where do the additional funds come from to pay for Cambridge. The Infrastructure fund only has \$300,000.

Manager Ball commented not all the funding for road projects come from the Infrastructure fund, some of the funding is from SCAF and Local or Major Street funds.

With no further comments or discussion, Mayor Castelli closed the public hearing at 9:18 p.m.

13-2995

Motion by Commissioner Rubino, second by Commissioner Bushey, that the 2013-2014 Combined City Budgets and 2014-2018 Five-Year Capital Improvement Plan be approved and that the Budget Resolution be adopted, including the levying of 11.4248 mils for the General Fund Operating, 2.4124 mils for Infrastructure Improvements, 1.7134 mils for Solid Waste and Disposal, 0.3700 mils for Library Services, 1.2722 mils for Community Center Complex Operations, and 1.3000 mils for Community Center Complex Debt Service be approved, as recommended.

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

Ordinance 404 - Combined Water and Sewer Rates

Assistant City Manager Pietrzak gave a brief presentation regarding the FY 2014 Budget Year combined water and sewer rates.

Mayor Castelli opened the public hearing at 9:22 p.m.

Mr. Bret Scott, 6 Devonshire, commented that a public hearing should be held a month ahead, so that residents input can be considered. Rate plan still does not make any sense to him. Fixed and variable costs should not be mixed.

Mayor Castelli commented that there is proposed Headlee override, which will be voted on in November 2013, to move some of those charges on the water bill to the tax bills if approved.

Pat Corrigan, 31 Wellesley, questioned if a public meeting be held regarding the proposed millage.

Bill Hartman, 21 Elm Park, commented last year Royal Oak did not increase the water and sewer rates, water rates affect consumption and usage, last year the city had a 12% increase, which was stated as being needed for repairs, but repairs was only 2% and increase from DWSD was only 1%. Oakland County increased billing for storm water treatment, and based on City Administration determining a decrease in consumption, that was responsible for the increase. Rates would have went up 6% instead of the 12% if actual increases were factored. Pleasant Ridge has the highest minimum bill for water and sewer. Happy to see the Headlee override question will be on ballot in November.

With no further comments or discussion, Mayor Castelli closed the public hearing at 9:31 p.m.

Commissioner Krzysiak commented about the timeline of budget preparation. Can the Commission adjust the scheduling to have a public hearing a month prior to adoption? Would that put undue hardship on the Administration.

Manager Ball commented that the City's budget follows the City Charter, and the public hearing is set and is published as required. Moving the public hearing for the budget up will probably not happen. Documents are available for review at the May meeting. Some public hearings can be held, and adoption can take place a month later, the budget or a ZBA is not one of those things.

Commissioner Krzysiak commented that the earlier public hearing would help convey the public's concerns to the public body. Having a month earlier, would allow for digestion of public comments.

Commissioner Perry commented that public hearings should be held a month earlier so the City Commission can consider what information the public brings forward.

Mayor Castelli commented that budget sessions are hard to schedule and if the Commission would like to change when the budget is presented, the City Commission should make themselves available for those session. Budget documents are available a month ahead of time for review. A presentation can be given ahead of time to this evening by the Assistant City Manager when the draft budget is presented.

13-2996

Motion by Commissioner Perry, second by Commissioner Rubino, that Ordinance No. 404 regarding the combined water and sewer rate be adopted, as recommended.

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

Assessing Contract July 1, 2013 through June 30, 2016

13-2997

Motion by Commissioner Perry, second by Commissioner Bushey that the contract with Oakland County Equalization Division Assistance Services for assessing services effective July 1, 2013 through June 30, 2016, be approved, and that the Mayor, City Clerk, City Manager and City Attorney be authorized to sign the contract.

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

Bid Bond for Tiseo Brothers, Inc., West Cambridge Road Reconstruction Project

13-2998

Motion by Commissioner Rubino second by Commissioner Bushey, that the City not return the Bid Bond for the West Cambridge Boulevard Road Reconstruction project to Tiseo Brothers, Inc.

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

Endorsement of the City of Ferndale Proclamation regarding June as Gay Pride Month

13-2999

Motion by Commissioner Krzysiak, second by Commissioner Perry, that the City of Pleasant Ridge endorse the Proclamation by the City of Ferndale declaring June as Gay Pride Month.

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

Public Discussion

Ms. Martha Schlesinger, 38 Devonshire, commented the transform Woodward Project is ongoing, with a presentation on June 12th at 5-7 pm, in Royal Oak. Pleasant Ridge Master Plan revision is underway.

Ms. Sharon Barrett, 14 Amherst, commented that the ESPN plant exchange held in Gainsboro Shelter had approximately 40-50 residents who participated. Questioned how a group can be a City recognized/sponsored group, so they do not have to pay a rental fee for City facilities. The year the Foundation paid the rental fee on behalf of ESPN. Is there an application or procedure?

Manager Ball commented there have always been City recognized service groups and groups appointed by the governing body, however, the City does not usually recognize groups formed by residents or block clubs. The City Commission may wish to hold a workshop to discuss this item.

Ms. Becky Uber, 13 Elm Park, commented the Garden Club purchased 23 Adorandek Crab Trees, which will be planted along the walkway in Stevenson Park.

City Manager's Report

Follow up items from last month's meeting, trash containers for Memorial Park are on order, sinking benches have been raised and as soon as possible solid platforms will be installed, parking spaces have been painted on Amherst near Mae's.

Moberly Park renovation is complete.

Special thanks to Ron Cleveland for the Civil War cannon for use at the City's Memorial Day ceremony.

City Commission Coffee House will be held Thursday, June 27, 2013 at 7:00 p.m.

Concerns expressed regarding the train whistle volume, she understands the volume has been reduced and is back to normal.

Other Business

Commissioner Krzysiak thanked Assistant City Manager Pietrzak and Recreation Assistant Brown for their work on the Recreation Commission Bike Parade event and it was a great event. Also thanked Sue Terpack and Dan and Jacqueline Scully and Diane Perrino for their work in the event. Next Recreation Commission event will be held on Gainsboro Park on June 18th and will feature field day/family reunion type games. He would like to invite people to attend a book club event on July 30th to be held in Stevenson Park to discuss the book "Cosmopolitanism".

Commissioner Perry commented that Complete Streets will be giving a presentation June 12th at 5:00 p.m at the Northwood Shopping Center on Woodward in Royal Oak.

City Clerk Allison announced nominating petitions for the Office of Mayor and City Commissioner will be available beginning June 27th and are due by 4:00 pm on August 13th. Attended a meeting with Senator Levin regarding the Affordable Care Act.

With no further comments or discussion, Mayor Castelli adjourned the meeting at 10:04 pm

Respectfully submitted,

Ralph A. Castelli, Jr., Mayor

Amy M. Allison, City Clerk