

**THE REGULAR MEETING OF THE THIRTY-NINTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN
WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 20, 2023 BY MAYOR DEAN**

PRESENT: Councilmember Steve Baker Councilmember Gregory Patterson
 Councilmember Mike Dooley Councilmember Jessica Vilani
 Councilmember Dennis Hennen Mayor Bridget Dean

ABSENT: Councilmember Ross Gavin

OTHER STAFF PRESENT:

City Manager Matthew Baumgarten
City Clerk Victoria Mitchell
City Attorney Dan Christ
DDA Executive Director Mike McGuinness
Parks & Recreation Director Theresa McArleton

APPROVAL OF AGENDA:

Councilmember Vilani moved to approve the Agenda
Seconded by Councilmember Baker
Ayes: Dooley, Hennen, Patterson, Vilani, Baker and Dean
Nays: None
Absent: Gavin
Motion Approved.

PLEDGE OF ALLEGIANCE

Mayor Bridget Dean took a moment to acknowledge notable people in the audience including former Mayor Daniel J. Terbrack and the Terbrack family, including Mrs. Gilbert (Jacqueline's mother) and Roy and Fran Terbrack; Sen. Mallory McMorrow; Andy Meisner; former mayor Phil O'Dwyer; former councilmember Eileen Steadman; and Jack Blanchard.

PUBLIC COMMENT:

Audriana Allen, fourth-grade student at Rogers Elementary, stated she was in attendance to support her speech from last time to change the pet rule, Section 22-42 "Limitation on Number Kept." She said that she thinks people should have three of one animal and two of another. Stated that individuals will be able to save more animals. She shared that she has two old lady cats and a dog, and that if her family had another cat the neighbors would never notice. Said that pet lovers would appreciate the change. She thanked the Council for its time.

Sue Richardson & Jeff Tong, Chairperson and Curator of the Berkley Historical Committee, shared this year marks Berkley's 100-year anniversary of becoming a village. Ms. Richardson said one plan is to have a time capsule. She said a date is yet to be set, but will be sometime this summer. She said they are seeking suggestions for items to include in the time capsule. She said a committee member found tips for good things to put in a time capsule, to ensure they are in a recoverable state when it is dug up. She said the most relevant tips include ensuring that books and documents are printed on the highest quality paper and that black and white photographs hold up better than color. She said we're so used to technology but who knows what things will be like in 100 years so the suggestion is not to include anything that would need the type of technology we have today. If anyone would like to reach out with suggestions, the Committee is reachable at museum@berkleymich.net. The Berkley library is hosting an event on April 12th at 6 pm where experts on kit homes will be making a presentation. She said Berkley has an amazing number of kit homes, especially the largest and most expensive ones around. The Committee is working with the Chamber of Commerce to have a tour of the kit homes later in the year. She thanked everyone for their time. Mr. Tong stated that in conjunction with the Library's talks on the kit homes, they will have a kit homes display in April. In May they will have a display on the history of Berkley Days including photos and memorabilia from every decade since it began in 1926. In June, they will highlight Berkley restaurants throughout the years. Items on display will include menus, photos of favorite restaurants from years past, and more. The museum is open to visitors on Sundays from 2-4 pm and Wednesdays from 10 am-1 pm.

Joel Ulferts, Berkley, thanked Councilmember Hennen for answering his question regarding the CIP. He said with it being roughly \$800,000 per year in the plan, he would hope to see the same revenue matching that. He said he spoke to the city manager regarding budget amendments. He said the engineering for Jaycee Park was duplicated in the budget and there was a possibility of amending the budget for the parking study. He said there has been an application for \$1.7 million in grants for all of the HVAC systems, said he wanted clarification on that number.

Clerk Mitchell read the following email into the record:

Robert Wittenberg, Oakland County Treasurer, submitted a letter regarding the Department's Foreclosure Prevention Efforts. The tax foreclosure deadline for the 2020 or prior year taxes is March 31, 2023. That means if these taxes aren't paid off by March 31st or any interested party hasn't entered into a repayment schedule with the Treasurer's Office by then, the property will be foreclosed.

The Treasurer's Office stresses it is here to help people keep their properties and has options and resources to do so. Some resources include Michigan Homeowners Assistance Fund, Financial Empowerment Center, and Lakeshore Legal Aid.

Taxpayers interested in scheduling a Taxpayer Assistance Meeting may call us at 248-858-0611 or they may visit www.oakgov.com/treasurer.

CONSENT AGENDA:

Councilmember Patterson moved to approve the following Consent Agenda
Seconded by Councilmember Hennen:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 39th Regular and Special City Council meetings on Monday, March 6, 2023 and Special Work Session on Wednesday, February 28, 2023.

WARRANTS: Matter of approving Warrants No. 1383 and 1384.

PROCLAMATION NO. P-04-23: Matter of proclaiming April 2023 as Sexual Assault Awareness Month.

PROCLAMATION NO. P-05-23: Matter of proclaiming April 2023 as Child Abuse Prevention and Awareness Month.

PROCLAMATION NO. P-06-23: Matter of proclaiming April 2023 as Autism Awareness Month.

PROCLAMATION NO. P-07-23: Matter of proclaiming April 2023 as Fair Housing Month.

Ayes: Hennen, Patterson, Vilani, Baker, Dooley, and Dean

Nays: None

Absent: Gavin

Motion Approved.

REGULAR AGENDA:

RECOGNITIONS/PRESENTATIONS: Matter of any recognitions or presentations from the Consent Agenda.

None.

RESOLUTION NO. R-04-23: Matter of recognizing Daniel J. Terbrack for his years of service as Mayor for the City of Berkley.

Councilmember Baker moved to approve Resolution No. R-04-23

Seconded by Councilmember Dooley

Mayor Bridget Dean read Resolution No. R-04-23 in its entirety.

Councilmember Baker read a cover letter and resolution in honor of former Mayor Terbrack written by Oakland County Treasurer Robert Wittenberg.

Councilmember Dooley read a statement from Dale Goodcourage.

Sen. Mallory McMorrow stated that when Mayor Dean reached out and asked her to attend the meeting, it didn't even take her 30 seconds to know that she'd be there. She said you can tell the second you meet someone just how much they care about their community, about the potential of their community, and how much they give of themselves to that community. She said when she first decided to run for office, Dan didn't ignore her email to learn more about serving the residents of Berkley. She said he met her for coffee. She wanted to learn what it would take to be of service to the community in a really meaningful way. She said all levels of government are made better by working alongside people who make us better. She said that one of her favorite parts of representing Berkley is a spirit of fun, which is exuded by Dan every single day. She said as a state senator and as a neighbor, she is eternally grateful and she knows as a mom how precious time is. On behalf of the state of Michigan and on behalf of the 8th Senate district as well as the 10 million residents of the state of Michigan, she stated that Berkley is a really special place and is continuing on a special path in no small part because of Dan.

Andy Meisner, Huntington Woods, stated he is honored to commemorate a very important tenure. He said in order to talk about Dan's tenure you have to talk about the leaders that preceded him, Mayor O'Dwyer, Mayor Stephan, Mayor Mooney, because Berkley has always had a spirit of service transcending party affiliation. Municipal government is about getting things done. He said ultimately,

we are supposed to put community first and Dan has done this with distinction for the past 10 years. He said that when Dan had the opportunity to become Mayor, he made the most of it. He said as a now private citizen himself, the water is good and he hopes the people of Berkley know what a great mayor we have now and had in Dan.

Phil O'Dwyer, Berkley, congratulated Dan on a splendid career serving Berkley. He said that about 15 years ago he got a call for a basement meeting. He said this young man asked to talk to him about running for city council. He thought, is this kid still in high school? And then he learned that Dan had completed college and a master's degree, was a teacher and the principal of a school. He said Dan is a third-generation Berkley resident, played baseball under the coaching of Dale Goodcourage and played hockey. He thought to himself, that's a fine combination. Dan then decided to throw his hat into the ring, and run for council. He said for the next 10 years it was a pleasure working with Dan, as a colleague on the council and as his Mayor Pro Tem, which is a critical person whose loyalty you count on every day. He said they counted on Dan especially when they competed against the Dad's Club in baseball. The enthusiasm Dan brought to that event was unparalleled and was the same enthusiasm he brought to serving the community. He said Berkley is in Dan's DNA and that he has a passion for doing the right thing. He said we also need to thank Jacqueline for her willingness to allow him the time to serve the community. His family made a massive contribution, including his four beautiful girls. He congratulated Dan and thanked him for his service to the City. He also thanked Dan's family for being in attendance.

Jack Blanchard, Berkley, stated he served 10 years with Dan on Council. He said both Phil and Dan demonstrated extremely effective leadership of our city. He said Dan put a lot of time in it and was always available for a call or text. He also thanked Dan's wonderful family for providing the support so he could serve. He said Phil, Jack, and Dan are the only three people who have been thrown out of the City Manager's Office during the 2014 floods by the former city manager. He finished by stating that it was a pleasure to serve with Dan.

Dan Terbrack, Berkley, thanked everyone in attendance including his family. He said between Marilyn, Phil, Steve, Dale, and Andy Meisner, we could blame them for his involvement in the city council. He said without them, he wouldn't have served. He thanked everyone he served with, as well as city administration and staff. He said it is an incredibly special place to be. He said people ask him if he misses being mayor. He said at first, he thought no. But then he realized, yes, more than he anticipated. He said his family and his new role at his firm has to come first and he couldn't serve as the mayor if he couldn't put all the needed time in. He said he will miss the people the most. He said he has made a lot of decisions in the past 15 years, some have not been popular. He said in all of the conversations in which he and the other party may not have always agreed, they ended in mutual respect. He said he will miss that. He said he doesn't know what is going on in the city anymore and that is sad. He said he will miss the staff in all of the different departments because they are truly incredible people, which is why Berkley is such a special place. He said he has the utmost faith in all of Council right now and he knows what they deal with and goes through for our community and he is incredibly grateful. He said he loves Berkley and it was an absolute honor to be able to serve for the last 15 years.

Councilmember Hennen shared some things he admired about Dan including his love for Berkley, his knowledge from having lived here for his entire life, his ability to keep the meetings running smoothly, and his maintaining control. He thanked Dan for his service and said that his contributions will surely be missed.

Councilmember Baker stated in addition to highlighting the love, compassion, and dedication Dan brought to Berkley, he also wanted to mention his ability to extend that energy to our regional partners and neighbors. He said in addition to the tremendous relationships and partnerships within our community, Dan helped to bridge gaps and better unite the Woodward Corridor and many other communities. He said he enjoyed being his Mayor Pro Tem for two years and that Dan should enjoy all the beauty and love he has ahead of him.

Councilmember Patterson thanked Dan for getting him into all of this mess. He said it was a pleasure to work with Dan on the Planning and Parks & Rec commissions and that it is nice to also be able to call him his friend. He told Dan that he still has a lot of questions, so he should keep his phone on.

Councilmember Vilani stated that it was just about two years ago that she had a similar getting-to-know-you conversation with Dan when she was preparing to throw her hat into the ring. She said Dan was always super supportive and willing to take a risk. She said that it's clear his relationships and passion for the community are evident in everything he does. She said that even though it was for a short time, she appreciated being able to learn from him.

Councilmember Dooley thanked Dan. He said that he mostly witnessed Dan's work from afar, knowing what he did and trusting what he did. He knew the city was in good hands. He shared they had the opportunity to sit on the Parks & Rec advisory board together 10 years ago, and asked him to please admit that he couldn't beat the Dad's Club in baseball.

Councilmember Gavin stated via email that he thanked Dan for his guidance, thoughtfulness, dedication, and caring for the city and all of the residents. Berkley was incredibly lucky to have such a wonderful public servant to guide the city on council, as mayor, and in all that Dan does. He concluded by thanking Dan from the bottom of his heart.

Mayor Bridget Dean gave Dan a simple and sincere thank you for his 15 years of service to the City of Berkley. She said that throughout the years his goal never changed, it was always what was best for Berkley. She said on a personal level as his Mayor Pro Tem, she was inspired by his incisive and visionary leadership. He weighed everything, his decisions never wavered and he always had what is best for Berkley in mind. She thanked him for being a wise and supportive voice as she seeks to extend his vision of what is best for Berkley.

Ayes: Patterson, Vilani, Baker, Dooley, Hennen, and Dean
Nays: None
Absent: Gavin
Motion Approved.

MOTION NO. M-18-23: Matter of approving the “Berkley Days Hometown Fair” event beginning May 11, 2023 and ending on May 14, 2023 located at the Berkley Community Center, 2400 Robina. Approval is conditional upon the submission of required items and documents prior to event dates.

Councilmember Vilani moved to approve Motion No. M-18-23
Seconded by Councilmember Baker

Ayes: Vilani, Baker, Dooley, Hennen, Patterson, and Dean
Nays: None
Absent: Gavin
Motion Approved.

MOTION NO. M-19-23: Matter of authorizing the Mayor to execute a third-party Specialized Services Operating Assistance contract between SMART and the City of Berkley for public transportation services primarily designed for senior citizens and persons who are handicapped. The contract period for this program is from October 1, 2022 to September 30, 2023.

Councilmember Patterson moved to approve Motion No. M-19-23
Seconded by Councilmember Vilani

Ayes: Baker, Dooley, Hennen, Patterson, Vilani, and Dean
Nays: None
Absent: Gavin
Motion Approved.

RESOLUTION NO. R-05-23: Matter of authorizing a resolution of the Council of the City of Berkley, Michigan establishing an 'Ad Hoc Woodward Dream Cruise Committee' coordinating the 2023 CruiseFest events for the City of Berkley.

Councilmember Hennen moved to approve Resolution No. R-05-23
Seconded by Councilmember Baker

Ayes: Dooley, Hennen, Patterson, Vilani, Baker, and Dean
Nays: None
Absent: Gavin
Motion Approved.

COMMUNICATIONS:

COUNCILMEMBER HENNER:

- Tree Board meets next on Monday, March 27 at 7 pm.
- Zoning Board of Appeals will meet on April 10th to consider a dimensional variance for a home on Kipling.

COUNCILMEMBER PATTERSON:

- Planning Commission will meet on Tuesday, March 28th at 7 pm.
- Parks & Rec update: Week-to-week registration for summer day camp opens on April 1st. Register at registration.berkleymich.org
- A Hoppin' Good Time Bingo Celebration will be held on April 4th at 12:30 pm in the Community Center; the cost is \$10 and includes two bingo cards and lunch. Please register early, seats are limited.
- First ever Senior Road Rally on May 22nd: Solve puzzles, riddles, and brain teasers as you and your bus-mates travel from stop to stop and race around Detroit. The cost is \$20.
- Check out senior luncheons and trips online, as well as spring sessions for kids and adults.
- The Berkley Buzz was delivered, he hopes that people have given it a look.

COUNCILMEMBER DOOLEY:

- March is membership month for the Friends of the Berkley Public Library; the Friends are the group to thank for sponsoring all the great programs like the author talks, food programs, history talks, take-home kits, youth programs, and so much more. If you're not a member, please join to support those programs.

COUNCILMEMBER VILANI:

- Thanked everyone in attendance at the public information sessions on the millage. More opportunities to attend will be on April 4th and April 12th if you have questions you'd like answered.

- Citizen's Engagement Advisory Committee and the Technology Advisory Committee had a meeting on March 8th to discuss committee goals and roles. The next meeting will be on May 10th.
- Chamber Chat will be on April 21st from 8:30–9:30 am at the Woodward Corner Market. No registration is necessary.
- Berk Perk cards are still available for \$30 and provide a gateway to savings all across the Berkley area.
- The Chamber is seeking an events and operations person part-time, please reach out to their website to apply.
- Art Bash sponsors and food vendors must apply by April 1st. Applications are available online.

COUNCILMEMBER BAKER:

- Downtown Development Advisory Board met on Wednesday, March 8th. The third reading of the draft budget passed.
- Thanked everyone who made the downtown events this month a success, including the Leprechaun Scavenger Hunt, the Leprechaun's Day Out, and the Block Party at O'Mara's. Thursday, May 4th will be Ladies' Night Out.
- Four electric car chargers are now available at the public library; they've been receiving regular use which has been great to see people using those amenities.
- Visit downtownberkley.com to learn more about activities downtown.
- The Historical Committee met Tuesday, March 14th; they continue to prepare for the upcoming 100th anniversary of Berkley becoming a village. Draft articles for the 100th Anniversary magazine are being finalized. Visitors are always welcome; the museum is open Wednesdays from 10 am–1 pm and Sundays from 2-4 pm. More information is available at berkleyhistory.com
- March is Women's History Month as well as Arts Education Month. The theme for Women's History Month this year is 'Celebrating Women Who Tell Our Stories'; stories come in many shapes and approaches, whether it be literature, poetry, arts, music, etc. Sydney Clemens once said, "Art has the role in education of helping children become like themselves instead of becoming more like everyone else." Our school district's visual art department's mission is to provide engaging experiences to ignite students' artistic appreciation, creative spirits, and intellect. They participate in five annual exhibits throughout the school year; took a moment to thank and appreciate the staff of the visual arts department for all that they do.
- Asked people to please hug someone they love, they need it more than they think they do.

CITY MANAGER BAUMGARTEN:

- Thanked Councilmember Vilani for mentioning the millage information sessions. The next two sessions will be in April at Berkley City Hall. Please come out and if you can't make it, please send along whatever questions and comments you might have. All questions asked will feed the FAQs; we are a city of 15,000 people if you are thinking or wondering something there might be a couple of hundred people wondering and thinking the same thing. The more information we can give, the better-informed voters we can have. May 2nd is election day; absent voter applications are available now and ballots will be going out soon.

CITY ATTORNEY CHRIST:

- Extended his congratulations to former Mayor Terbrack for his service and mentioned that he hopes all his newfound free time will help him improve his short game for the Public Safety golf outing.

MAYOR DEAN:

- Thanked the Berkley Days and the CruiseFest committees for all the work that members do to make those events happen. She thanked all of the volunteers for stepping up because without them the events simply would not happen. Berkley has a great tradition of volunteerism; our residents come together like nowhere else to make these things happen.
- Millage vote will be on May 2nd. She asked that residents educate themselves before this important vote. Visit the millage dashboard on the city website for FAQs and a step-by-step breakdown. There will be two more public information sessions: Tuesday, April 4th at 7 pm at City Hall and Wednesday, April 12th at 7 pm also at City Hall. She invited residents to come to one or both.

ADJOURNMENT:

Councilmember Hennen moved to adjourn the Regular Meeting at 8:16 p.m.

Seconded by Councilmember Patterson

Ayes: Patterson, Vilani, Baker, Dooley, Hennen, and Dean

Nays: None

Absent: Gavin

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk