

THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MAY 6, 2024 BY MAYOR DEAN

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black, attending remotely from military duty
Mayor Pro Tem Ross Gavin
Councilmember Dennis Hennen
Councilmember Gregory Patterson
Councilmember Jessica Vilani
Mayor Bridget Dean

OTHER STAFF PRESENT:

Interim City Manager Nate Geinzer
City Attorney Ann Christ
City Clerk Victoria Mitchell
Chief Innovation Officer Stan Lisica
Parks & Recreation Director Dan McMinn
Community Development Director Kristen Kapelanski
Department of Public Works Department Shawn Young

APPROVAL OF AGENDA

Mayor Pro Tem Gavin moved to approve the Agenda
Seconded by Councilmember Ptterson
Ayes: Black, Gavin, Hennen, Patterson, Vilani, Baker, and Dean
Nays: None
Motion Approved.

MAYOR-LED MOMENT OF REFLECTION

Mayor Dean read proclamation P-6-24 recognizing public servants.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Jason Benedict, Berkley, spoke in favor of non-motorized transportation. He said he is looking for volunteers to support an audit by the League of Michigan Bicyclists.

Bruce Pohl, via email, inquired about the solid waste fund within the proposed budget.

Consent Agenda

Councilmember Hennen moved to approve the following Consent Agenda, seconded by Councilmember Baker:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 40th Regular City Council meeting on Monday, April 15, 2024 and the Special City Council budget work session on Tuesday, April 16, 2024.

ORDINANCE NO. O-05-24: Matter of considering the Second Reading and Adoption of an Ordinance to amend Section 106-310.A of Article VIII, Parklets, of Chapter 106, Streets, Sidewalks and Other Public Places, of the Berkley City Code to allow parklets to occupy spaces in front of adjacent businesses when they cannot be located in front of the primary business.

PROCLAMATION NO. P-05-24: Matter of proclaiming May 14, 2024 as Apraxia Awareness Day.

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

Regular Agenda

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

None

RESOLUTION NO. R-10-24: Matter of approving a resolution of the Council of the City of Berkley, Michigan recognizing Eagle Scout Candidate Jack Elliott for a gift to Berkley Parks & Recreation. Councilmember Vilani moved to approve Resolution No. R-10-24
Seconded by Councilmember Baker
Ayes: Hennen, Patterson, Vilani, Baker, Black Gavin and Dean
Nays: None
Resolution No. R-10-24 Approved.

Councilmember Vilani read the resolution in its entirety.

MOTION NO. M-38-24: Matter of authorizing special land use approval from applicant Christina DelPizzo for the occupation of 1818 Mortenson to be used as a family day care home for seven-12 children in the R-1D Single-Family Residential District, on the east side of Mortenson, east of Princeton. Mayor Pro Tem Gavin moved to approve Motion No. M-38-24
Seconded by Councilmember Hennen
Ayes: None
Nays: Patterson, Vilani, Baker, Black, Gavin, Hennen and Dean
Motion No. M-38-24 Failed.

Public Comment

Richard Rassel, Birmingham, representative of the applicant, explained the project and its impact on the community.

Christina DelPizzo, Bloomfield Hills, shared how her business, Little Seedlings, came to be. She described her staffing process as well as the project as a whole.

Michaela Charfauros, Director of Little Seedlings, described the business model and enrollment process.

Jessica Garnett, Grosse Pointe, spoke regarding her positive experience working for Little Seedlings.

Robert Faust, Mortenson, spoke in opposition of M-38-24.

Olivia Hack, spoke in favor of M-38-24.

Don Carley, Berkley, spoke in opposition to M-38-24 and encouraged the business to relocate in a nonresidential area.

Christine Bivens, Bloomfield, spoke in favor of M-38-24.

Amanda Polk, Berkley, spoke in favor of M-38-24.

Maureen Stys, Berkley, spoke in favor of M-38-24.

Jennifer Baranski, Berkley, spoke in opposition to M-38-24.

Emily Smith, Berkley, spoke in opposition to M-38-24.

Shelby Matuski, Little Seedlings provider, spoke in favor of M-38-24.

Brad Davison, Berkley, spoke in opposition to M-38-24.

Evie Sonnenberg, Berkley, spoke in favor of M-38-24.

Amanda Bylant, Little Seedlings licensee in Livonia, spoke regarding her positive experience working for Little Seedlings.

MOTION NO. M-38-24 AMENDED: Matter of denying special land use approval from applicant Christina DelPizzo for the occupation of 1818 Mortenson to be used as a family day care home for seven-12 children in the R-1D Single-Family Residential District, on the east side of Mortenson, east of Princeton based on the finding of facts that there is no room for off-street loading and unloading and therefore Criteria 4 is not met.

Mayor Pro Tem Gavin moved to approve Amended Motion No. M-38-24

Seconded by Councilmember Hennen

Ayes: Patterson, Vilani, Baker, Black, Gavin, Hennen and Dean

Nays: None

Motion No. M-38-24 as amended: Approved

MOTION NO. M-39-24: Matter of approving a one-year contract extension of the 2021-2024 bargaining agreement between the City of Berkley and the Michigan Association of Public Employees (MAPE).

Councilmember Patterson moved to approve Motion No. M-39-24

Seconded by Councilmember Vilani

Ayes: Vilani, Baker, Black, Gavin, Hennen, Patterson and Dean

Nays: None

Motion No. M-39-24 Approved.

MOTION NO. M-40-24: Matter of approving the Collective Bargaining Agreement between the City of Berkley and the Michigan Association of Police (MAP), Berkley Police Service Aide Association.

Councilmember Baker moved to approve Motion No. M-40-24

Seconded by Councilmember Vilani

Ayes: Baker, Black, Gavin, Hennen, Patterson, Vilani and Dean

Nays: None

Motion No. M-40-24 Approved.

MOTION NO. M-41-24: Matter of approving the Berkley Dads' Club Opening Day Parade on Saturday, June 1, 2024 at 10 a.m. beginning at Berkley High School and concluding at Community Field #1. Approval is conditional upon the submission of required items and documents before the event date.

Mayor Pro Tem Gavin moved to approve Motion No. M-41-24

Seconded by Councilmember Black

Ayes: Black, Gavin, Hennen, Patterson, Vilani, Baker and Dean

Nays: None

Motion No. M-41-24 Approved.

RESOLUTION NO. R-11-24: Matter of approving a resolution of the Council of the City of Berkley, Michigan accepting the Interlocal Agreement for Local Fiscal Recovery Fund Distribution between Oakland County and the City of Berkley.

Councilmember Patterson moved to approve Resolution No. R-11-24

Seconded by Councilmember Hennen

Ayes: Gavin, Hennen, Patterson, Vilani, Baker, Black and Dean

Nays: None

Resolution No. R-11-24 Approved.

MOTION NO. M-42-24: Matter of awarding the contract for the Coolidge Highway Crosswalk Pavement Marking Improvements to the lowest qualified bidder, P.K. Contracting LLC, of Troy, MI, in an amount of \$53,580.50. In addition, allocating an additional 10 percent construction contingency (\$5,358) and a not-to-exceed Construction Engineering amount of \$7,200 for a total not-to-exceed project cost of \$66,138.50. Projected costs of this project will be split with the Berkley Downtown Development Authority (account number 248-902-972-200) covering up to \$44,312.80 of the cost and the City of Berkley (account number 202-475-818-200) covering the remaining \$21,825.70.

Councilmember Baker moved to approve Motion No. M-42-24

Seconded by Councilmember Vilani

Ayes: Hennen, Patterson, Vilani, Baker, Black, Gavin and Dean

Nays: None

Motion No. M-42-24 Approved.

MOTION NO. M-43-24: Matter of considering a license agreement for a municipal parking lot at parcel #04-25-07-478-042, Garden Central.

Councilmember Baker moved to approve Motion No. M-43-24

Seconded by Councilmember Hennen

Ayes: Patterson, Vilani, Baker, Black, Gavin, Hennen and Dean

Nays: None

Motion No. M-43-24 Approved.

MOTION NO. M-44-24: Matter of reaffirming the City of Berkley's participation in the WaterTowns grant initiative and providing related staff direction.

Mayor Pro Tem Gavin moved to approve Motion No. M-44-24

Seconded by Councilmember Patterson

Ayes: Vilani, Baker, Black, Black, Gavin, Hennen, Patterson and Dean

Nays: None

Motion No. M-44-24 Approved.

DISCUSSION: Matter of discussing, with possible staff direction, the FY 2024-25 and future City of Berkley budgets.

- Interim City Manager Geinzer explained this type of agenda item allows Council to come to a consensus on an ongoing issue and direct staff on next steps.
- He said the goal of this discussion: to understand what Council needs from staff regarding the proposed budget. He emphasized the importance of consensus on issues to maintain sanity for staff and himself.
- Suggestions were made to improve budget communication, including visual representations like graphs and pie charts.
- Concerns were raised about understanding budget allocations and the need for clarity on decision-making processes. The discussion touched on the need for better storytelling in budgeting and integrating strategic plans for clearer direction.
- It was suggested to delay approval of the budget until more clarity is achieved, focusing on addressing concerns regarding internal services and the solid waste fund. The importance of taking time to do the budget right was emphasized, even if it meant making changes over time.
- A plan was proposed to address concerns in two parts: first focusing on a detailed examination of specific areas, then transitioning to a broader discussion on the why behind budget

decisions. Consensus was sought on this approach, with a focus on addressing high-level concerns efficiently while leaving room for further clarification if needed.

COMMUNICATIONS

COUNCILMEMBER BAKER

- Please hug someone you love as they need it more than you think they do.
- Expressed gratitude to our public servants, staff, leadership teams and the teams that do heroic work around the city in the dead of night and frozen winter.
- Wished everyone a Happy Teacher Appreciation Week.
- Downtown Development Authority meets on Wednesday. Hooray for the Leia's Day Out event, which was fantastically organized and tremendous fun. He said he loves the participation and interaction from the businesses and support from all the volunteers, that was terrific. If you'd like to learn more about other events coming up in our DDA, visit DowntownBerkley.com.
- Historical Committee wants to celebrate that May is Berkley History Month. Berkley days dates from 1926 when Coolidge was first paved, the celebration has continued ever since. Come check out the Museum; if you have stories, to share, they'd love to hear them and if you have any artifacts you'd like to share they would appreciate the opportunity to scan and return them. Berkleyhistory.com is a great place to get started with that.
- Christopher Avery said, "Trust is the residue of promises kept." Trust is earned; following through on commitments over time give you the confidence to say you have trust in somebody. There are enough residual promises that have been kept by staff and their predecessors for so many years that our City is on solid ground. We have a lot of work to do while resource-strapped; we're doing a fantastic job with what we have. He said he is proud of the staff and what we're doing. He looks forward to the next budget cycle and earning even more trust.

COUNCILMEMBER HENNEN

- Tree Board met on Arbor Day to plant a new tree at Bacon Park with the DPW.
- For those of you wanting a tree this season from the City, ordering information will start coming out in the water bills soon and you'll be able to put your name on the list.
- The Zoning Board of Appeals has no meetings this month.

COUNCILMEMBER BLACK

- Looking forward to being a part of the Committee on Technology Engagement.
- May is Mental Health Awareness Month, encouraged everyone to make sure the old noodle is squared away so you can be your best and brightest self.

COUNCILMEMBER PATTERSON

- Thanked Councilmember Baker for expressing gratitude to our public servants. This week is Nurses Week, thanked the nurses as well as educators.
- Planning Commission held a special meeting regarding the Mortenson project discussed tonight. Please look at the Zoning Draft Ordinance Rewrite and leave your comments for that steering committee. The next meeting is May 28th.
- The Beautification Advisory Committee held its summer meeting and kicked off its summer events. They are exploring the idea of a mural on the Parks & Recreation sidewall and planting some greenery and a tree. Its next meeting is May 22nd at Public Safety.

COUNCILMEMBER VILANI

- Congratulated the last Boy Scout in the room, who came to celebrate and support one of his fellow Scouts and stayed for the whole meeting.
- For the Berkley Area Chamber of Commerce, 'Berkley has Heart' Month is starting; we are celebrating all things art. A commemorative book is going to be available at Art Bash on June 8th. Sponsorships are available for this book at almost any budget so check that out. The

Chamber is looking for both volunteers and sponsorships for the Art Bash in June as well as the Coolidge Street Art Festival in July. Head to the Chamber website to sign up for either of those opportunities.

- May Chamber Chat will be on May 17th at Chiropractic Lifestyle Studio at 30955 Woodward from 8:30-9:30 am.
- Environmental Advisory Committee: the Native Plant Sale is coming up on Sunday, May 19th 10 am-2 pm in the Community Center parking lot.
- Wished her mother and all mothers out there a Happy Mother's Day. Hugs to all those who are either not with their mother or hoping for motherhood in their journey.

MAYOR PRO TEM GAVIN

- Thanked Councilmember Baker for describing the incredible thanks that we have for City staff for everything they do on a day-to-day basis.
- The next Library Board meeting will be on Wednesday, May 15th at 7pm at the Library. Our library is a gem and focal point for the community: Library Director Matt Church and the staff have creative and innovative programming, they offer great services and are always looking for ways to improve. That constant drive and desire to elevate what the Library provides for the City, we're incredibly grateful for that.
- Parks & Recreation Advisory Board's next meeting will be on June 13th at 7pm in the Community Center. Thanked Interim Director McMinn and his staff for the programming services that they provide for residents of all ages. He said he knows the facility itself can sometimes be a hindrance but the programs they provide are of great value and importance to everyone and certainly contribute to the incredible quality of life that residents in Berkley deserve.

INTERIM CITY MANAGER NATE GEINZER

- Told the Boy Scout in the front row that if his Social Studies teacher gave him a call, he would do his best to get him some extra credit.
- Thanked Council for its patience with him during his first Council meeting with them, he said sometimes longer meetings are necessary but he was impressed that despite the length of the meeting the conversation was productive and constructive.
- The City's request for \$2 million of funding for our citywide lead service line replacement program was selected to move into the next round of consideration.
- Regarding the price of the HVAC project, through the diligence of staff and our consultant helping to administer the project, we have been able to negotiate the price even lower by roughly \$67,000. We never know what is going to happen later, but that's a good sign. They've been actively working with DTE and other utility providers to ensure that the City is best positioned to maximized rebates.

CITY ATTORNEY ANN CHRIST

- No updates.

MAYOR DEAN

- Well done to Nate on his first meeting in the books. Good job.
- Happy Fifth Anniversary to Chemistry Salon; mentioned the transformation of that space from a transmission shop into what it is now.
- Community Choice Awards: best burger, Vinsetta Garage; best doughnut shop, Donut Cutter; best market Westborn; and best specialty shop, Monger's Provisions.
- In anticipation of Berkley Days, it's been a longstanding tradition in our community. Some look at it as the official beginning of summer; it's homecoming of sorts, many people who used to live here come back. It really has been a special place and event for people to enjoy each other's company, the rides, the food and camaraderie. Said she was talking about Berkley Days with the barista at Coffee & Bark, who said she remembers all of the past Berkley Days and is excited about upcoming one and grateful for the added safety

measures. To Denise Downen and the Berkley Days team, she sees their hard work and effort.

ADJOURNMENT:

Councilmember Vilani moved to adjourn the Regular Meeting at 10:00 p.m.
Seconded by Councilmember Hennen
Ayes: Black, Gavin, Hennen, Patterson, Vilani, Baker and Dean
Nays: None.
Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk

**THE SPECIAL WORK SESSION OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY,
MICHIGAN WAS CALLED TO ORDER AT 6:00 PM ON MONDAY, MAY 6, 2024 IN COUNCIL
CHAMBERS BY MAYOR DEAN**

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black, attending remotely from military duty
Mayor Pro Tem Ross Gavin
Councilmember Dennis Hennen
Councilmember Gregory Patterson
Councilmember Jessica Vilani
Mayor Bridget Dean

OTHER STAFF PRESENT:

Interim City Manager Nate Geinzer
Labor Attorney Brandon Fournier
City Clerk Victoria Mitchell
Library Director Matt Church
Chief Innovation Officer Stan Lisica
Community Development Director Kristen Kapelanski

APPROVAL OF AGENDA

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

PUBLIC COMMENT

None

Regular Agenda

DISCUSSION: Matter of discussing the city manager search and next steps with Jaymes Vettrano of GovHR USA.

Jaymes Vettrano, GovHR USA, provided an update on where the search firm is in the process and outlined decisions to be made by Council to move forward with the process. He listed six questions which were followed by discussion and resolution.

Questions:

1. Position announcement – Position detail was provided and it was decided timeline would be discussed later in meeting. If approved, the job could be posted as early as tomorrow. A five-six page color brochure was discussed.
2. Advertisement – Advertising plan was discussed.

Mr. Vettrano asked for feedback on one and two together.

Consensus was both were well prepared.

Councilmember Black asked if there is a general posting Mr. Vettrano uses or are all postings customized. Mr. Vettrano said the size and length is pretty standard but content is always customized.

Mr. Vettrano said the City is in week two of the process and the total time is 10 weeks.

3. Posting – This was discussed after question five.

Interim City Manager Nate Geinzer said he has seen communities go through city manager transitions. He stated he wants council members to know they don't have to be rushed. He said there is flexibility. He said this is the biggest decision a city council will make.

Mr. Geinzer said as he's spent some time in Berkley, he has gained a decent idea of where Council would like to go. He questioned whether or not there is value to being more strategic about that and optimize some areas within the organization prior to a recruitment process. He put forward the argument of whether or not Council could find a better candidate if council members took a strategic pause and took time to improve upon some deficiencies and make the organization stronger. He said he would like to see the organization in alignment.

Councilmembers provided feedback regarding the idea of postponing the job posting. Discussed points of view/questions included:

- It would be a benefit to work on staff and Council relations
- Recruitment might reap a better candidate if the candidate feels he/she is going to a well-oiled machine
- If they take a strategic pause, could they still post the position
- When would the posting be ready
- Pause the decision for two weeks to gather more information
- Stabilization is good
- It's better to do things right than rushed
- It would be beneficial to create an attractive environment
- It would be beneficial to move forward as a unit
- It is a negative experience to go into a job thinking it will be great and then learn it is a rehab project

Mr. Geinzer informed Council no decisions need to be made at the work session and he would bring more information to Council if that is members' request. He did not recommend taking a strategic pause and then posting the position.

Mr. Vettrano said the job description is ready to post tomorrow. He let Council know the best times to post/advertise are:

- Early July-early August
- End of year-beginning of new year

He stated they could wait as right now city manager candidates are in the budgeting process and finishing the school year if they have families.

Mr. Vettrano said once you start, you should move forward with the intention of completing the process. He recommended not waiting too long because candidates could begin wondering why the position has been vacant so long. He stated a successful search is mostly dependent on the candidate pool. He said Berkley has a good reputation and would be attractive.

4. Salary Range – Mr. Vettrano explained the wage study he conducted. He discussed the tier Berkley is in is \$135-\$155,000. He said average is \$142,000 in our comparables.

Feedback was provided by Council on what the acceptable salary range would be and it was asked if increasing the pay by a certain amount would really increase the candidate pool.

Mr. Vettrano said really timing is the most important.

Following additional discussion regarding salary, a suggestion was made to increase the salary range to \$140-\$160,000. Mr. Vettraiño advised not going beyond that ceiling because then you are trying to attract managers from a larger cities, which generally doesn't happen. Mr. Vettraiño asked for a motion solidifying salary direction:

MOTION NO. M-45-24: Matter of authorizing Jaymes Vettraiño of GovHR USA to move forward with the agreed upon contract to conduct a city manager search utilizing the salary range of \$140-\$160,000 for the position.

Mayor Pro Tem Gavin moved to approve Motion No. M-45-24

Seconded by Councilmember Vilani

Ayes: Gavin, Hennen, Patterson, Vilani, Baker, Black and Dean

Nays: None

Motion No. M-45-24 Approved.

5. Timing – Mr. Vettraiño said he will provide Council with a deadline to approve a timeline for each component of the search process.
6. Input – Mr. Vettraiño discussed with Council the communication process to identify stakeholders for the community input portion of the search process. Aspects of this included:
 - GovHR sending out a specific survey to gather information
 - GovHR sending out a broader survey collecting more fundamental information from those without extensive governmental knowledge
 - GovHR sending out an employee survey. He said it is best to do it anonymously.

Mr. Vettraiño discussed creating a stakeholders list. He said he likes surveys because they don't filter. He said other formats are also available to gather input. He said Council's goal in this process is engagement.

CLOSED SESSION: Matter of meeting in closed session to discuss negotiations strategy in accordance with the Open Meetings Act, MCL 15.268(c).

Councilmember Vilani moved to approve entering into Closed Session.

Seconded by Mayor Pro Tem Gavin

Ayes: Hennen, Patterson, Vilani, Baker, Black, Gavin and Dean

Nays: None

Motion to enter into Closed Session Approved.

THE CLOSED SESSION OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 6:45 PM ON MONDAY, MAY 6, 2024 IN THE CITY HALL CONFERENCE ROOM BY MAYOR DEAN

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black, attending remotely from military duty
Mayor Pro Tem Ross Gavin
Councilmember Dennis Hennen
Councilmember Gregory Patterson
Councilmember Jessica Vilani
Mayor Bridget Dean

OTHER STAFF PRESENT:
Interim City Manager Nate Geinzer
Labor Attorney Brandon Fournier
City Clerk Victoria Mitchell

Negotiations strategy in accordance with the Open Meetings Act, MCL 15.268(c) was discussed.

CLOSED SESSION ADJOURNMENT:

Councilmember Baker moved to adjourn the Closed Session Meeting at 6:56 p.m.

Seconded by Councilmember Patterson

Ayes: Gavin, Hennen, Patterson, Vilani, Baker, Black and Dean

Nays: None

Motion Approved.

THE SPECIAL WORK SESSION OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED BACK TO ORDER AT 7:01 PM ON MONDAY, MAY 6, 2024 IN IN COUNCIL CHAMBERS BY MAYOR DEAN

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black, attending remotely from military duty
Mayor Pro Tem Ross Gavin
Councilmember Dennis Hennen
Councilmember Gregory Patterson
Councilmember Jessica Vilani
Mayor Bridget Dean

OTHER STAFF PRESENT:

Interim City Manager Nate Geinzer

City Clerk Victoria Mitchell

ADJOURNMENT:

Councilmember Vilani moved to adjourn the Regular Meeting at 7:02 p.m.

Seconded by Councilmember Gavin

Ayes: Hennen, Patterson, Vilani, Baker, Black, Gavin and Dean

Nays: None

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk