

THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:04 PM ON MONDAY, MAY 20, 2024 IN COUNCIL CHAMBERS BY MAYOR DEAN

PRESENT: Councilmember Steve Baker Councilmember Clarence Black
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
Community Development Director Kristen Kapelanski
Library Director Matt Church
Building Official Emily Loomis
Communications Director Caitlin Flora
Finance Director Carl Johnson
Downtown Development Authority Director Mike McGuinness
Emergency Management Director Jack Blanchard

APPROVAL OF AGENDA

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

MAYOR-LED MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

None

Consent Agenda

Councilmember Vilani 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, May 6, 2024 and the City Council work session on Monday, May 6, 2024.

WARRANT: Matter of approving Warrant No.1398.

MOTION NO. M-46-24: Matter of appointing Public Works Director Shawn Young as the City of Berkley's representative and Assistant Director of Public Works Adam Wozniak as the alternate representative to

the Southeastern Oakland County Resource Recovery Authority (SOCRRA) Board of Trustees for the fiscal year ending on June 30, 2025; and instruct the City Clerk to send a copy of this motion to the SOCRRA Board.

MOTION NO. M-47-24: Matter of appointing Public Works Director Shawn Young as the City of Berkley's representative and Assistant Director of Public Works Adam Wozniak as the alternate representative to the Southeastern Oakland County Water Authority (SOCWA) Board of Trustees for the fiscal year ending on June 30, 2025; and instruct the City Clerk to send a copy of this motion to the SOCWA Board.

MOTION NO. M-48-24: Matter of considering an update to the Community Development fee schedule.

RESOLUTION NO. R-12-24: Matter of approving a resolution in support of House Bill 5696.

PROCLAMATION NO. P-07-24: Matter of proclaiming the first Friday in June to be National Gun Violence Awareness Day.

PROCLAMATION NO. P-08-24: Matter of proclaiming May 12-18 as National Police Week.

PROCLAMATION NO. P-09-24: Matter of proclaiming June 2024 as LGBTQIA+ Pride Month.

PROCLAMATION NO. P-10-24: Matter of proclaiming June 2024 as Pet Preparedness Month.

PROCLAMATION NO. P-11-24: Matter of proclaiming June 2024 as Summer Safety Month.

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.

Mayor Pro Tem Gavin read P-07-24 in its entirety.

Councilmember Black read P-08-24 in its entirety.

Councilmember Patterson read P-09-24 in its entirety.

PRESENTATION: Matter of receiving a presentation of the Community Development Department's new Homeowner's Guide to Permits.

Building Official Emily Loomis presented the Community Development Department's new Homeowner's Guide to Permits.

- The guide aims to demystify home construction projects for homeowners, not serve as an instruction book.
- Construction projects often face unexpected challenges, and the guide helps homeowners ask the right questions. The guide outlines steps and provides resources for understanding permits and inspections. The building department offers printed copies of the guide and it will be available online.
- Permits are necessary for many projects; homeowners should confirm with the department if unsure. For specific project guidance, the department can help homeowners understand their contractors' steps and manage expectations.
- Homeowners should ask questions to avoid costly mistakes and ensure proper project execution.
- Permit details:
 - Permits typically expire in six months but can be extended.

- Specific inspections are required at different stages (e.g., rough inspections for open walls, insulation, final inspections). Contact the building department for inspection scheduling and requirements.
- Each home project is unique; even similar projects can differ in execution.
- Contractors should handle permits; homeowners should be cautious if asked to pull permits themselves. The department can guide homeowners on the legal and insurance implications of pulling permits.
- Contact the Building Official at 248-658-3326 or 248-466-1350.

PRESENTATION: Matter of receiving a presentation regarding the 2024-25 FY City of Berkley budget.

Finance Director Carl Johnson and Interim City Manager Nate Geinzer presented regarding the proposed budget.

General Overview:

- Mr. Geinzer acknowledged the presentation was similar to usual budget kick-off processes despite limited prep time.
- Reviewed a 10-year trend in Taxable Value and State Equalized Value.
- Compared the 2023/24 budget vs. projections, noting it was close to target.

Budget Review Highlights:

- Mr. Johnson discussed actual figures for 6/30/23, original and amended budgets for 6/30/24.
- Mr. Geinzer noted the January amendment was incomplete.
- Mr. Johnson mentioned routine adjustments.

2023-24 Capital Project Accomplishments:

- Pension and OPEB Commitments reviewed.
- Discussions on the 2023 Millage proposal and its impact on non-essential services.
- Overview of the 2024-2025 Budget with a new approach by the new finance director.

Key Budget Changes:

- Revenue and expenditure levels changed, focusing on department heads' reviews.
- Councilmember Baker requested correction of a negative number on a slide.

Tax Dollar Distribution:

- Mr. Geinzer explained only 43 cents of each tax dollar stays with the city.

Budget Content - Revenues:

- Property tax increase capped by Headlee, state revenue sharing increase, marijuana revenue sharing, and other sources outlined.
- Councilmember Baker inquired about marijuana revenue; Nate clarified it's not a sustainable long-term solution.
- Mr. Geinzer illustrated the impact of Headlee reductions over 10 years.

Expenditures Overview:

- Salary increases, healthcare costs, and operating costs discussed.
- Creation of a new Facilities Department in the General Fund.
- General Fund revenue balancing and investment in street operations and repaving highlighted.

Capital Projects and Investments:

- Increase in construction costs since COVID and competition for resources noted.
- Various funding sources for capital expenditures explained.

Utilities Fund:

- Plans for lead service line replacements and water main replacements outlined.
- Impact of unfunded mandates for lead water service replacements discussed.

Residential Water and Sewer Rate Changes:

- No change in fixed rates, variable rates increased resulting in an overall 2.75 percent increase.

Solid Waste Fund:

- Context and funding details for solid waste collection and services.
- Internal service costs and administrative allocations explained.
- Councilmember Hennen and Mr. Johnson discussed the impact of budget adjustments and reallocation of costs.

Internal Services Summary:

- Various funds' administrative cost allocations reviewed.

Discussion Points:

- Mr. Geinzer emphasized the need for Council directives to avoid unnecessary deep dives.
- Councilmember Black mentioned zero-based budgeting; Mr. Geinzer advised against it but suggested aligning budgets with priorities.
- Mr. Johnson mentioned the benefits of starting budget preparations early.

Next Steps:

- Mr. Geinzer to provide a link to Brighton's last year audit using ClearGov for better transparency and tracking.
- Councilmember Hennen highlighted the importance of snapshots and budget workshops in the decision-making process.

PUBLIC HEARING: Matter of holding a public hearing regarding the proposed operating budget for the fiscal year 2024/25 and supporting tax rates for the City of Berkley, Michigan.

The Public Hearing opened at 8:46 pm

Bruce Pohl, Berkley, asked questions regarding solid waste expenditures.

Joshua Hunter, Berkley, asked questions regarding the proposed budget.

Greg DuRoss, Berkley, spoke regarding the proposed budget.

The Public Hearing closed at 8:54 pm.

RESOLUTION NO. R-13-24: Matter of approving a resolution of the Council of the City of Berkley, Michigan adopting the annual budget for the 2024/25 fiscal year and acknowledgment of the 2025/26 budget projections.

Mayor Pro Tem Gavin moved to approve Resolution No. R-13-24.

Seconded by Councilmember Baker

Ayes: Hennen, Vilani, Baker, Gavin and Dean

Nays: Patterson and Black

Resolution No. R-13-24 Approved.

RESOLUTION NO. R-14-24: Matter of approving a resolution of the Council of the City of Berkley, Michigan approving the 2024/25 through 2029/2030 Capital Improvements Plan of the City of Berkley, Michigan.

Councilmember Hennen moved to approve Resolution No. R-14-24.

Seconded by Councilmember Baker

Ayes: Patterson, Vilani, Baker, Black, Gavin, Hennen and Dean
Nays: None
Resolution No. R-14-24 Approved.

RESOLUTION NO. R-15-24: Matter of approving a resolution of the Council of the City of Berkley, Michigan setting the residential and commercial service fee for the collection and disposal of solid waste, effective July 1, 2024.

Mayor Pro Tem Gavin moved to approve Resolution No. R-15-24.

Seconded by Councilmember Baker

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

Nays: None

Resolution No. R-15-24 Approved.

RESOLUTION NO. R-16-24: Matter of approving a resolution of the Council of the City of Berkley, Michigan setting the various rates for water and sewer services, effective July 1, 2024.

Councilmember Hennen moved to approve Resolution No. R-16-24.

Seconded by Councilmember Baker

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

Nays: None

Resolution No. R-16-24 Approved.

MOTION NO. M-49-24: Matter of awarding a five-year (three-year contract with two one-year City renewal options) professional services contract for annual audit services to Andrews Hooper Pavlik beginning for the fiscal year ending June 30, 2024 through June 30, 2029. The total contract over the five years totals \$225,000 charged to the various funds and departments budgeted in account 807-000.

Councilmember Black moved to approve Motion No. M-49-24.

Seconded by Councilmember Hennen

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

Nays: None

Motion No. M-49-24 Approved.

RESOLUTION NO. R-17-24: Matter of considering a resolution in support of and funding commitment of the application for the SEMCOG Planning Assistance Program.

Mayor Pro Tem Gavin moved to approve Resolution No. R-17-24.

Seconded by Councilmember Vilani

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

Nays: None

Resolution No. R-17-24 Approved.

COMMUNICATIONS

COUNCILMEMBER HENNEN

MOTION NO. M-50-24: Matter of seeking a one-page summary of 2024-25 internal service allocations to various funds in the budget.

Councilmember Patterson moved to approve Motion No. M-50-24.

Seconded by Councilmember Hennen

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

Nays: None

Motion No. M-50-24 Approved.

- The Tree Board will next meet on Tuesday, June 28th.
- The Zoning Board will meet Monday, June 10th; they have two cases: a postponed generator and a dimensional variance.

- On Thursday, he attended the Great Lakes Leadership Academy Local Government Leadership Intensive Program held in Lansing. The training helped participants work on leadership and improve their skills. He said he found it very valuable and has literature for anyone interested in attending.

COUNCILMEMBER BLACK

- Said he is looking forward to being a part of the Committee on Technology Engagement and is looking forward to bringing in their new members in July. Thanked Director Flora for her outstanding work getting them there.
- Said that what happened at Berkley Days was unfortunate and what was also unfortunate was some of the postings on social media. So much so that he has taken a social media break, and encouraged others to do so as well.
- D-Day is known as the greatest military operation of all time but many would be surprised to know that it was not particularly well planned, but they kept it simple. Good things happen when you keep things simple.

COUNCILMEMBER PATTERSON

- The next Planning Commission meeting will be on May 28th; there is still time to review the zoning draft rewrite.
- The Beautification Advisory Committee will meet on May 22nd at 6:30 pm.
- He said that while attending the Taste of Berkley they were able to sing 'Happy Birthday' to Betty Smith, the grandma of Berkley, who still serves on Berkley Parks and Rec Advisory Board. Live your life like Betty Smith.
- For those who have served and paid the ultimate price, Memorial Day is special to all of us.

COUNCILMEMBER VILANI

- For the Berkley Area Chamber of Commerce, looking for volunteers for Art Bash which is coming up on June 8th. If you are interested in lending a hand or some muscle, please reach out and we will get you to them.
- Environmental Advisory Committee meets this Thursday at 6:30 pm on the second floor of the Public Safety building. Thanked everyone who came out for the Native Plant Sale they recently held.

MAYOR PRO TEM GAVIN

- The next Library Board meeting will be on June 26th at 7 pm in the Library.
- Thanked Director Church and the Friends of the Library for hosting their annual book sale over the weekend; it was an incredible success and lots of hard work went into it.
- Parks & Recreation Advisory Board's next meeting will be on June 13th at 7 pm in the Community Center.

COUNCILMEMBER BAKER

- Downtown Development Authority met last Wednesday; several mural applications are in process. Congratulated all who participated and helped support the 'May the Fourth Be With You' event. Kudos to the businesses who handed out Pez dispensers, that was really fun.
- Tied to the June 8th Art Bash is the Berkley Outdoor Social Scene (BOSS), essentially it's a part of our downtown that if you purchase a beverage from a participating businesses you can carry it around in the defined perimeter. For more information, visit Downtownberkley.com.
- Historical Committee meets tomorrow at 7 pm; they would like to thank Cana Lutheran for all the donations, the Committee is currently in the process of scanning and archiving those items. For those of you who find that kind of thing interesting, the Committee has no cap on members; see the city website for the application and how to volunteer for that fantastic group. More information is available at Berkleyhistory.com.
- Mary Landrieu once said, "A budget should reflect the values and priorities of our nation and its people." What we've heard tonight is how we exemplify that here in our community. Directors and their colleagues put in tremendous work based on the needs of the community.

He said he loves the idea of keeping it simple. Start at the simple and then dig deep where you need to. Having an effective narrative is hard to do; that's commendable.

- Please hug someone you love as they need it more than you think they do.

INTERIM CITY MANAGER NATE GEINZER

- No updates

CITY ATTORNEY ANN CHRIST

- No updates.

MAYOR DEAN

- Many, many hours went into planning this year's Berkley Days event. The Berkley Days Committee spent countless hours attending conferences all over the state on safety. They spent time talking to other municipalities about their carnivals and what worked and didn't work. They compiled that information and created the best plan they could for this year. In spite of that, things didn't go as we would have liked them to. Asked everyone to give the Committee and Public Safety patience and time to compile their reports. Information takes time to verify and compile; the after-action report will be forthcoming. The worst thing you can do is feed speculation, we want accuracy.
- Said she was part of a tour hosted by Congresswoman Stevens at the Waterworks Park in Detroit; Directors Young and Flora attended. She had never toured a water treatment facility; she said the place was amazing. The tour covered each portion of Waterworks Park and why certain chemicals are added to the water. She has a new appreciation for everything that goes into it. Lead service lines was quite the topic of conversation; she said she is hopeful grant money will come through.
- Highlighted the 'Berkley has Heart' initiative, hosted by the Chamber of Commerce. It is meant to bring events and new community photography together. She read from the card, "Why Berkley has heart: while 12 Mile and Coolidge are the main arteries running through Berkley, Berkley has heart because of the people. The people are the oxygen that sustains the city pumping their energy through its circulatory system. Just as a heart cannot function without oxygen, a city cannot function without people." Our motto is, "We Care," but she would go further to say that Berkley does have heart. She said that even though we don't always agree, she is encouraged by the emerging and continuing respect we have for one another in our various viewpoints.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Regular Meeting at 9:47 p.m.

Seconded by Councilmember Vilani

Ayes: Patterson, Vilani, Baker, Black, Gavin, Hennen 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 20, 2024 IN THE SECOND FLOOR
CONFERENCE ROOM OF THE PUBLIC SAFETY DEPARTMENT BY MAYOR DEAN**

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black
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
Finance Director Carl Johnson
Library Director Matt Church

APPROVAL OF AGENDA

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

PUBLIC COMMENT

None

Regular Agenda

DISCUSSION: Matter of discussing Operational Vulnerabilities and Enhancement Efforts and City Manager Search Timeline Strong Start Scenarios.

Interim City Manager Nate Geinzer introduced the item.

Mr. Geinzer stated this item is about what he mentioned during the May 6, 2024 work session regarding pausing the city manager search. He discussed the following:

Why a Pause Pt. 1

- Hiring a City Manager is the most important thing the Council will do
 - Hire the person who checks all boxes or
 - Hire for fit – with additional training
- If Statement
 - If you have confidence in him then take advantage of that and be strategic with decision making
- Don't rush it, be strategic, and take advantage
- Strong Start
 - How can we position the new Berkley city manager, city council, and city staff to strengthen their new relationship?

Why a Pause Pt. 2

- 2023 Millage and questions around budget and services
- Relationships & team building has lacked a little bit and we can always do better
- Processes and Procedures – sky isn't falling, but definite areas of improvement

Mr. Geinzer stated to get all of these things done, we need trust.

2023 Millage, Budget, and Changes in Service

- How
 1. Multi-year forecast
 2. Tee up new budget internally and externally
 3. Evaluate community survey options/strategies – customized survey, not a throwaway.
Ex. National Citizen Survey
 4. Facilities needs assessment (identified priority)
 5. CIP review and recommendations
 6. Build an outline of Berkley's "Shared" narrative
- These build upon one another ultimately building a shared narrative. Not about a millage. Build a narrative of where we are at now, and what are the key issues.

Relationships & Team Building

- How
 - Council Hours
 - Strategic alignment
 - Council and staff collaboration/interaction
 - Work sessions
 - Appreciation opportunities

Strategic Alignment Roadmap

June:

- Kickoff
- Untangling
- Team building
- Prioritization survey

July:

- Shared prioritization
- CM posting 7/8
- Staff draft 15-month plan

August and September:

- Draft plan review
- Draft plan adoption
- CM Search interview, follow up, and select 9/30
- Maybe more training

October:

- Transition and team building/5 Behaviors of a Cohesive Team? (wish list)
- Strategic alignment
- Shared expectations
- CM starts about Oct. 30
- Implementation

Mr. Geinzer said the above steps would require buy-in from the new city manager.

Mr. Geinzer reviewed a cyclical flow chart of a strategic plan, eventually bringing a strategic plan and annual city budget cycle in sync.

It was clarified the City is looking at two prongs – the city manager search and planning and beginning some of the suggested projects.

It was also clarified the timeline proposed this evening aligns with the firm conducting the city manager search and fits into the optimal times to be searching as suggested by GovHR USA.

Processes and Procedures

Mr. Geinzer said this won't all happen in six months, but he would like to get started.

- What?
 - Human Resources – not optimal. Concerning no central point of HR. Mr. Geinzer said it won't work to put human resources on the incoming city manager. Mr. Geinzer said he wouldn't be able to scratch the surface of this topic. He said he thinks getting an assessment and consultation would be beneficial. He said this area would be an additional cost.
 - Needs assessment and recommendations (not a compliance audit)
 - It was questioned whether or not Mr. Geinzer could tell if the staff is capable as there is no evaluation process currently in place. Mr. Geinzer said evaluations are a double-edged sword in public service. He said they would be looking at an evaluation system, training, disciplinary tool, etc. Mr. Geinzer discussed online tools and collaborative opportunities. A discussion continued regarding the competence of staff, documenting the confidence, and assurance we have qualified staff, and the cultural issues and workplace trauma all of the changes could produce. Mr. Geinzer said changes must be phased in and it comes down to creating a culture of accountability. It was asked if the City already experiences a morale issue and turnover. It was stated most communities have an HR department. Mr. Geinzer said the City could get a jump start by holding people accountable and implementing disciplinary actions if needed.
 - Implementation (low-hanging fruit) HR Department in a box
 - Update forms
 - Update procedures
 - Director training
 - Further implementation (at the direction of the new city manager)
 - HR Department
 - Additional training
 - Open enrollment
 - Civic events
 - Accounts payable
 - Boards and Commissions
 - Council Rules and Procedures
 - Others - Procurement
 - Mr. Geinzer said more or less documenting while we go and triaging. He said in other cities they have a procurement point person. That may be a recommendation he leaves behind. Finance Director Carl Johnson said the City has standards set by GFO and our auditors review and inspect.

Reality and Expectations

Mr. Geinzer said he would check in as we go along.

What would a strong start take? Mr. Geinzer said what we need from City Council is:

- Discipline
- Focus
- Consistency
- Time management

Mr. Geinzer said the more we create the discipline now, it will be a huge favor to the new city manager.

Mr. Geinzer reviewed a sample timeline he created that incorporates all discussed that evening.

Mr. Geinzer asked council members to reflect on what resonates with them. He asked if they were interested in adding on the HR component and what they thought of the other items discussed. He stated April Lynch, one of the top human resource people in the state, is available to come on as an HR consultant through his firm.

It was mentioned that the former city manager was working on an HR assessment and a suggestion was made that Mr. Geinzer look into what was accomplished with that initiative.

Mayor Dean said she is comfortable with April Lynch. She said Nate has implemented a structure and processes and people are thriving and she wants to see that continue. She knows that the HR piece has been lacking for a while.

It was asked that Mr. Geinzer touch base with Gallagher, the City's current benefits/HR coordinator. Mr. Geinzer said the cost for Ms. Lynch would be less than \$10k. He said he would peel the layers back and see what's there.

Mr. Geinzer said he would get an outline out for the next couple of weeks.

ADJOURNMENT:

Councilmember Baker moved to adjourn the Special Work Session at 6:52 p.m.

Seconded by Councilmember Hennen

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

Nays: None

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk