

**THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, JUNE 3, 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 Dan Christ  
City Clerk Victoria Mitchell  
Interim Parks & Recreation Director Dan McMinn  
Department of Public Works Director Shawn Young

**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**

Mark Wolf, Berkley, asked Council to reconsider the City's outdoor burning ordinance.

Bruce Pohl, via email asked: 1) Please provide Berkley tax-payers with the quantifiable reasons you used to support the recent decision to approve a \$44,640 expense in the Solid Waste budget for customer service; and 2) What did the Council do to mitigate those reasons before deciding to allocate solid waste funds to a customer service position, a fund that supports a mostly SOCRRA function?

**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 40<sup>th</sup> Regular City Council meeting on Monday, May 20, 2024 and the City Council work session on Monday, May 20, 2024.

**MOTION NO. M-51-24:** Matter of approving the purchase of three 2025 Ford Police Interceptor Utility AWD marked police vehicles for \$147,705 (\$49,235 each) for the Department of Public Safety from Lunghamer Ford, 1960 East Main Street, Owosso, MI 48867 from the Vehicles Account 101-345-985-000.

**MOTION NO. M-52-24:** Matter of authorizing the Mayor and City Manager to enter into an Intergovernmental Agreement for Lockup Services between the City of Berkley and the City of Lathrup Village. The City of Berkley will provide Lockup Services for the City of Lathrup Village for \$100 per prisoner. This Intergovernmental Agreement shall be for a term of three years, beginning on the first day of July 2024 and ending on the 30th day of June 2027.

**MOTION NO. M-53-24:** Matter of authorizing the City Manager to enter into an Ambulance Service Agreement between the City of Berkley and Universal Ambulance Service. In consideration of the services to be performed by Universal Ambulance Service under this Agreement, the City shall pay Universal Ambulance Service for the term of this Agreement the sum of one dollar (\$1) annually. This Agreement shall be effective for a term commencing 7 a.m. July 1, 2024 for a three-year term ending 6:59 a.m. on June 30, 2027.

**MOTION NO. M-54-24:** Matter of authorizing the Mayor to enter into an Agreement with the Oakland County Tactical Consortium (OAK-TAC). This agreement will allow the Berkley Department of Public Safety to remain a member of OAK-TAC, which will further the Department's efforts to prepare for emergencies.

**RESOLUTION NO. R-18-24:** Matter of considering a resolution designating Director of Public

Works Shawn Young as the Act 51 Street Administrator for the City of Berkley.

**PROCLAMATION NO. P-12-24**: Matter of proclaiming June 19, 2024 to be Juneteenth Celebration Day.

**PROCLAMATION NO. P-13-24**: Matter of recognizing Doug Provost for his 50 years of service as an umpire and supporter of the Berkley Dad's Club.

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.

Councilmember Black read P-12-24 in its entirety.  
Mayor Pro Tem Ross Gavin read P-13-24 in its entirety.

Doug Provost was present to receive the Proclamation presented by City Council.

Mr. Provost said it is an honor; Mayor Dean thanked him for being such an integral part of Berkley.

**RESOLUTION NO. R-19-24**: Matter of considering a resolution in support of establishing an early voting precinct for the City of Berkley, Michigan beginning with the election scheduled for Tuesday, August 6, 2024.

Mayor Pro Tem Gavin moved to approve Resolution No. R-19-24.

Seconded by Councilmember Hennen

Ayes: None

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

Resolution No. R-19-24 Denied.

**ORDINANCE NO. O-06-24**: Matter of considering the First Reading of an ordinance of the Council of the City of Berkley, Michigan amending Chapter 46 Elections, Article II Precincts, Section 46-16 through Section 46-23 of the Berkley City Code.

Councilmember Patterson moved to approve Ordinance No. O-06-

24. Seconded by Councilmember Black

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

Nays: None

Ordinance No. O-06-24 Approved.

Greg Duross, Berkley, asked if a conflict would be created by the passage of O-06-24 in light of Council's decision to deny R-19-24. City Attorney Christ stated there is no conflict; the intent is to have the Early Voting Precinct in the ordinance should Council decide to approve such by resolution.

**MOTION NO. M-55-24**: Matter of accepting the quarter ended March 31, 2023 budget to actual report.

Mayor Pro Tem Gavin moved to approve Motion No. M-55-24.

Seconded by Councilmember Hennen

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

Nays: None

Motion No. M-55-24 Approved.

**DISCUSSION**: Matter of discussing, with possible action, the short-term future of a millage proposal.

- Mr. Geinzer introduced the topic, stating there are many questions and the City is seeking direction from the Council.
- Councilmember Hennen expressed Council is not ready, needs more preparation, and November is not suitable.
- Councilmember Black agreed with Hennen, comparing proposing now akin to "ready, fire, aim."
- Councilmember Baker emphasized the need for a conversation due to annual challenges, aiming for clarity, trust, and thoughtful input from neighbors.
- Mayor Pro Tem Gavin concurred, stressing the importance of a robust communication plan.
- Councilmember Patterson highlighted the necessity of determining needs and doubted readiness by July.
- Mayor Dean suggested waiting and following Mr. Geinzer's path, depending on forthcoming information. She compared the need for repairs to personal home maintenance, indicating a low value placed on the community center.
- Councilmember Hennen noted it's easier to understand the need for a new community center compared to operating expenses and mentioned that the search for a new city manager would

be starting around this time.

- Mr. Geinzer concluded that no motion was needed, as the direction from Council was clear.

Mark Wolf, Berkley, spoke in opposition to M-55-24.

Mike Wiacek, Berkley, spoke in opposition to M-55-24.

**CLOSED SESSION:** Matter of considering convening in closed session at the conclusion of the regular meeting to consider material exempt from discussion or disclosure by state or federal statute in accordance with the Open Meetings Act, MCL 15.268(h).

Councilmember Baker moved to convene in closed session at the conclusion of the regular meeting.

Seconded by Councilmember Black

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

Nays: None

Matter of considering convening in closed session at the conclusion of the regular meeting

Approved.

## **COMMUNICATIONS**

### **COUNCILMEMBER BAKER**

- The Historical Committee met last week. Members extend their appreciation and gratitude to many of the fine students at Berkley High School who came out to volunteer, not only in the museum but also at their booth at Berkley Days. The museum has received some tremendous donations and contributions from the community; things that have been added to the museum's collection and things that they are scanning and returning. For instance, the Cana Lutheran Church on Catalpa has loaned boxes of historical documents and artifacts that the Committee is dutifully scanning, archiving, and returning to them. The Historical Committee will have a booth at the Art Bash; they will have not only information to share about our city's history but also some fantastic items to sell. Its next meeting is on July 9<sup>th</sup>, and you can learn more at [berkleyhistory.com](http://berkleyhistory.com).
- The Downtown Development Authority meets next week, on Wednesday. The Farmers Market starts this Thursday. The Berkley Outdoor Social Scene, aka the BOSS, starts with the Art Bash. For more information, visit [downtownberkley.com](http://downtownberkley.com) or any of the participating establishments, which include El Patio, Amici's, Monger's Provisions and The Rind.
- It was Jason Collins who said, "Openness may not completely disarm prejudice, but it's a good place to start." As we celebrate Pride Month, let's remind ourselves that beauty begins at the moment we decide to be ourselves. Let's celebrate the awesome diversity that this community has.
- Please hug somebody you love. It feels good to give as well as to receive.

### **COUNCILMEMBER HENNEN**

- Regarding the Tree Board, trees are now available for ordering on the city website; look for the forestry section on the website, or you can also call DPW to get on the list. The Tree Board will next meet on September 23<sup>rd</sup>. Several Tree Board members are leaving; they have elected Trisha Losey as the new Chair of the Tree Board.
- The Zoning Board of Appeals will consider a generator case and a case on a dimensional variance on June 10<sup>th</sup>.
- A couple of weeks ago, he was able to go to Lansing for a committee hearing for House Bill 4838, the Puppy Protection Bill. He didn't get the opportunity to testify but he did talk to several members of the committee afterward, advocating the situation that we find ourselves in. He said he hopes to see positive movement on that Bill.

### **COUNCILMEMBER BLACK**

- Memorial Day just passed and everybody got to barbecue and do all those things, but we'd be remiss if we didn't understand that it's to honor people in uniform who died to give us the right to be here, to give us the right to sit on this Council, to come to these meetings.
- He said Council doesn't have to honor individuals by agreeing, but it does need to be civil in its disagreement. Mr. Wiacek comes to these meetings; he is passionate. He said that they don't often agree, but he applauds his passion because that's what people in uniform fought for. Let's remember that conflict is okay as long as we get to a resolution. Acrimony is not acceptable; oftentimes, acrimony is what happens when you have unresolved conflict. He asked that once a day, just remember that even in disagreement, that is a right we have that others paid the ultimate price for, and don't ever forget that.

### **COUNCILMEMBER PATTERSON**

- The Planning Commission met last Monday; they have recommended a PUD that will be coming before Council. Its next meeting will be on June 25<sup>th</sup> at 7 pm.
- The Beautification Committee also met; Members are continuing their summer work project, considering a mural and some planting.
- Our building official has drop-in hours now every Wednesday from 3 pm to 4:30 pm here at City Hall; if you have any questions, you are more than welcome to drop in and talk to them. It's a great service.

### **COUNCILMEMBER VILANI**

- There are no updates from the Environmental Advisory Committee at this time.
- For the Berkley Area Chamber of Commerce, a friendly reminder that this Saturday is the Art Bash from 10 am to 6 pm on 12 Mile. If you visit the Chamber booth, you can spin the prize wheel and win a really great prize.
- The Berkley Has Heart photography contest voting begins at the Art Bash. Out of all the photos submitted, 20 were selected for our residents to vote on. You can pick up your own coffee table book of Berkley art, which would also make a great present.
- Big congratulations to all of our graduates! She said we are coming to the end of the school year, so whether you have just finished your first year of kindergarten, are transitioning to middle school, or are seniors who are off to the next chapter in their lives, congrats to all of you. She said she can't wait to see the seniors at the all-night party this year; she's excited to be volunteering there.
- And last but certainly not least, it's June, it's Pride Month. She said she is going to end with the words that she shared with her daughter and her friends when she took them to their first Pride festival several years ago. Especially in places like that, we see people with different opinions who don't always agree but when you see hate, please show your love louder.

#### **MAYOR PRO TEM GAVIN**

- The next Library Board meeting will be on Wednesday, June 26th at 7 pm at the library.
- Parks & Recreation Advisory Board's next meeting will be on June 13th at 7 pm at the community center.
- Big thank you to Mr. Provost for all that he's done for our community throughout the course of his career. It's an honor to be able to recognize him tonight; thank him again for everything that he's done.

#### **INTERIM CITY MANAGER NATE GEINZER**

- No updates.

#### **CITY ATTORNEY ANN CHRIST**

- No updates.

#### **MAYOR DEAN**

- She attended the Rogers Elementary Memorial Day ceremony with the theme "Remember One;" students wore paper dog tags with the names of fallen soldiers and pledged to honor them every Memorial Day. The ceremony was beautiful, with 400 engaged and respectful children. She commended the students, teachers, staff, and principal for setting the tone.
- She said she participated in Memorial Day events at the City Hall gazebo and the Berkley American Legion Post; she is proud of the Berkley American Legion Post for its service to our country and our community as a whole.
- She attended the opening day ceremony for Dads' Club baseball and Mom's Club softball; she thanked the baseball and softball organizations as well as parents who showed up to support their children, for allowing them to learn a sport and be part of a team.
- On June 23rd, our DDA will bring the Pride Block Party to downtown Berkley; she said she is proud to have the Block Party here in Berkley and is very proud to be part of such a warm, inviting, and inclusive community. She thanked everyone.

#### ***ADJOURNMENT:***

Councilmember Vilani moved to adjourn the Regular Meeting at 8:26 p.m.

Seconded by Councilmember Patterson

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

Nays: None.

Motion Approved.

**THE CLOSED SESSION OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN  
WAS CALLED TO ORDER AT 8:32 PM ON MONDAY, JUNE 3, 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 Dan Christ  
City Clerk Victoria Mitchell  
Interim Parks & Recreation Director Dan McMinn  
Department of Public Works Director Shawn Young

Members of Council considered material exempt from discussion or disclosure by state or federal statute in accordance with the Open Meetings Act, MCL 15.268(h).

**ADJOURNMENT:**

Councilmember Baker moved to adjourn the Closed Session at 9:08 pm  
Seconded by Councilmember Patterson  
Ayes: Black, Gavin, Hennen, Patterson, Vilani, Baker and Dean  
Nays: None.  
Motion Approved.

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Bridget Dean, Mayor

**ATTEST:**

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Victoria Mitchell, City Clerk