

THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00PM ON MONDAY, OCTOBER 7, 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
Interim Parks & Recreation Director Dan McMinn
DDA Executive Director Mike McGuinness

APPROVAL OF AGENDA

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

None

Consent Agenda

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

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 40th Regular City Council meeting on Monday, September 16, 2024 and City Council Work Session on Monday, September 9, 2024.

MOTION NO. M-86-24: Matter of approving the proposal from Assa Abloy to provide and install new automatic entry doors at the Community Center in the amount of \$22,000 and \$4,500 in construction contingencies. This project is being funded by the Fiscal Year 2024 Special Grant from the State of Michigan.

PROCLAMATION NO. P-24-24: Matter of proclaiming October 14, 2024 as Indigenous Peoples Day.

PROCLAMATION NO. P-25-24: Matter of proclaiming November as Family Court Awareness Month.

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

Regular Agenda

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

None.

PRESENTATION: Matter of receiving a presentation on the 2023-24 Community Development Department Annual Report.

- Director Kapelanski stated the report is required by state law.
- She gave credit to her team.
- The Planning Commission had the opportunity to approve several improvements to previously approved site plans. The main projects they approved this year were the Columbia project and the J on Woodward.
- The Zoning Board of Appeals held eight meetings, approving dimensional and use variances or, in some cases, denying requests. They also made one mural determination. She said they will keep an eye on things as the new ordinance progresses to see if anything needs to be addressed as variances come before the Zoning Board of Appeals.
- Building and trade permits were generally on par with previous years, and most code violations were for debris, grass, and weeds. There have been several code amendments this year, including requiring construction fencing on all sites, allowing for DPW inspection of sewers, which provides better customer service since those can be done five days a week instead of just two, and we adopted an ordinance for parklets.
- They have collaborated with other departments on street parking updates, the annual parking permit, the launch of the social district, and the expansion of public parking. Their big project for the year, which continues into the next fiscal year, has been the zoning ordinance rewrite. We have a fairly solid draft at this point, which we'll be rolling out to the public later this month. We'll also be at the Bley celebration on October 26th to share it with the public, including interactive opportunities.
- Another big accomplishment this year was engaging BS&A to create the BS&A online platform for Berkley. They've also brought the City's building official in-house.
- Next fiscal year, they're hoping to roll out an interactive GIS map for all residents and potential investors to use. In terms of the zoning ordinance, there are a number of implementation items that will come back to Council as part of that. They're also working with the Department of Public Works on developing engineering design standards to ensure we're addressing stormwater and other needs.

MOTION NO. M-87-24: Matter of approving an applicant for issuance of an on-premise liquor license under Section 521a (1) (b) of 2006 PA 501 (MCL 436.1521a (1) (b)). Applicant: Berkley Brasserie, LLC, 3180 Coolidge Highway, Berkley, MI.

Councilmember Vilani moved to approve Motion No. M-87-24

Seconded by Mayor Pro Tem Gavin

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

Nays: Hennen

Motion No. M-87-24 Approved.

MOTION NO. M-88-24: Matter of approving the creation of a new Community Field #1 Enterprise Fund, authorizing an interfund loan, and awarding a bid for Community Field #1 improvements to Worry Free Outdoor Services, Inc. in the amount of \$179,580.

Councilmember Patterson moved to approve Motion No. M-88-24

Seconded by Councilmember Hennen

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

Nays: None
Motion No. M-88-24 Approved.

Dave Schmidt, President of the Dads' Club, spoke in favor of M-88-24.

Jeff Nowakowski, Berkley, spoke in favor of M-88-24.

MOTION NO. M-89-24: Matter of authorizing the City Manager to approve the contract with ParkNav to develop a parking portal to monitor parking occupancy rates and analyze the impacts of potential adjustments to municipal parking supply and policy throughout and near the Downtown Development Authority's boundaries.

Councilmember Baker moved to approve Motion No. M-89-24

Seconded by Mayor Pro Tem Gavin

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

Nays: None

Motion No. M-89-24 Approved.

ORDINANCE NO. O-08-24: Matter of approving the second reading and adoption of an ordinance of the City Council of the City of Berkley, Michigan, to amend Section 30-186 through 30-189 of Article V, Rental Property, of Chapter 30, Businesses, of the Berkley City Code to allow for the regulation, licensing, and collection of fees associated with Short Term Rentals, prescribe a penalty for violations, and repeal conflicting ordinances with the following amendments: 1) a property requires two off street parking spaces to be eligible as a Short-Term Rental Unit and properties licensed as Short Term Rentals are ineligible for annual parking permits as defined in Sec 122-94.2, as amended. Temporary permits are allowed.

Councilmember Hennen moved to approve Ordinance No. O-08-24

Seconded by Councilmember Black

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

Nays: None

Ordinance No. O-08-24 Approved.

MOTION NO. M-90-24: Matter of considering the addition of a staff position and related budget amendments.

Councilmember Vilani moved to approve Motion No. M-90-24

Seconded by Councilmember Hennen

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

Nays: None

Motion No. M-90-24 Approved.

Public Comment:

Laurie Fielder, Berkley, spoke in opposition to M-90-24.

MOTION NO. M-91-24: Matter of considering the disposition of surplus property.

Mayor Pro Tem Gavin moved to approve Motion No. M-91-24

Seconded by Councilmember Vilani

Ayes: Baker and Black

Nays: Gavin, Hennen, Patterson, Vilani and Dean

Motion No. M-91-24 Failed.

COMMUNICATIONS

COUNCILMEMBER HENNEN

- The Tree Board did not have a quorum for their last meeting; their next meeting will be on Monday, October 28th.

- The Zoning Board of Appeals will meet on October 14th at 7 p.m. to hear three cases.
- Talk with Dennis office hours are coming up on Tuesday, October 15th at the Library from 6 – 8 p.m.
- Called out the pancake breakfast fundraiser for the Berkley Cares Food Pantry; he said he was very happy to help and was really pleased with the turnout.

COUNCILMEMBER BLACK

- Committee for Technology and Engagement talked about plans for the group to help assist with communications.
- Thanked Councilmember Patterson and his group; he said it was awesome. He thanked everyone for giving him the opportunity to make 18 scrambled eggs in one pan.
- He said he lost his Mom in 2018 to breast cancer and it is Breast Cancer Awareness Month; he said he had an opportunity to go to Bras for a Cause in Royal Oak and encouraged everyone to do something to raise awareness this month.

COUNCILMEMBER PATTERSON:

- The Planning Commission met last Thursday; they discussed rezoning ordinance comments received from the Redevelopment Ready Community's review of the draft ordinance rewrite. Their next meeting is on October 22nd in Council Chambers at 7 p.m.
- The Beautification Committee also met, they are working with the football boosters to help gather volunteers and plant a tree as well as their ideas of a garden and getting the community involved. They are planning an October cleanup. They also discussed a luminary fundraiser where the luminaries would be placed along Coolidge.
- Thanked Councilmembers Black and Hennen as well as Mayor Dean for helping with the food pantry pancake breakfast fundraiser. Thanked his students who were excited to volunteer; he said they provided stroke education as well as helping flip pancakes.

COUNCILMEMBER VILANI

- The Environmental Advisory Committee will next meet will be on Thursday, October 17th at 6:30 p.m. in the second-floor conference room of the Public Safety building.
- The State of the Cities and Best of Berkley awards are coming up on October 23rd from 9 to 11 a.m. at the American Legion. Tickets are \$30 so get your tickets now because you won't want to miss that!
- Today is actually the last day that you can nominate a business for the Best of Berkley Awards so get those nominations in before midnight tonight.
- Congratulated the Berkley Bears football team on their homecoming win and also to the band, the cheer and dance teams. She said that we have so many students with so much talent who put so much hard work into that night.
- Most importantly, she said Berkley won the Catalpa sign back from our nemesis, Royal Oak.
- She said what was really amazing about the night is that there were four Public Safety officers who were also Berkley High School graduates helping to keep the areas safe.

MAYOR PRO TEM GAVIN

- The next Library Board meeting will be on Wednesday, October 16th at 7 p.m. at the Library.
- Parks & Recreation Advisory Board's will meet next on October 10th at 7 p.m. at the Community Center.

COUNCILMEMBER BAKER

- Historical committee meets on Tuesday, October 15th at 7 p.m.; new holiday mugs are on their way! Please visit them at the Museum or online at berkleyhistory.com
- In addition to its being Breast Cancer Awareness Month, it is also Boo!kley month. The Witches Night Out is coming up on Thursday October 10th from 5-9 p.m. He said it's been a terrific event; he attended last year as one of the familiars that went along with the witches. Additional events coming up include the ghost chase on October 18th from 5-9 p.m., the trick-

or-treat stroll from 12-3pm and the Monster Mash from 2-5 p.m. on October 26th. For more information visit downtownberkeley.com

- Erica Lanes once said, “At the heart of leadership is a desire to serve and a dedication to helping others become great”. Earlier Council met to share their thoughts and highlight their preferred candidates to fill the open city manager position, he said that hopefully Council will be able to see and receive a contract that they can vote on. He thanked the subcommittee, Mr. Vettraino and Mr. Geinzer; he said he believes we will finish the calendar year on an amazing note.
- Please hug somebody you love.

INTERIM CITY MANAGER NATE GEINZER

- He said the conversation has already started with the city manager candidate and they are working on getting a draft contract in front of the candidate and a meeting scheduled for next week.

CITY ATTORNEY ANN CHRIST

- No updates

MAYOR DEAN

- She said she had the opportunity to attend the public safety graduation this past Thursday. She had never attended one of those before, and Thursday is the day that she spends with her grandson, so she had a little friend with her. She thought they'd stay as long as they could—he's four—and when they had to leave, they'd leave. But he made it through the whole thing!
- She welcomed Public Safety Officer Chris Fettes; she said that in addition to having all the character traits that are valued in a public safety officer, he has 10 years in the Marine Corps, plus a year and a half between police, fire, and medical training. This is a large investment, and all Public Safety Officers undergo that kind of extensive training. She said they have two incoming Public Safety Officers who are leaders in their classes, and she knows they'll be leaders here as well.
- The pub crawl was brought back and she volunteered on one of the shuttles. She said it was great and overall vibe was people were glad the crawl is back. She said it was great to see old friends and make new ones, and overall, the vibe was fantastic. People were really happy the pub crawl was back, and she looks forward to continuing that tradition.
- She designated October as Berkley Cares month and invited all of Council to collaborate with Councilmember Patterson and her on this. It was such a great experience. First of all, Councilmember Patterson—any day, any time, she said she'll be on his team! They worked well together, and with the addition of Councilmembers Hennen and Black, it rounded out the morning beautifully. She said It was also great to see the nursing students there, pitching in and educating the community. Leading up to this past Saturday, Mayor Dean was a little concerned about the lack of pre-registration for the event. They had about 10 people registered, and she thought, “10? We could just do this in my kitchen!” So, she called her good friend Bridget Mahrle and asked for a favor; Bridget made a Facebook post offering to donate \$5 to the food pantry for every share it got. Because of her creativity and efforts, she raised an extra \$140 for the pantry! Another resident, Allison Dillon, volunteered Saturday morning and did whatever was needed. It was great to see that resident participation. She said she would be remiss if she didn't recognize Zack Dunlap for always saying yes. Whenever there's a community need, he shows up and supports however he can. He stayed the whole time and helped out with any questions they had, like turning on the overhead fan when “pancake mania” was happening. He's a great community partner, and she's honored to have Berkley First as part of the Berkley community. She said they had a fantastic group of volunteers, participation from Council, and they raised \$965 for the food pantry. That's pure donation to them. Councilmembers Patterson, Black, and Mayor Dean covered the food costs, so all of the proceeds went directly to the pantry. She said that this collaboration between the pantry and the church is a great example of community partners coming together and sharing resources.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Regular Meeting at 8:50 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