

THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 18, 2024 BY MAYOR DEAN

PRESENT: Councilmember Steve Baker Councilmember Gregory Patterson
Councilmember Clarence Black Councilmember Jessica Vilani
Mayor Pro Tem Ross Gavin Mayor Bridget Dean
Councilmember Dennis Hennen

OTHER STAFF PRESENT:

City Manager Matt Baumgarten
City Attorney Ann Christ
City Clerk Victoria Mitchell
Director of Communications Caitlin Flora
Facilities Manager Alex Brown
Community Development Director Kristen Kapelanski
Emergency Management Director Jack Blanchard

APPROVAL OF AGENDA

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Andrew Assenmacher, Berkley, spoke regarding the scope of the project on Gardner.

Oakland County Treasurer Robert Wittenberg submitted an email regarding the Oakland County Treasurer's Office Foreclosure Prevention efforts. Taxpayers interested in scheduling a Taxpayer Assistance Meeting may call 248-858-0611 or visit www.oakgov.com/treasurer.

Joel Ulferts, Berkley, submitted an email following up on a request he made three months ago to determine if a Jade Strategies Service Agreement was agreed to by Council.

Consent Agenda

Councilmember Hennen moved to approve the Consent Agenda as corrected, seconded by Councilmember Black:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 40th Regular City Council meeting on Monday, March 4, 2024 and Special City Council meeting on Monday, February 26, 2024 with corrections changing the motion maker and Councilmember Baker's vote from Aye to Nay on O-02-24.

WARRANT: Matter of approving Warrant No. 1396.

MOTION NO. M-14-24: Matter of approving the agreement for IT Services between Oakland County and City of Berkley and authorizing the City Manager to sign on the City's behalf.

ORDINANCE NO. O-03-24: Matter of considering the Second Reading and Adoption of an ordinance to amend Section 30-107, Inspection of owner-occupied business properties of the City of Berkley Code of Ordinances to update the policies and procedures for inspection of owner-occupied business properties.

PROCLAMATION NO. P-02-24: Matter of receiving a Proclamation of Appreciation for Former Mayor Maybelle Fraser.

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.

Proclamation P-02-24 was read in its entirety by Mayor Dean.

Sue Richardson, Chairperson of the Historical Committee, and Carol Bowman, Maybelle's daughter, were present to speak on behalf of and honor late Mayor Maybelle Fraser.

PRESENTATION: Matter of receiving a presentation from the City of Berkley Tree Board.

Kathleen Karlis, Chairperson of the Tree Board, reported on the Board's accomplishments in the past year and what they want to accomplish in this new year.

PRESENTATION: Matter of receiving a presentation from Communications Director Caitlin Flora regarding the City's new website.

Presentation received from Communications Director Caitlin Flora providing a sneak peek of the City's new website expected to debut this spring.

MOTION NO. M-15-24: Motion to receive the resignation of the City Manager and approve the terms of the separation agreement.

Councilmember Patterson moved to approve Motion No. M-15-24

Seconded by Mayor Pro Tem Gavin

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

Nays: None

Motion No. M-15-24 Approved.

MOTION NO. M-16-24: Motion to create an ad hoc search committee for the selection of an interim City Manager and a new City Manager.

Councilmember Black moved to approve Motion No. M-16-24

Seconded by Councilmember Baker

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

Nays: None

Motion No. M-16-24 Approved.

Mike Wiacek, Berkley, spoke regarding M-16-24.

MOTION NO. M-17-24: Matter of approving the contract with Johnson Controls to complete Phase 1 of the HVAC replacement project at a cost of \$1,936,690. This project is being funded by both a federal and state grant.

Mayor Pro Tem Gavin moved to approve Motion No. M-17-24

Seconded by Councilmember Hennen

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

Nays: None

Motion M-17-24 Approved.

Tom Merritt, Berkley, spoke regarding M-17-24.

Greg DuRoss, Berkley, read a list of questions regarding M-17-24.

Charles Tyrrell, Berkley, spoke regarding M-17-24.

Mike Wiacek, Berkley, spoke regarding M-17-24.

Joshua Hunter, Berkley, submitted an email asking Council to reject motion M-17-24. He had a list of questions he would like answers to.

MOTION NO. M-18-24: Matter of approving the "Berkley Art Bash" event on Saturday, June 8, 2024 from 10 a.m.-6 p.m. on 12 Mile Road for the Berkley Area Chamber of Commerce, P.O. Box 72-1253. Approval is conditional upon the submission of required items and documents prior to event dates.

Councilmember Baker moved to approve Motion No. M-18-24

Seconded by Councilmember Vilani

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

Nays: None

Motion M-18-24 Approved.

MOTION NO. M-19-24: Matter of approving the "Berkley Street Art Fest" event on Saturday, July 13, 2024 from 11 a.m.-5 p.m. on Coolidge Highway between Catalpa and Beverly for the Berkley Area Chamber of Commerce, P.O. Box 72-1253. Approval is conditional upon the submission of required items and documents prior to event dates.

Councilmember Vilani moved to approve Motion No. M-19-24

Seconded by Councilmember Patterson

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

Nays: None

Motion M-19-24 Approved.

MOTION NO. M-20-24: Matter of considering the Special Land Use approval for 2758 Coolidge. The applicant, Daniel Haberman, on behalf of Upper Michigan Land Company, is requesting approval for the

occupation of the property to be used as an office in the Downtown District, on the east side of Coolidge Highway, south of Franklin Road.

Councilmember Hennen moved to approve Motion No. M-20-24

Seconded by Mayor Pro Tem Gavin

Ayes: None

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

Motion M-20-24 Failed.

Applicant Dan Haberman, Upper Michigan Land Company, described the type of business they do and why they're excited to move to Berkley. He said the Planning Commission reviewed the project against current standards and recommended that the special land use be approved.

Roman Laczkovich, Berkley, spoke regarding M-20-24. *He also submitted an email stating his concerns.*

Julie LaFramboise, Berkley, spoke regarding M-20-24.

Desiree Dutcher, spoke regarding M-20-24.

Molly Patterson, owns Perch on Coolidge, spoke regarding M-20-24.

Mike Wiacek, Berkley, asked about DDA involvement.

Nick Capliard, owns Perch on Coolidge, spoke regarding M-20-24.

MOTION NO. M-21-24: Matter of approving the appointment of Craig Childers as an alternate to the Zoning Board of Appeals.

Councilmember Patterson moved to approve Motion No. M-21-24

Seconded by Councilmember Hennen

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

Nays: None

Motion M-21-24 Approved.

RESOLUTION NO. R-05-24: Matter of adopting a resolution urging State leaders to address the inadequacy of State Statutory Revenue Sharing and encouraging other Michigan cities to join in this effort.

Councilmember Hennen moved to approve Resolution No. R-05-24

Seconded by Councilmember Vilani

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

Nays: None

Resolution R-05-24 Approved.

COMMUNICATIONS

MAYOR PRO TEM GAVIN

- Parks and Recreation Advisory Board will meet on Thursday, March 21st at 7 p.m. in the Community Center.
- The Library Board will next meet on March 20th at 7p.m. at the Library.
- Congratulated Mayor Dean on her completion of Level Three of Elected Officials Academy (EOA) and Councilmember Hennen on his completion of Level Four of the EOA; both are highly significant and show a level of commitment to deepen their knowledge of local government and bring back best practices to the City.

COUNCILMEMBER VILANI

- The Berkley Environmental Advisory Committee will meet on March 19th at 6:30 p.m. in the second-floor conference room of Public Safety.
- Native Plant Sale will take place on Sunday, May 19th from 10 a.m. to 2 p.m. at the Community Center.
- Berkley Area Chamber Chat will be on April 19th from 8:30 a.m. to 9:30 a.m. at Berkley Eyewear on Coolidge; all are welcome to attend.
- Ullman's is celebrating its fifth anniversary on April 19th with a party from 5-7 p.m. You may call, email, or visit the store to RSVP but if you show up you can enjoy a tea, cocktail, raffles, freebies, and specials.
- March is Reading Month; we are so fortunate to have a wonderfully curated library with incredibly helpful librarians and resources for everybody.
- Congratulated her colleagues on their MML awards; said that it was great to spend time with everyone learning.

COUNCILMEMBER PATTERSON

- The Planning Commission meeting scheduled for March 19th was cancelled; there were no applicants.

- The Planning Commission will hold a special meeting on April 10th for a proposed daycare on Mortenson and go over Zoning Ordinances Steering Committee and the zoning ordinance rewrite.
- Library Director Matt Church was recently published in the Journal of Library Administration; congratulations to him, it was a great article.

COUNCILMEMBER BLACK

- The Committee on Technology and Engagement is accepting applications for appointments through April 30th; encouraged everyone that is thinking about it to get engaged.
- As a softball parent, remember to help batters out with fundraising this Spring. The kids need our help, let's help them out where we can.

COUNCILMEMBER HENNEN

- Tree Board will meet on March 25th.
- Zoning Board of Appeals will meet on April 8th for a side yard generator.

COUNCILMEMBER BAKER

- The Berkley Historical Museum is honoring Maybelle Fraser; please visit their fantastic display. The Museum is open on Sundays from 2-4 p.m. and on Wednesdays from 10 a.m.-1 p.m. as well as online at berkleyhistory.com.
- Downtown Development Authority met on March 13th; thanked Andy Gilbert for his many years of service, tremendous work, vision, leadership, and passion to help make many of the projects that we now take for granted happen in the first place.
- Congratulated Mateo Passalacqua and Desiree Power for stepping into leadership roles until the next batch of elections in July.
- Thanked Tim Barnes for representing 12 Mile; as part of the DDA process, they are structured to have four representatives from Coolidge, four representatives from 12 Mile, and then four at large including the school district. The DDA will be filling two seats: one on Coolidge and one on 12 Mile.
- Hooray for Leprechaun's Night Out last Thursday, look for more really fun things here coming up. To learn about those fun things go to downtownberkley.com
- Margaret Wheatley once said, "There is no power for change greater than a community discovering what it cares about."
- Said he had the pleasure of moderating a session at the MML Capital Conference regarding Community Excellence awards; offered three tidbits which he said could apply here: 1) 'water the bamboo', meaning things take time but plant those seeds and continue to invest with an eye to the larger vision; 2) the passion of volunteers is what makes projects grow, and 3) progress involves risk.
- Please hug someone you love, it's an expression of humanity and it means a lot.

CITY MANAGER MATT BAUMGARTEN

- Congratulated Director Church on his published article.
- Said we are currently on track to have the draft budget out in early April. Congratulated department directors for the work, knowledge, and expertise they put into the budget as well as their service to the community.

CITY ATTORNEY ANN CHRIST

- None.

MAYOR DEAN

- Wished Ulie and Roman congratulations on their fifth anniversary in the City. She said as a former small business owner, she knows what an accomplishment that is.
- In regards to the MML Conference, said she enjoyed the opportunity to network with other elected officials from all over Michigan and that she learned many things. Many of the problems that we face in Berkley are faced by other municipalities; we are not alone in the challenges that we face.
- One thing in particular came up at the Michigan Women in Municipal Government Luncheon she and Councilmember Vilani attended: people work in local government because they want to make a difference. Gave a shout out to department heads and city staff for the fine work they do every day. Please don't let anyone make you feel anything but proud of who you are; do not allow anyone to make you feel less than because you're not.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Regular Meeting at 9:12 p.m.

Seconded by Mayor Pro Tem Gavin

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

Nays: None.

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk