

**THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, APRIL 1, 2024 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:**

City Manager Matt Baumgarten  
City Attorney Dan Christ  
City Clerk Victoria Mitchell  
Department of Public Works Superintendent Richard Chalmers  
DDA Executive Director Michael 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.

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

Mike McGuinness, DDA Executive Director, stated it's April 1<sup>st</sup> AKA April Fool's Day and he wants to make sure everyone knows that the speed limit is not going down to 15 mph on Coolidge Highway nor is it going down to one lane.

**Consent Agenda**

Councilmember Patterson 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, March 18, 2024 and Special City Council meeting on Monday, March 18, 2024.

**MOTION NO. M-20-24:** Matter of approving the 2024 Summer Maintenance Agreement between the Road Commission for Oakland County and the City of Berkley. The City will be reimbursed a total of \$1,764 which will be paid in two installments, \$1,146.60 due in September 2024 and \$617.40 due upon completion of last maintenance activity.

**RESOLUTION NO. R-06-24:** Matter of adopting a Resolution of the Council of the City of Berkley, Michigan authorizing the West Nile Virus Expense Reimbursement Request.

**PROCLAMATION NO. P-03-24:** Matter of proclaiming and recognizing the volunteers of the City of Berkley and declaring the week of Sunday, April 21–Saturday, April 27, 2024 as Volunteer Week.

**PROCLAMATION NO. P-04-24:** Matter of proclaiming Sunday, April 21–Saturday, April 27, 2024 as Arbor Week.

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 Baker read P-03-24 in its entirety.

Councilmember Hennen read P-04-24 in its entirety.

Mayor Dean read from a statement issued to the City of Berkley by the Arbor Day Foundation. She gave a shout out to the Tree Board and all the great work members do.

**MOTION NO. M-21-24:** Matter of approving a modification to the Collective Bargaining Agreement between the City of Berkley and the Police Officers Labor Council Command Officers Association.

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

Seconded by Councilmember Black

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

Nays: None

Motion No. M-21-24 Approved.

**MOTION NO. M-22-24:** Matter of approving a modification to the Collective Bargaining Agreement between the City of Berkley and the Police Officers Labor Council Patrol Officers Association.

Councilmember Vilani moved to approve Motion No. M-22-24

Seconded by Mayor Pro Tem Gavin

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

Nays: None

Motion No. M-22-24 Approved.

**MOTION NO. M-23-24:** Matter of approving the purchase of a new Line Painting Machine in the amount of \$5,819 from Sherwin Williams Inc. This purchase would utilize the Sourcewell Cooperative Purchasing Program. Funds are allocated in the 2023-2024 Fiscal Budget under account number 101-441-982-000 (Public Works Equipment-\$10,000).

Councilmember Hennen moved to approve Motion No. M-23-24

Seconded by Councilmember Hennen

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

Nays: None

Motion M-23-24 Approved.

**MOTION NO. M-24-24:** Matter of awarding the 2024-2026 Preventative Pavement Maintenance Contract to the lowest qualified bidder, SJR Pavement Repair, in the amount of \$342,000. Funding for this program has been budgeted under account numbers 202-464-818-000 and 203-464-818-000.

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

Seconded by Councilmember Black

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

Nays: None

Motion M-24-24 Approved.

**MOTION NO. M-25-24:** Matter of awarding the Cross Connection Control Program to HydroCorp located at 5700 Crooks Road, Troy, Michigan for a (3) three-year term.  
Mayor Pro Tem Gavin moved to approve Motion No. M-25-24  
Seconded by Councilmember Patterson  
Ayes: Black, Gavin, Hennen, Patterson, Vilani, Baker, and Dean  
Nays: None  
Motion M-25-24 Approved.

**MOTION NO. M-26-24:** Matter of awarding the 2024-2026 As-Needed Construction Services Contract to the lowest qualified bidder, CMV Landscape and Equipment Co. of Roseville, Michigan. Funding for this program has been budgeted under account numbers 202-464-818-000, 203-464-818-000, 592-536-982-000, and 592-536-818-000.  
Councilmember Hennen moved to approve Motion No. M-26-24  
Seconded by Councilmember Vilani  
Ayes: Gavin, Hennen, Patterson, Vilani, Baker, Black, and Dean  
Nays: None  
Motion M-26-24 Approved.

**MOTION NO. M-27-24:** Matter of appointing D'Angelo Bros as the Emergency Contractor for Water and Sewer Emergency Repair Services utilizing The Oakland County Cooperative Contract Number 008856.  
Councilmember Patterson moved to approve Motion No. M-27-24  
Seconded by Councilmember Baker  
Ayes: Hennen, Patterson, Vilani, Baker, Black, Gavin, and Dean  
Nays: None  
Motion M-27-24 Approved.

Greg DuRoss, Berkley, spoke regarding M-27-24.

**MOTION NO. M-28-24:** Matter of authorizing the Mayor to execute a third-party Specialized Services Operating Assistance contract between SMART and the City of Berkley for public transportation services primarily designed for senior citizens and persons who are disabled. The contract period for this program is from October 1, 2023 to September 30, 2024.  
Mayor Pro Tem Gavin moved to approve Motion No. M-28-24  
Seconded by Councilmember Patterson  
Ayes: Patterson, Vilani, Baker, Black, Gavin, Hennen, and Dean  
Nays: None  
Motion M-28-24 Approved.

Andrew Assenmacher, Berkley, spoke regarding M-28-24.

**MOTION NO. M-29-24:** Matter of approving a Downtown Development Authority (DDA) event, "Berkley Pride Block Party" on Robina south of 12 Mile Road, on Griffith south of 12 Mile Road, and in the Municipal Parking Lot located between those two roads, on Sunday, June 23, 2024 from 1 to 5 pm.  
Approval is conditional upon the submission of required items and documents prior to the event date.  
Councilmember Baker moved to approve Motion No. M-29-24  
Seconded by Councilmember Vilani  
Ayes: Vilani, Baker, Black, Gavin, Hennen, Patterson, and Dean  
Nays: None  
Motion M-29-24 Approved.

**MOTION NO. M-30-24:** Matter of approving a Downtown Development Authority (DDA) event, "Downtown Berkley Farmers Market" on Robina south of 12 Mile Road, on Thursdays from 9 am to 3 pm,

starting June 6, 2024 through October 31, 2024. Approval is conditional upon the submission of required items and documents prior to the event date.

Mayor Pro Tem Gavin moved to approve Motion No. M-30-24

Seconded by Councilmember Vilani

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

Nays: None

Motion M-30-24 Approved.

**MOTION NO. M-31-24:** Matter of approving a Downtown Development Authority (DDA) event, "BOOKley Monster Mash Block Party" on Coolidge between 12 Mile and Catalpa on Saturday, October 26, 2024 from noon to 5 pm and authorizing the road closure of Coolidge on that date. Approval is conditional upon the submission of required items and documents prior to the event date.

Councilmember Baker moved to approve Motion No. M-31-24

Seconded by Councilmember Vilani

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

Nays: None

Motion M-31-24 Approved.

**ORDINANCE NO. O-04-24:** Matter of considering the First Reading of an ordinance of the City Council of the City of Berkley, Michigan to Amend Article II of Chapter 130, Vegetation, of the City of Berkley Code of Ordinances to Modify Section 130-34, Administration of Article.

Councilmember Hennen moved to approve Ordinance No. O-04-24

Seconded by Councilmember Patterson

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

Nays: None

Ordinance O-04-24 Approved.

**MOTION NO. M-32-24:** Matter of approving a contract with Nate Geinzer to provide interim manager services.

Councilmember Gavin moved to approve Motion No. M-32-24

Seconded by Councilmember Black

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

Nays: None

Motion No. M-32-24 Approved.

Nate Geinzer, introduced himself and highlighted some of his goals in Berkley.

**MOTION NO. M-33-24:** Matter of authorizing the Mayor to enter into a contract with GovHR USA to provide city manager search services.

Mayor Pro Tem Gavin moved to approve Motion No. M-33-24

Seconded by Councilmember Vilani

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

Nays: None

Motion M-33-24 Approved.

Jaymes Vettraino, Gov HR, introduced himself and explained what his firm does.

Greg DuRoss, Berkley, asked what citizen engagement has looked like in prior searches.

Mr. Vettraino answered that community engagement has taken different forms in different communities, but may include community surveys or community forums and said they are open to other forms of community involvement.

## **COMMUNICATIONS**

### **COUNCILMEMBER VILANI**

- The Berkley Environmental Advisory Committee will meet on April 25th at 6:30pm in the second-floor conference room of Public Safety.
- Gardening clubs get your shovels ready because the Spring Native Plant Sale is coming up on May 19th from 10am - 2pm in the Community Center parking lot.
- The Berkley Area Chamber is looking for sponsors for Art Bash and Street Art Fest. If you are interested in sponsoring, please visit their website for more information.
- The Berkley Area Chamber chat will be on April 19th at Berkley Eyewear from 8:30 - 9:30 am.
- Eggcellent deals – Berk Perk cards are available; for only \$35 you can get savings at all of our participating retail spots in the City.
- We are in a time of year where many are coming together for different occasions and celebrations. The Berkley food pantry is always in need of donations; please keep them in mind, whether it is bringing in canned food and other non-perishable items or going to the website and dropping a quick donation. The community will thank you.

### **COUNCILMEMBER PATTERSON**

- The Planning Commission will hold a special meeting on Wednesday, April 10<sup>th</sup> at 7 pm in Council chambers.

### **COUNCILMEMBER BLACK**

- No updates.

### **COUNCILMEMBER HENNER**

- Tree Board: mostly covered by P-03-24, but to reemphasize this is the first year we have achieved the Growth Award which demonstrates increased levels of tree care and community engagement. Tree planting celebration will be held on April 27th at Bacon Park. The next meeting of the Tree Board will be on April 22nd.
- The Zoning Board of Appeals will next meet on April 8th to consider a side yard generator.
- Next Talk With Dennis office hours will be on Saturday, April 13th from noon- 2pm.

### **COUNCILMEMBER BAKER**

- Thanked all volunteers across the City's various boards and commissions who help make this community what it is. Extended that gratitude to the Historical Committee, which meets Tuesday, April 9th at 7pm in the second-floor conference room of the Public Safety building. Learn more at [berkeleyhistory.com](http://berkeleyhistory.com).
- The Downtown Development Authority next meets on April 10th. Visit [downtownberkeley.com](http://downtownberkeley.com) to find details on upcoming events, including April 5th – Food Truck Friday in the Berkley art space; April 19<sup>th</sup> ribbon cutting at Bombshell Treat Bar; April 20th are Record Store Day festivities at Flipside Records.
- Please hug someone you love. Someone needs it a lot.

### **MAYOR PRO TEM GAVIN**

- Parks and Recreation Advisory Board will next meet on Thursday, April 11th at 7pm at the Community Center.
- The Library Board will next meet on Wednesday, April 17th at 7pm in the Library.

### **CITY ATTORNEY DAN CHRIST**

- No updates.

### **CITY MANAGER MATT BAUMGARTEN**

- Proud to say the annual draft was delivered today, much faster than in the past. He thanked Finance Director Carl Johnson as well as the directors for the quick turnaround.

- Budget workshops will be April 16th, 17th, and 18th if needed. This provides more time to talk and engage with residents; we are delivering a completely balanced budget where expenditures are the exact amount of revenues, and that means projects may be deferred or canceled. We could certainly use an infusion of revenue in order to keep up with the services we'd like to bring back. Highlights: there is a 38-page document that includes his Manager's Message to the Community as well as a section that goes fund by fund. He said it is far more informative than in years past; gave credit to Mr. Johnson for the modern practices and the upgrade of professionalism of the Finance Department.

**MAYOR DEAN**

- Commended our Public Safety Department's swift action this past Saturday evening; there was an incident involving the pursuit of a vehicle with stolen plates. The pursuit went through Royal Oak, Beverly Hills, Lathrup Village and Southfield. Our officers picked up the vehicle on Greenfield and were able to stop the vehicle at Greenfield and I696 using an intentional collision. Officers were able to arrest the driver after a short on-foot pursuit; the driver was running with a loaded weapon and extended magazine, and was wanted for a gun charge out of another community. Thanked the officers for the bravery, professionalism, and doing such a great job.

***ADJOURNMENT:***

Councilmember Patterson moved to adjourn the Regular Meeting at 9:08 p.m.

Seconded by Councilmember Vilani.

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

Nays: None

Motion Approved.

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Bridget Dean, Mayor

***ATTEST:***

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Victoria Mitchell, City Clerk