

**THE REGULAR MEETING OF THE THIRTY-NINTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN  
WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MAY 16, 2022 BY MAYOR TERBRACK**

**PRESENT:** Steve Baker                      Bridget Dean  
              Ross Gavin                      Dennis Hennen  
              Natalie Price                      Jessica Vilani  
              Daniel Terbrack

**APPROVAL OF AGENDA**

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

**INVOCATION:** Pastor Zack Dunlap

**PUBLIC COMMENT**

Mike McGuinness, Downtown Development Authority Executive Director, thanked City Council and the community for attending the ribbon cutting ceremony for the Little Lou's Hot Chicken as well as the ribbon cutting for Flipside Records. He also thanked everyone who attended the Block Party on May 1<sup>st</sup> as well. He talked about the upcoming downtown events that included Ladies Night Out on Thursday, June 2<sup>nd</sup> from 5:00 – 9:00 pm and the Berkley Pride Block Party on June 26<sup>th</sup>. Finally, he thanked everyone for their continued support for the progress of the downtown.

***Consent Agenda***

Councilmember Gavin moved to approve the following Consent Agenda, seconded by Mayor Pro Tem Dean:

**APPROVAL OF THE MINUTES:** Matter of approving the minutes of the 39<sup>th</sup> Regular City Council meeting on Monday, April 18, 2022.

**WARRANT:** Matter of approving Warrant No. 1374.

**PROCLAMATION NO. P-14-22:** Matter of proclaiming May 14, 2022 as Apraxia Awareness Day.

**PROCLAMATION NO. P-15-22:** Matter of proclaiming May 15-21 as National Police Week.

**PROCLAMATION NO. P-16-22:** Matter of proclaiming the first Friday in June to be National Gun Violence Awareness Day.

**PROCLAMATION NO. P-17-22:** Matter of proclaiming June 2022 as LGBTQIA+ Pride Month.

**PROCLAMATION NO. P-18-22:** Matter of proclaiming June 2022 as Pet Preparedness Month.

**PROCLAMATION NO. P-19-22:** Matter of proclaiming June 2022 as Summer Safety Month.

Jess Worrall, Berkley, spoke in support of Proclamation P-17-22.

Mary Miller, Berkley, spoke in support of P-16-22.

Ayes: Gavin, Hennen, Price, Vilani, Baker, Dean, and Terbrack

Nays: None

Motion Approved.

### ***Regular Agenda***

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

Mayor Pro Tem Dean read Proclamation No. P-15-22 into record.

Councilmember Price read Proclamation No. P-16-22 into record.

Councilmember Vilani read Proclamation No. P-17-22 into record.

**PUBLIC HEARING:** Matter of holding a public hearing regarding the proposed operating budget for the fiscal year 2022/23 and supporting tax rates for the City of Berkley, Michigan.

The public hearing opened at 7:21pm.

No one present wished to speak.

The public hearing closed at 7:22pm.

**RESOLUTION NO. R-06-22:** Matter of approving a resolution of the Council of the City of Berkley, Michigan approving the 2022/23 through 2028/2029 Capital Improvements Plan of the City of Berkley, Michigan.

Councilmember Baker moved to approve Resolution No. R-06-22

Seconded by Councilmember Vilani

Ayes: Hennen, Price, Vilani, Baker, Dean, Gavin, and Terbrack

Nays: None

Motion Approved.

**RESOLUTION NO. R-07-22:** Matter of approving a resolution of the Council of the City of Berkley, Michigan establishing a Residential and Commercial Service Fee for the Collection and Disposal of Solid Waste, effective July 1, 2022.

Councilmember Hennen moved to approve Resolution No. R-07-22

Seconded by Councilmember Gavin

Ayes: Price, Vilani, Baker, Dean, Gavin, Hennen, and Terbrack

Nays: None

Motion Approved.

**RESOLUTION NO. R-08-22:** Matter of approving a resolution of the Council of the City of Berkley, Michigan setting the charges for Water and Sewer Services, effective July 1, 2022.

Mayor Pro Tem Dean moved to approve Resolution No. R-08-22

Seconded by Councilmember Vilani

Ayes: Vilani, Baker, Dean, Gavin, Hennen, Price, and Terbrack

Nays: None

Motion Approved.

**RESOLUTION NO. R-09-22:** Matter of approving a resolution of the Council of the City of Berkley, Michigan adopting a budget for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023.

Councilmember Price moved to approve Resolution No. R-09-22  
Seconded by Councilmember Baker  
Ayes: Baker, Dean, Gavin, Hennen, Price, Vilani, and Terbrack  
Nays: None  
Motion Approved.

**MOTION NO. M-47-22:** Matter of authorizing the City Manager to sign the Application for Additional Service Credit Purchase for John Beach approving the purchase of two years of Generic additional service credit. This service credit purchase is allowed by the MAPE Contract Agreement dated 7/1/2021 through 6/30/2024 and the MERS Plan Document for active members. The total cost calculated by MERS included on the Application for Additional Service Credit is \$20,820 and the City of Berkley's share of that cost is \$16,509.

Councilmember Hennen moved to approve Motion No. M-47-22  
Seconded by Councilmember Vilani  
Ayes: Dean, Gavin, Hennen, Price, Vilani, Baker, and Terbrack  
Nays: None  
Motion Approved.

## **COMMUNICATIONS**

**COUNCILMEMBER GAVIN:** stated that the next Environmental Advisory Committee (EAC) meeting will be June 16<sup>th</sup> at 6:30 pm on the second floor of the public safety building and he also mentioned that the May meeting was canceled. He said that the next Planning Commission meeting will be May 24<sup>th</sup> at 7:00pm in the council chambers. Finally, he thanked the Berkley Days Committee and everyone else that made the Berkley Days event possible.

**COUNCILMEMBER VILANI:** said that she had a few quick updates from the Berkley Chamber of Commerce. She stated that the next Chamber Chat is this coming Friday from 8:30 – 9:30 am at Pinspiration and no registration is required. She said encouraged everyone to subscribed to the Berkley Local Podcast if they had not done so already and mentioned that the latest podcast featured Berkley Chamber President, Tim Murad, and he will be talking about volunteering in the city and what the real estate market is like right now. She also talked about the Berkley Cares Food Pantry and encouraged everyone to visit their website, [berkeleycaresfoodpantry.com](http://berkeleycaresfoodpantry.com), and also said that they will be having a donation day coming up this Friday. Finally, she said that the Berkley Cares Food Pantry needs non-perishable food items.

**MAYOR PRO TEM DEAN:** said that the Parks and Recreation Department will be having a senior picnic on June 8<sup>th</sup> and it is free. She did mention that in order to register for the senior picnic you will need to call the Parks and Recreation Department at (248) 658-3470. She extended a big thank you to all the donors for the Jaycee Park improvements. She said that the Parks and Recreation Department not only met their \$50,000.00 goal but exceeded it as well and in return they will receiving a \$50,000.00 matching grant from the Michigan Economic Development Corporation. (MEDC).

**COUNCILMEMBER BAKER:** said that the Historical Committee would like to remind everyone that May 29<sup>th</sup> will be Berkley's 90<sup>th</sup> anniversary for becoming a city and next year will be Berkley's 100<sup>th</sup> anniversary becoming a village. He said the Historical Committee last met on May 10<sup>th</sup> at 7:00 pm and they are currently continuing to work on the next collectible mug and they are also working on inventorying and cataloging the artifacts in the museum in a software package. He that visitors are always welcome to the Historical Museum and they are open Wednesdays from 10:00am – 1:00 pm and Sundays from 2:00 – 4:00 pm and you can also visit them online at [berkeleyhistory.com](http://berkeleyhistory.com). He said that the Downtown Development Authority (DDA) had their last meeting on Wednesday, May 11<sup>th</sup>. He thanked everyone that helped with the Downtown Block Party on Sunday, May 1<sup>st</sup>. He stated that the next Downtown Block Party will be June 26<sup>th</sup> and will be called Berkley Pride. He said that the next Ladies Night Out will be on

Thursday, June 2<sup>nd</sup> along Coolidge and 12 Mile from 5:00 – 9: 00pm. He also gave a list of all the new businesses that have either recently opened or will be opening in the downtown area. He quoted Angela Davis, “In a racist society, it is not enough to be non-racist, we must be anti-racist.” He talked about the latest mass shooting in Buffalo, New York where 10 innocent Americans were shot and killed. He said that hatred and division is not American and we cannot tolerate this. He mentioned that during the meeting they passed two proclamations, one promoting the LGBTQIA+ community and the other raising awareness against gun violence. He also talked about the importance of love, understanding, compassion, and inclusion of everyone. Finally, he told everyone to stay safe and to hug someone they love.

**COUNCILMEMBER PRICE:** said that her communications tonight is very much focused on expressing gratitude to the City’s volunteers. She continued to say this is the season of great events like Berkley Days and recognized that volunteers are who helped to make it happen and how well attended and well organized it was. She also wanted to thank the residents who are volunteering their time to participate in the current stakeholders’ sessions about branding. She emphasized how we need to work together as a community so the new brand represents Berkley as a whole and she is grateful for everyone that is doing that. She also thanked the residents who submitted comments and showed up tonight and she said that by having City Council pass the National Gun Violence Awareness Day proclamation and also the proclamation proclaiming June 2022 LGBTQIA+ Month is recognizing the wishes of the residents in the community.

**COUNCILMEMBER HENNEN:** gave an update with the Tree Board and talked about how with the Spring Tree Planting they will be adding 30 new trees in the easements and this is the results of one of the two grants that was received. They are also following up on the tree preservation as a part of the Cornwall Kenmore Project. The next meeting before the Tree Board takes a summer hiatus will be Monday, May 23<sup>rd</sup> in the council chambers. He said at the last Zoning Boards of Appeals (ZBA) meeting, they heard two cases. The first case they approved a salon on Coolidge with no parking after the previous building owner sold his parking lot to a neighboring business. For the second case, they approved changing the text to a non-conforming sign on Woodward. He said that the next ZBA meeting will be on Monday, June 13<sup>th</sup> and they will be hearing at least one case regarding approving a larger sign than what is allowed. Finally, he talked about how that he thinks that they need to look at their current grading standards. He requested to consider at least a partial enforcement moratorium for smaller projects at the next City Council meeting while they work on fine tuning that ordinance. He said so that there is a balance with protecting people from flooding while at the same time encouraging development.

**CITY MANAGER BAUMGARTEN:** thanked Berkley Days and said how the volunteers do a great job and he also thanked the Parks and Recreation Department for helping to provide the space needed for the event as well. He also thanked the Finance Department as well as the Department Directors since they had asked them to give up more the usual for their budgets this year.

**ATTORNEY STARAN:** had nothing to report this evening.

**MAYOR TERBRACK:** thanked the Berkley Days Association and said how it incredibly well attended Berkley Days was. He congratulated the Mom’s and Dad’s Club for their win last Thursday as well. He also congratulated the Berkley Education Foundation and the group’s Off to the Races Event that helped raise money for the foundation. He recognized the recent rise in COVID cases and encouraged everyone to be safe. Finally, he talked about how there are people that still are resorting to social media instead of having open dialogue to resolve the issues they have with the City.

## **ADJOURNMENT**

Councilmember Vilani moved to adjourn the Regular Meeting at 8:07 p.m.

Seconded by Mayor Pro Tem Dean

Ayes: Hennen, Price, Vilani, Baker, Dean, Gavin, and Terbrack

Nays: None  
Motion Approved.