

**THE REGULAR MEETING OF THE THIRTY-NINTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN
WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, OCTOBER 17, 2022 BY MAYOR TERBRACK**

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

APPROVAL OF AGENDA:

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

INVOCATION: Pastor Zack Dunlap

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT:

Berkley Downtown Development Authority Executive Director Michael McGuinness addressed Council and thanked all the volunteers and businesses who helped with decorating the city. He especially thanked Lisa Kempner for her assistance.

CONSENT AGENDA:

Councilmember Price moved to approve the following Consent Agenda
Seconded by Mayor Pro-Tem Dean:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 39th Regular City Council meeting on Monday, October 3, 2022.

WARRANT: Matter of approving Warrant No.1379.

MOTION NO. M-96-22: Matter of casting Berkley's official vote for the election of the Board of Directors for the MML Liability and Property Pool, directing the City Clerk to send in the marked ballot.

MOTION NO. M-97-22: Matter of authorizing the Mayor to sign the renewal of the Animal Shelter Services and Disposal Interlocal Agreement between Oakland County and the City of Berkley for fiscal years 2023 through 2025.

PROCLAMATION P-34-22: Matter of proclaiming November 2022 as Native American Heritage Month.

PROCLAMATION P-35-22: Matter of proclaiming Movember 2022 as Men's Health Awareness Month.

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 Terbrack stated there were none.

MOTION NO. M-98-22: Matter of approving marihuana business license #PMA20-0007 for Yellow Tail Ventures LLC #1 dba Moses Roses Provisioning Center to be located at 3120 11 Mile Road.

Councilmember Price moved to approve Motion No. M-98-22

Seconded by Mayor Pro-Tem Dean

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

Nays: Baker, Gavin

Motion Approved.

MOTION NO. M-99-22: Matter of approving the City of Berkley and the Department of Public Safety, to enter into an Inter-Local Agreement with the County of Oakland to participate in the "Oakland County Gun Buyback Pilot Program." This Oakland County-funded event will take place on Saturday, October 22, 2022, from 10 a.m. to 2 p.m. in conjunction with the Royal Oak Police Department at the ROPD Station.

Councilmember Baker moved to approve Motion No. M-99-22

Seconded by Councilmember Vilani

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

Nays: None

Motion Approved.

RESOLUTION NO. R-22-22: Matter of designating Saturday, December 3, 2022, for the Annual Holiday Parade and Tree Lighting Ceremony in Berkley. The approval is conditional upon the submission of required items and documents prior to event dates.

Councilmember Gavin moved to approve Resolution No. R-22-22

Seconded by Mayor Pro-Tem Dean

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

Nays: None

Motion Approved.

MOTION NO. M-100-22: Matter of awarding the 2022-2023 Preventative Pavement Maintenance Contract to the lowest qualified bidder, SJR Pavement Repair, in the amount of \$82,220 with an additional \$14,222 held in reserve for contingency and engineering costs for a total cost of \$96,442.

Councilmember Hennen moved to approve Motion No. M-100-22

Seconded by Councilmember Vilani

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

Nays: None

Motion Approved.

MOTION NO. M-101-22: Matter of authorizing the City Manager to approve the proposal from Fishbeck to provide professional services to conduct a parking study and strategic planning at a cost of \$32,000 to be split evenly with the Downtown Development Authority. Funds from this expenditure will come from account 101-801-817-000.

Councilmember Baker moved to approve Motion No. M-101-22

Seconded by Councilmember Hennen

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

Nays: None

Motion Approved.

COMMUNICATIONS:

COUNCILMEMBER GAVIN:

- Environmental Advisory Committee will have its next meeting on October 20th at 6:30 pm in the 2nd Floor Conference Room in the Public Safety Building.
- The Planning Commission held a special meeting on October 11th and the item was on tonight's agenda - the next regular meeting will be on October 25th at 7 pm in the Council Chambers.

COUNCILMEMBER VILANI:

- Nothing to update from the Technology Advisory Committee.
- From the Berkley Area Chamber, the next Chamber Chat is 8:30 am on October 21st at the Public Library – join us for networking and the unveiling of the community interactive artwork by Daniel Cascardo from the Berkley Street Art Festival. No need to register, just show up.
- On October 27th the Annual State of the Cities will take place from 8-10 am held in person at Levels Events in Berkley. Registration is now open for this event.
- Purchase a Berk Perk Discount Card at Ullmans, Toadvine, Vitrine, Berkley Medical Pharmacy, City Hall, and Library - purchase provides you access to discounts on retail, shopping, and dining within the Berkley Area including Woodward Corners.

MAYOR PRO-TEM DEAN:

- Registration is open now for Craft with Sam in October, November, and December. October's craft time is Wednesday, October 19th at 4 pm - 7 spots open – craft times are open for kindergarten through fifth graders. Register at recreation.berkleymich.org
- Coming soon PJs and the "Polar Express" Friday, December 2nd at the Community Center. Pizza, cookies, and hot chocolate are provided – the cost is \$5 per person and registration is open the first week of November.
- Senior trip – Van Gogh in America – on November 2nd Cost is \$20. Registration is required.
- Senior Holiday Jingle and Mingle will be at the Community Center – on December 7th at noon - \$10 fee for that and you can register online, by phone, or in person.
- Movies at the Community Center on November 9th at 1 pm – will be showing "Elvis" – no registration and no fee required.

COUNCILMEMBER BAKER:

- Happy October and here's to a great Boo!kley month. The Historical Committee met on October 11th. Preparations are underway for a time capsule as committee members continue to plan for 100 years as a village celebration. Also, preparing for sale oval plaques for homeowners to display when their home was built will be available for sale through the museum. The Committee continues to welcome any stories and photos that can be shared dating back that far and any time in between. Visitors are always welcome at the Museum on most Wednesdays from 10 am-1 pm and Sundays from 2-4 pm and you can also visit them online at berkeleyhistory.com.
- Downtown Development Authority Board met on October 12th – progress continues with reopening the crosswalks on Coolidge. As noted a moment ago, we will be moving forward with the parking study as discussed and approved tonight.
- Boo!kley month continues this month – Thank you to those that came out and participated in witches' night on October 13th – and that's not the end of it. Boo!kley Ghost Chase coming up on Friday, October 21st from 6-9 pm – like a scavenger hunt through the downtown.
- Trick or Treat Stroll on Saturday, October 29th – from noon -3 pm along downtown businesses – wear costumes. Finally, the Monster Mash takes place from 2-6 pm on Coolidge. Plenty of activities for kids of all ages. For more information, please visit downtownberkley.com/Boo!kley
- You will start to see a project along the Woodward corridor called Woodward Moves – it is led by Pleasant Ridge, Ferndale, MDOT, and SEMCOG - it's not a diet, it's a positive lifestyle change. The construction project is designed to promote increased safety, promote inclusivity, and foster prosperity to welcome people to enjoy the Woodward Corridor for years to come. Work will start on

the 17th and will go through next year. The project will include Woodward resurfacing, curb work, visibility, bus islands, and drainage improvements.

- Stay safe everybody and hug someone you love because they need it more than you think.

COUNCILMEMBER PRICE:

- Library Board will meet on Wednesday, October 19th. Members will review circulation statistics, material selection policy, and the code of conduct. Berkley is fortunate to have such thoughtful and engaged volunteers on this board, and so many of our boards and commissions, and she is grateful for the work that they do.
- The midterm general election is coming up on Tuesday, November 8th. Thank you to all of the City Staff and poll workers and everyone who participates in our safe and secure election process. When more people participate, our democracy gets stronger. If you are eligible to vote, please vote, as our democracy depends on you.

COUNCILMEMBER HENNEN:

- The Zoning Board of Appeals met and heard a request from a residential property to add an addition. They approved the side addition but did not allow an addition in the rear. No applications for November so they will not have a meeting until December.
- Tree Board has not met since the last council meeting but will be holding its next regular meeting on October 24th at 7 pm in the Public Safety Conference Room.

CITY MANAGER BAUMGARTEN:

- Curbside leaf season has begun in the City – DPW will be by to pick up leaves throughout the city but all other yard debris needs to be placed in bags. The route map is on the city website or you will receive email updates if you are signed up to see where they are in the city. We can also collect leaf bags through mid-December if you choose to do that.

CITY CLERK MITCHELL:

- General Election is on November 8th – City Clerk's Office will be open along with all seven Precincts from 7 am to 8 pm. Sample ballots are available at City Hall and on our website at berkleymich.org/vote. You can still obtain an Absentee Ballot through the City Clerk's office via in-person, email, and calling. Also, please return the absentee ballots if you are waiting on turning them in as that helps our process. You have by law to turn it in by 8 pm election night.
- Additional hours being offered by the Clerk's Office are from 5-7 pm on Thursday, October 20th and Saturday, November 5th from 8:30 am–4:30 pm for election work.

CITY ATTORNEY STARAN:

- Nothing this evening to report.

MAYOR TERBRACK:

- Wished all of the youngsters and not-so-youngsters a happy, healthy, and safe Halloween. He has been impressed by the participation of residents in celebrating the Halloween spirit.
- He stated that his father was mentioned this evening but wanted to take a moment to acknowledge his mother and wish her a Happy Birthday.

ADJOURNMENT:

Mayor Pro-Tem Dean moved to adjourn the Regular Meeting at 7:57 p.m.

Seconded by Councilmember Vilani

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

Nays: None

Motion Approved.