

THE WORK SESSION OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 5:30PM ON MONDAY, JULY 22, 2024 IN COUNCIL CHAMBERS BY MAYOR DEAN

PRESENT: Councilmember Steve Baker
Councilmember Clarence Black (arrived at 5:38 p.m.)
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 Clerk Victoria Mitchell
Department of Public Works Director Shawn Young
Community Development Director Kristen Kapelanski
Finance Director Carl Johnson
Communications Director Caitlin Flora
Public Safety Director Matt Koehn
Public Safety Lieutenant Jordan Kobernick (telecommute)

APPROVAL OF AGENDA

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

PUBLIC COMMENT

Joel Ulferts, Berkley, asked if there are any other documents that the Council planned on discussing that were not included in the packet. He commented on the hardship document in the packet. He said he is not sure it is a hardship if someone's F150 doesn't fit in a driveway.

Tricia Losey, Berkley, said she supports the application for a true hardship. She doesn't feel being on a corner lot or having too large of a vehicle is a true hardship.

REGULAR AGENDA

- 1. DISCUSSION:** Matter of discussing the On-Street Parking Annual Permit Process and Hardship Considerations.

Interim City Manager Nate Geinzer began the work session by thanking everyone and ceded the floor to Community Development Director Kristen Kapelanski.

Ms. Kapelanski introduced the on-street parking annual permit process and reviewed the concerns considered to come up with a hardship procedure that the Council is looking for.

Lt. Kobernick stated he did go out and count again the number of vehicles parked on the streets and it was about 150 cars a night. That has been very consistent. That is a nightly count.

A comprehensive discussion took place regarding the on-street parking annual permit process and hardship considerations.

Overnight parking policy/hardship considerations:

1. Corner lot – aerial footage was shown. This will be revisited. Concerns were mentioned.
2. Residences that don't have a driveway
 - a. Public Safety would confirm with a site visit and/or aerial review.

Lt. Kobernick said it is hard to say percentage-wise how many vehicles would fall into each category. He said it is not going to be as broad as one may think it would be. He said most violators are not "hardship" cases.

Ms. Kapelanski said all the considerations are built on one another as far as increasing fees, annual passes, hardships, etc.

Public Safety Director Koehn said officers went on a run where a vehicle was partially blocking the sidewalk because there was nowhere else to park.

3. Residences that have more vehicles registered to a home than available parking spots
 - a. Public Safety would use a database to see how many vehicles per residence.
 - b. Ms. Kapelanski asked to pause the discussion on whether a garage is considered in a home's available parking spaces.
 - c. It was asked how many annual passes could be given to each house. Ms. Kapelanski posited how could we limit to just one if there are two additional vehicles. Be welcoming.
 - d. Councilmembers were eager to discuss garages.
4. Residences with driveway narrower than eight feet.
 - a. Existing. It is no longer permitted.
 - b. Ms. Kapelanski said it is a very small number.
5. Residences whose residents don't have handicap accessibility.
 - a. This would be assessed with aerial footage. Residents would be contacted.
6. Residences with construction work underway for more than 30 days.
 - a. As part of the new policy, a dumpster must go in the driveway. This would be a function of the Community Development Department.
7. Residences that have drivers in the home that are staying longer than 30 days.
 - a. Could be a family member who will serve as a caregiver or a family member coming to stay for an extended visit.

Other changes:

1. Misuse of annual passes.
 - a. A fine associated and Public Safety would lead the investigation.
 - b. Fraud with application.
2. Annual parking policy would come to the Council
3. Would multiple passes be issued if multiple requests are received?
 - a. Ms. Kapelanski said she is not overly concerned this will be an issue. She said since this is a policy and not an ordinance, they could be nimble.

Council comments on overnight parking:

- Mayor Dean asked if they have an idea of how many people will still "roll the dice" with parking in the street overnight:
 - Ms. Kapelanski discussed anecdotally the impact of changing the ticket fee from \$10 to \$50.
 - Could review data as they get going.
 - Ms. Kapelanski said they have been working on this for a year and a lot of research with a lot of departments was involved.

- Ms. Kapelanski doesn't see how much more could go into this. She said she thinks the most change would be within the first year.
- Councilmember Baker said he likes the idea of a quarterly review:
 - Discussed anecdotally those he has seen that "roll the dice" quite regularly
 - Asked about the possibility of linking a parking permit to the construction process so the hardship would be linked to the actual building permit. Ms. Kapelanski said that wouldn't be too hard. She said they would still need to pay for the yearly pass.
- Councilmember Vilani discussed restricting/not restricting the use of the passes. She discussed the garage consideration. If someone lived on a corner lot and did not have a driveway, they could apply for an annual permit and then park two cars on the road. She posited if it is a hardship if they could put their cars in their garage.

Mr. Geinzer said under that scenario, we're thinking that people are going to be selfish and take advantage of the policy. He presented for the sake of discussion different scenarios where maybe a resident has to use their garage for other uses and may not be able to park cars in their garage.

Continued discussion took place on this topic including:

- We do not want to over-engineer the process
- Should we just increase the cost of the permit and have a free-for-all?
- Most residents are honest and aren't going to abuse a hardship policy
- It comes down to residents maximizing their space and being good homeowners

Other policy considerations included:

- Include a sliding scale in the policy where an overnight parking ticket would increase in cost for each subsequent violation
- We need to be mindful that if the policy is too restrictive, we are essentially saying people with larger families can't live here
- If we're going to focus on being welcoming, then raise the cost of tickets and fees and limit restrictions and hardships
- Other communities' policies were discussed including if the communities count a garage space as an available parking space for each household
- Residents are concerned if cars are parked on the streets overnight, then will they be denied services like street sweeping, leaf pickup, and snow removal
- Residents could purchase and utilize a shed to store items that would allow them to use their garage for parking
- What should the fee be for an annual pass? A range of \$25-\$500 was discussed
- Could residents park horizontally in their aprons

It was asked of the group, setting aside the hardship aspect of the policy, if there was consensus regarding other aspects of the parking policy. Should they create a list of items they agree upon to help move the process forward?

Ms. Kapelanski discussed her concerns about an administrative/staffing process with some of the ideas put forth. For example, she said from a staff consideration, she would be concerned with putting \$50 in place without having an annual permit in place.

Further discussion took place regarding the hardship aspect of the policy. The Council was divided on hardship definitions and if garage spaces should be factored into available parking spaces per household when considering a hardship application.

Mr. Geinzer reminded council members the parking ordinance is on tonight's meeting agenda, which doesn't include the policy. He said he would hate to move the ordinance forward if members are not close to a consensus on the policy.

Mr. Geinzer said counting a garage (one and two-car garages) as one available parking space seems like a compromise. He said if there is a broad consensus that including a hardship aspect to the policy is applicable, then he feels they should move ahead at the regular meeting with ordinance approval. He said if there are other changes to make or council members are far off base, then there needs to be more discussion.

Mr. Geinzer said it is administration's intention to review the policy quarterly. He said if we have more one-car garages for large families than we thought, then we could adjust.

It was asked if we change the policy, then what would happen to the people who already received a permit? They would be grandfathered in for the year. It was mentioned there could be further implications to changing the policy. For example, if someone bought their child a car because they thought it could be legally parked on the street and then that provision is removed, what would they do with the car? It was stated we need to make it clear to residents that the policy could change.

Mayor Dean said she would like to look at this as more of a pilot. She said the discussion has been good, but at some point, we need to take a leap of faith and sometimes it takes time to make good. She reiterated the reason and the time put into by the internal parking committee and resulting policy discussions.

It was reiterated the hope is residents would do the right thing and not take advantage of the policy. Outreach regarding being a good neighbor was discussed.

It was also reiterated we are talking about a policy governing parking on the street from 2-5 a.m.

The intention now is for the policy to come before Council in August if the ordinance is approved on the second reading that evening.

Mr. Geinzer said staff will come back with a revised policy depending on the ordinance vote tonight.

ADJOURNMENT:

Councilmember Baker moved to adjourn the Work Session at 6:42 p.m.

Seconded by Councilmember Patterson

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

Nays: None.

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk