

THE REGULAR MEETING OF THE FORTIETH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, APRIL 15, 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

ABSENT:

OTHER STAFF PRESENT:

City Manager Matt Baumgarten
City Attorney Dan Christ
City Clerk Victoria Mitchell
Chief Innovation Officer Stan Lisica
Interim Parks & Recreation Director Dan McMinn
Community Development Director Kristen Kapelanski
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 Hennen
Ayes: Black, Gavin, Hennen, Patterson, Vilani, Baker, Black, and Dean
Nays: None
Motion Approved.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Rachel Shuler, Royal Oak, via email: commented regarding O-15-23, Retail Pet Store
Courtney Wooten, Berkley, via email: commented regarding O-15-23, Retail Pet Store
Carla Osbourne, Berkley, spoke regarding O-15-23, Retail Pet Store
Lilly Osborne, Berkley, spoke regarding O-15-23, Retail Pet Store

Consent Agenda

Councilmember Patterson moved to approve the following Consent Agenda, seconded by Councilmember Vilani:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 40th Regular City Council meeting on Monday, April 1, 2024.

WARRANT: Matter of approving Warrant No.1397.

ORDINANCE NO. O-04-24: Matter of considering the Second Reading and Adoption 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.

PROCLAMATION NO. P-05-24: Matter of proclaiming May 2024 as Berkley History Month.

PROCLAMATION NO. P-06-24: Matter of proclaiming May 2024 as Motorcycle Awareness Month.

PROCLAMATION NO. P-07-24: Matter of proclaiming May 2024 as Mental Health Awareness Month.

PROCLAMATION NO. P-08-24: Matter of proclaiming May 2024 as Building Safety Month.

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-05-24 in its entirety.

Councilmember Patterson read P-07-24 in its entirety.

RESOLUTION NO. R-07-24: Matter of recognizing Matthew Baumgarten for his years of service as City Manager for the City of Berkley.

Mayor Dean read R-07-24 in its entirety.

Mike McGuiness, DDA Director, thanked Matt on behalf of the Berkley DDA.

Jack Blanchard, Berkley, said we have come a long way in emergency management due to Matt's leadership. Jack thanked him, Rebecca and the boys.

MOTION NO. M-35-24: Matter of authorizing the Mayor to execute a contract between SMART and the City of Berkley for Fiscal Year 2024 for Municipal Credit and Community Credit funds to provide public transportation services for the period of July 1, 2023 to June 30, 2024.

Councilmember Patterson moved to approve Motion No. M-35-24

Seconded by Mayor Pro Tem Gavin

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

Nays: None

Motion No. M-35-24 Approved.

MOTION NO. M-36-24: Matter of approving the purchase of 10 chairs for the City Council chambers from Discount Office Equipment Inc., 1991 Coolidge, Berkley MI, at the cost of \$5,770. Funds for this purchase are coming from account 101-265-981-000.

Mayor Pro Tem Gavin moved to approve Motion No. M-36-24

Seconded by Councilmember Black

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

Nays: None

Motion No. M-36-24 Approved.

RESOLUTION NO. R-08-24: Matter of approving a charitable gaming license resolution recognizing the Michigan Speech-Language Foundation as a charitable organization.

Councilmember Patterson moved to approve Resolution No. R-08-24

Seconded by Councilmember Hennen

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

Nays: None

Resolution No. R-08-24 Approved.

MOTION NO. M-37-24: Matter of approving a consulting agreement between the City of Berkley and Gallagher Benefit and Services, Inc., located at 2600 S. Telegraph Road, Suite 100, Bloomfield Hills, MI 48302, to provide benefit administration support services.

Councilmember Hennen moved to approve Motion No. M-37-24

Seconded by Councilmember Vilani

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

Nays: None

Motion No. M-37-24 Approved.

ORDINANCE NO. O-05-24: Matter of considering the First Reading of an Ordinance to amend Section 106-310.A of Article VIII, Parklets, of Chapter 106, Streets, Sidewalks and Other Public Places, of the Berkley City Code to allow parklets to occupy spaces in front of adjacent businesses when they cannot be located in front of the primary business.

Councilmember Baker moved to approve Ordinance No. O-05-24

Seconded by Mayor Pro Tem Gavin

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

Nays: None

Ordinance No. O-05-24 Approved.

RESOLUTION NO. R-09-24: Matter of authorizing publication of a notice of public hearing to be held May 20, 2024 regarding the proposed operating budget for the City of Berkley, Michigan for fiscal year 2024-2025.

Councilmember Black moved to approve Resolution No. R-09-24

Seconded by Councilmember Hennen

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

Nays: None

Resolution No. R-09-24 Approved.

COMMUNICATIONS

COUNCILMEMBER PATTERSON

- Planning Commission had a special meeting April 10th at 7 pm; they held a hearing on a project on Mortenson and received a steering committee update. Next meeting will be on April 23rd at 7pm here in Chambers.
- The Beautification Advisory Committee started back up and will meet on April 24th at 6:30pm on the second floor of the Public Safety building.

COUNCILMEMBER VILANI

- Berkley Has Heart photo contest and public voting will be at an Art Bash booth on June 8th; this contest is open to all ages and abilities.
- A commemorative book will be available for sale at the Art Bash highlighting everything art-related in our community, so get your coffee tables ready for that one.
- Berkley will get a little sweeter this Friday during a ribbon cutting for the opening of Bombshell Treat Bar on Coolidge, so if you have not had a chance to taste them yet, please give one of our newest businesses a warm welcome.
- The Berkley Environmental Advisory Committee will meet on May 23rd at 6:30pm in Council chambers.
- Gardeners, get your shovels ready because the spring Native Plant Sale is on Sunday, May 19th from 10am – 2pm in the Community Center parking lot.

MAYOR PRO TEM GAVIN:

- Library Board meeting will be on Wednesday, April 17th at 7pm.
- Thanked Matt Church and the library staff for their work preparing for the eclipse; they fielded 572 calls that day requesting glasses. They handed out over 2,500 sets of glasses so our community could witness such an inspiring moment.
- Parks & Recreation Advisory Board will next meet on June 13th at 7pm at the Community Center.
- He thanked Interim P&R Director Dan McMinn and staff for taking on a lot of extra work during a time of transition.

COUNCILMEMBER BAKER

- Thanked Council for the Berkley History Month proclamation on behalf of the Historical Committee. The March edition of their newsletter is out now. The Museum has free admission and is open on Sundays from 2-4 pm and on Wednesdays from 10am –1pm.
- The Downtown Development Authority met on April 10th and highlights include the mural grant program: there are six more applications at various stages in the process. The murals bring such life to our community and they'll be in the booklet Councilmember Vilani mentioned.
- In addition to Bombshell Treat Bar, the next day is Record Store Day and so for those of you who like to spin the discs, head to Flipside Records on Saturday, April 20th for its big celebration.
- Who's the BOSS – the Berkley Outdoor Social Scene is ramping up; it is a part of our downtown on 12 Mile where you are able to walk from place to place and carry an adult beverage within safe parameters. Designated businesses participating include Amici's, El Patio and Monger's and there are several others exploring the program to see if they can make it happen as well. For more information or to see any of the other cool things that are coming up visit downtownberkley.com
- Tony Sorenson once said, "Spring is far more than just a changing of seasons, it is a rebirth of the spirit." As you get out and enjoy our parks, library and walkable downtown, please stay hydrated and use proper sun protection.
- Please hug someone you love as they need it more than you think they do.

COUNCILMEMBER HENNEN

- Tree Board will have an Arbor Day celebration at 9am on Saturday, April 27th at Bacon Park; its next meeting is April 22nd.
- The Zoning Board of Appeals heard a case on a side-yard generator which was tabled until the June meeting. It had no cases in May.

COUNCILMEMBER BLACK

- Nothing from the Committee on Technology Engagement.
- He asked people to watch what they post on social media, like using the word "war." He asked that people take some time and think before they hit send, out of respect for all the men and women in our community that serve this great nation.

CITY MANAGER MATT BAUMGARTEN

- Budget Work Sessions begin tomorrow, April 16th at 6pm in the second-floor conference room of the Public Safety Building. It will be a robust conversation on what the administration has proposed and what we feel is worth investing in; Finance Director Carl Johnson will be there to present those items as well as directors.
- He said it's his last meeting and he would be remiss if he didn't say thank you. He said it was a surreal experience this week. He said we have been incredibly fortunate during his tenure and before that, the community at large has elected good people to this role. He said for eight years all members of Council have attended the Capital Conference. He said although faces have changed, the through line hasn't. He said it is weird to talk about accomplishments as a

leader of an organization, everything has been a team effort. He said the team Council has now is an amazing group of people who live, eat, breathe and sleep this community; the people in place have public service in their veins. He thanked everyone who was able to put victories on his list; he said the next city manager would be very lucky.

CITY ATTORNEY DAN CHRIST

- Stated City staff reached out regarding the retail pet store ordinance requirements and obligations and that a meeting regarding those issues would happen this week to make staff aware of the particulars of the ordinance.

MAYOR DEAN

- Said she will miss Mr. Baumgarten's ability to recite ordinances and statutes like chapter and verse. When she came to Council he answered endless questions with patient explanations (even about Headlee and Prop A). She said she is thankful for his knowledge base and his service to the community. She said she doesn't know what the future holds for him and his family but she wishes them the best; she is grateful that he'll still be in our community. She said it has been a great ride and she's learned a lot; she appreciates his leadership and guidance.

ADJOURNMENT:

Councilmember Patterson moved to adjourn the Regular Meeting at 8:08 p.m.

Seconded by Councilmember Hennen

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

Nays: None.

Motion Approved.

Bridget Dean, Mayor

ATTEST:

Victoria Mitchell, City Clerk