CALL 38th COUNCIL TO ORDER
APPROVAL OF AGENDA
INVOCATION – PASTOR ZACK DUNLAP
PLEDGE OF ALLEGIANCE
PUBLIC COMMENT — ITEMS ON THE AGENDA
ORDER OF BUSINESS

Consent Agenda

1. **APPROVAL OF THE MINUTES:** Matter of approving the minutes of the 38th Regular City Council Meeting on Monday, May 18, 2020, Budget Work Session on Tuesday, May 12, 2020 and Budget Work Session on Wednesday, May 13, 2020.

Regular Agenda

1. **RESOLUTION NO. R-18-20:** Matter of approving a resolution of the City Council of the City of Berkley, Michigan requesting the cancelation of the annual Woodward Dream Cruise event for 2020 due to public health and safety concerns attributed to the Covid-19 pandemic.

2. **MOTION NO. M-24-20:** Matter of authorizing the City Manager to enter into a one-year Professional Services Agreement with Du-All Cleaning, Inc. of Sterling Heights, Michigan to perform Janitorial Services for the City of Berkley municipal buildings, not to exceed $82,200 annually. This expenditure will be charged to account numbers 101-265-811-000, 101-310-811-000, 101-441-811-000, 101-738-811-000, and 614-105-811-000.

3. **MOTION NO. M-25-20:** Matter of authorizing the closure of Griffith Avenue from the Berkley Common building to the intersection at 12 Mile Road from June 2, 2020 to October 1, 2020. The closure is to conduct a Berkley Common Pop-Up event titled, "Uncommon Taco, Tiki, and Street Food."

4. **MOTION NO. M-26-20:** Matter of approving a one-year contract extension of the 2015-2018 bargaining agreement between the City of Berkley and the Berkley Public Safety Command Officers Association (BPSCOA).

5. **MOTION NO. M-27-20:** Matter of approving a one-year contract extension of the 2015-2018 bargaining agreement between the City of Berkley and the Berkley Public Safety Officers Association (BPSOA).

6. **MOTION NO. M-28-20:** Matter of appointing the Public Works Director, Derrick Schueller, as the City of Berkley’s representative and the City Manager, Matthew Baumgarten, as the alternate representative to the Southeastern Oakland County Resource Recovery Authority (SOCRRA) Board of Trustees for the fiscal year beginning July 1, 2020; and instruct the City Clerk to send a copy of this motion to the SOCRRRA Board.

7. **MOTION NO. M-29-20:** Matter of appointing the Berkley Public Works Director, Derrick Schueller, as the City of Berkley’s representative and the City Manager, Matthew Baumgarten, as the alternate representative to the Southeastern Oakland County Water Authority (SOCWA) Board of Trustees for the fiscal year beginning July 1, 2020; and instruct the City Clerk to send a copy of this motion to the SOCWA Board.

8. **MOTION NO. M-30-20:** Matter of appointing the Chief Innovation Officer, Stan Lisica, as the City of Berkley’s representative and the City Manager, Matthew Baumgarten, as the alternate representative to the Intergovernmental Cable Communications Authority (ICCA) Board for the fiscal year beginning July 1, 2020; and instruct the City Clerk to send a copy of this motion to the ICCA Board.

9. **MOTION NO. M-31-20:** Matter of appointing the Community Engagement Officer, Torri Mathes, as the City of Berkley’s representative to the Community Media Network Public Access TV (CMNtv) Board of...
Trustees for the fiscal year beginning July 1, 2020; and to instruct the City Clerk to send a copy of this motion to the CMNtv Board.

PUBLIC COMMENT — ITEMS NOT ON THE AGENDA

COMMUNICATIONS

ADJOURN


The City of Berkley is hosting electronic meetings in cooperation with Gubernatorial Executive Order 2020-75. The City of Berkley will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon four working days’ notice to the City. Individuals with disabilities requiring auxiliary aids or services should contact the City by writing or calling: Victoria Mitchell, ADA Contact, Berkley City Hall, 3338 Coolidge Highway, Berkley, MI 48072 (1-248-658-3310).
THE ELECTRONIC REGULAR MEETING OF THE THIRTY-EIGHTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MAY 18, 2020 BY MAYOR TERBRACK

PRESENT:  
Steve Baker  
Dennis Hennen  
Natalie Price  
Daniel Terbrack  
Jack Blanchard  
Bridget Dean  
Ross Gavin

APPROVAL OF AGENDA  
Councilmember Gavin moved to approve the Agenda  
Seconded by Mayor Pro Tem Dean  
Ayes:  Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack  
Nays: None  
Motion Approved.

INVOCATION:  Pastor Matt Brunner

PUBLIC COMMENT – ITEMS ON THE AGENDA

City Clerk Victoria Mitchell stated the following emails were received prior to the beginning of the meeting:
Ashley Poirier, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month.
Mitchell Brown, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.
Marjo Rogers, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month.
Brian Burnett, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month.
Regina Weiss, Detroit resident, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.
Catherine Wade, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month.
Karen Huyghe, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month.

The following people spoke:
Jessica, Berkley resident, in support of the City’s non-discrimination policy.
Michelle Brazeau, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.
Pat Bonnington, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.
Scott & Lisa Turner, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.
Andrew & Amanda Dahm, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Jon & Nicole Heger, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

David & Julie Hurst, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Sarah Jane, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Ashley & Stephanie Poirier, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Kye Campbell-Fox, Berkley resident, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Jacob Robinson & Jesús, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Craig & Jennifer Alexander, Berkley residents, in support of proclaiming June as LGBTQIA+ Pride Month and in support of the City’s non-discrimination policy.

Consent Agenda

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

**APPROVAL OF THE MINUTES:** Matter of approving the minutes of the 38th City Council meeting on Monday, May 4, 2020.

**WARRANT:** Matter of approving Warrant No. 1350.

**ORDINANCE NO. O-08-20:** Matter of considering the Second Reading and Adoption of an ordinance of the City Council of the City of Berkley, Michigan Repealing Section 138-603 of Article VI, Division 4 of Chapter 138, Zoning, of the City of Berkley Code of Ordinances.

**ORDINANCE NO. O-09-20:** Matter of considering the Second Reading and Adoption of an ordinance of the City Council of the City of Berkley, Michigan to Repeal and Replace Article II of Chapter 50, Fire Prevention Code, of the City of Berkley Code of Ordinances to Adopt the 2015 International Fire Code, and to Prescribe Penalties for Violations.

**ORDINANCE NO. O-10-20:** Matter of considering the Second Reading and Adoption of an ordinance of the City Council of the City of Berkley, Michigan to amend Section 30-186 of Article V, Division 1 of Chapter 30, Businesses to Update the Citation to the Property Maintenance Code, and to Prescribe a Penalty for Violations.

**ORDINANCE NO. O-11-20:** Matter of considering the Second Reading and Adoption of an ordinance of the City Council of the City of Berkley, Michigan to Amend Section 18-63 of Chapter 18 Amusements and Entertainments, to Update the Citation to the City’s Adopted Building Codes, and to Prescribe a Penalty for Violations.

**ORDINANCE NO. O-12-20:** Matter of considering the Second Reading and Adoption of an ordinance of the City Council of the City of Berkley, Michigan Amending Chapter 26, Building & Building Regulations, of the City of Berkley Code of Ordinances to Adopt the State Construction Code, as
Updated and Amended; to Adopt the 2015 International Property Maintenance Code as the City’s Property Maintenance Code; to Adopt the Michigan Rehabilitation Code as the City’s Rehabilitation Code for Existing Buildings; and to Provide Penalties for Violations.

**PROCLAMATION NO. P-10-20:** Matter of declaring the first Friday in June to be National Gun Violence Awareness Day.

**PROCLAMATION NO. P-11-20:** Matter of proclaiming June 2020 as LGBTQIA+ Pride Month.

Ayes: Dean, Gavin, Hennen, Price, Baker, Blanchard, and Terbrack  
Nays: None  
Motion Approved.

**Regular Agenda**

**RESOLUTION NO. R-10-20:** Matter of authorizing the Mayor and City Manager to execute an agreement with the Berkley School District to collect and remit the July 2020 Property Tax Levy.  
Councilmember Baker moved to approve Resolution No. R-10-20  
Seconded by Councilmember Blanchard  
Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean, and Terbrack  
Nays: None  
Motion Approved.

**RESOLUTION NO. R-11-20:** Matter of considering a resolution rescheduling the public hearing on proposed vacation of portion of public alley.  
Councilmember Blanchard moved to approve Resolution No. R-11-20  
Seconded by Councilmember Hennen  
Ayes: Hennen, Price, Baker, Blanchard, Dean, Gavin, and Terbrack  
Nays: None  
Motion Approved.

**MOTION NO. M-23-20:** Matter of considering a motion to approve the IT Services Amendment in order to waive the G2G fees and authorize the City Manager to sign the Amendment on the City’s behalf.  
Councilmember Baker moved to approve Motion No. M-23-20  
Seconded by Councilmember Gavin  
Ayes: Price, Baker, Blanchard, Dean, Gavin, Hennen, and Terbrack  
Nays: None  
Motion Approved.

**RESOLUTION NO. R-12-20:** Matter of considering a resolution of the City Council of the City of Berkley, Michigan adopting the proposed City of Berkley Non-Discrimination Policy.  
Councilmember Price moved to approve Resolution No. R-12-20  
Seconded by Councilmember Baker  
Ayes: Baker, Blanchard, Dean, Gavin, Hennen, Price, and Terbrack  
Nays: None  
Motion Approved.

**RESOLUTION NO. R-13-20:** Matter of considering a resolution of the City Council of the City of Berkley, Michigan adopting the updated City of Berkley Title VI Non-Discrimination Plan.  
Councilmember Price moved to approve Resolution No. R-13-20  
Seconded by Mayor Pro Tem Dean  
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack  
Nays: None  
Motion Approved.
PUBLIC HEARING: Matter of holding a public hearing regarding reprogramming 2019 Community Development Block Grant Funds.  
Open: 8:07 p.m.  
Closed: 8:08 p.m.  
There was no one present wishing to speak.

PUBLIC HEARING: Matter of holding a public hearing regarding the proposed operating budget for the fiscal year 2020/21 and supporting tax rates for the City of Berkley, Michigan.  
Open: 8:08 p.m.  
Closed: 8:09 p.m.  
There was no one present wishing to speak.

RESOLUTION NO. R-14-20: Matter of approving a resolution of the Council of the City of Berkley, Michigan approving the 2020/21 through 2026/2027 Capital Improvements Plan of the City of Berkley, Michigan.  
Councilmember Gavin moved to approve Resolution No. R-14-20  
Seconded by Councilmember Blanchard  
Ayes: Dean, Gavin, Hennen, Price, Baker, Blanchard, and Terbrack  
Nays: None  
Motion Approved.

Councilmember Blanchard moved to approve Resolution No. R-15-20  
Seconded by Mayor Pro Tem Dean  
Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean, and Terbrack  
Nays: None  
Motion Approved.

RESOLUTION NO. R-16-20: 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, 2020.  
Councilmember Baker moved to approve Resolution No. R-16-20  
Seconded by Councilmember Price  
Ayes: Hennen, Price, Baker, Blanchard, Dean, Gavin, and Terbrack  
Nays: None  
Motion Approved.

RESOLUTION NO. R-17-20: Matter of approving a resolution of the Council of the City of Berkley, Michigan adopting a budget for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021.  
Councilmember Gavin moved to approve Resolution No. R-17-20  
Seconded by Mayor Pro Tem Dean  
Ayes: Price, Baker, Blanchard, Dean, Gavin, Hennen, and Terbrack  
Nays: None  
Motion Approved.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

There was no one present wishing to speak.

COMMUNICATIONS:
COUNCILMEMBER BAKER: offered congratulations on behalf of Council to City administration and staff for preparing and delivering a robust budget for the next fiscal year. He stated the budget is a statement of our values and priorities and could be shifted or adjusted according to the changing world around us. He said this budget puts forth Council’s collective values and intentions for the upcoming year. Councilmember Baker stated the Berkley Historical Committee is eager to meet. He stated May is Berkley History Month and he encourages residents to like and follow the Historical Committee’s Facebook page. He quipped there are one or two books out there on Berkley's history that would be worthwhile to check out. Councilmember Baker said the Technology Advisory Committee is also eager to meet. He said meanwhile, members are staying in touch as they prepare to come back online. Councilmember Baker stated the Downtown Development Authority (DDA) Board met last week. He provided an update on the DDA’s wayfinding efforts. He said the DDA is doing a tremendous job, in partnership with the Berkley Area Chamber of Commerce, to help support local businesses during this exceptionally difficult time. He stated the group is working on a reopening video that will provide many resources to local businesses. Councilmember Baker recited a quote by Mahatma Gandhi, "It is health that is the real wealth, not pieces of gold and silver." He said despite the recent weather, it has been a good time to get out and walk around. He said so many people continue to struggle and the reason they are able to walk about is because they can’t work, etc. He said what we can do is remind ourselves that our health is our most valuable asset. He asks that people don’t sacrifice long-term health for short-term opportunity. He said to remember that we are not stuck at home, we are safe at home.

COUNCILMEMBER PRICE: thanked the residents who sent emails, joined the meeting and communicated their pride with living in such a safe, welcoming and inclusive community. She said they still have work to do, but their comments and the votes of Council tonight reflect the City’s commitment to fight discrimination and celebrate the contributions of members of the LGBTQIA+ community. She said members are seen, heard and valued here. Councilmember Price thanked staff members who helped draft these documents while juggling the day-to-day functions of the City. Also, she thanked staff members for their work in the budgeting and master planning processes. She said staff is working hard from home and she is thankful for the work they are doing. Councilmember Price thanked department heads for submitting thoughtful, edited budgets that focus on frugality and safety during this prolonged time of financial uncertainty. She stated all of these groups, along with city leaders, want everyone in Berkley to feel safe, secure and supported. Councilmember Price said Berkley cares and she is proud to call it home.

COUNCILMEMBER BLANCHARD: stated he is working closely with the Berkley Area Chamber of Commerce and the DDA to keep information flowing to the businesses. He stated a lot of information is coming out of the State Emergency Operations Center on new State policies. He said quite a bit of information is being disseminated including when tax payments are due. He said the Chamber and the DDA are doing a great job. Councilmember Blanchard asks that everyone please support local businesses. He said he wants to keep them all here for when they can open up again. Councilmember Blanchard said everyone can visit Berkleychamber.com to see a list of all the establishments that are open including hours, websites and phone numbers.

MAYOR PRO TEM DEAN: stated the Parks & Recreation Department is in the initial stages of its Five-Year Recreation Master Plan. She said the Department will be seeking input for the plan in the coming months possibly via an electronic format. She said Parks & Recreation continues to engage on social platforms providing various recreation ideas because the goal is to keep people moving. She stated residents are encouraged to send photos to the Department for its #stayinandplayBerkley initiative. Mayor Pro Tem Dean provided an update on the City Wellness Checks program including that the calls are going very well. She stated if you are not on the call list and you would like to be, please call her at 248-930-0544. Mayor Pro Tem Dean said to remember this too shall pass and we are Berkley strong.
COUNCILMEMBER HENNEN: stated the Zoning Board of Appeals met last week and approved the two variance requests it heard. He said the cases were to replace the sign at the American Legion with a new LED sign and the other was a resident proposing a driveway expansion that is larger than normally allowed.

COUNCILMEMBER GAVIN: stated neither the Master Plan Steering Committee nor the Planning Commission has met since his last update. He said the next Planning Commission meeting is 7 p.m. May 26th. He stated the next Master Plan Steering Committee is scheduled for May 19th but in its place will be the first of eight webinars dealing with various master plan topics. The first webinar will begin at 4 p.m. and will cover what a master plan looks like broadly. He stated these will be very informative webinars. He also encourages stakeholders to visit berkley mich.org, click on the master plan link, and take the survey to provide feedback on the important issues facing the community. He said folks will have a real chance to help impact and shape what the future looks like, especially during these times. He said he hopes people will make their voices heard. Councilmember Gavin said the Environmental Advisory Committee has not been able to meet, but is one of the many committees that is excited to get back once it is doable. Councilmember Gavin said he would like to echo his colleagues’ comments in thanking the city manager, finance team, department heads and staff for their hard work and dedication during the budgeting process. He said despite this difficult time, the excellent job done gives reason for optimism.

PUBLIC POLICY ASSISTANT DAN HILL: provided an update on the marijuana application process and submittal schedule. He explained the submission process was set to begin on March 16th, but ceased due to Covid-19. He stated the process was subsequently altered. Mr. Hill said the process now limits in-person contact. He stated application packets may now be submitted via certified potage or deposited inside the drop box at City Hall. The application packages must include three identical flash drives including the application and supporting documents; one physical copy of the marrihana business license application with original signatures without supporting documents; and a check or money order for the fee which is $5,000 for single use or $10,000 for co-location use. He stated City staff will then perform the completeness check and communicate via email to the address provided on the application. Mr. Hill said there will be a subsequent deadline to remedy any outstanding items. He said the applicant will receive a receipt with the application number which is how the points will be publicized at the end of the evaluation period. Mr. Hill said the application submission period will open at 8:30 a.m. on June 15th and close at 5 p.m. on June 29, 2020. He stated packages mailed must be postmarked by the deadline date. He stated all of the information will be published in an external memo and posted on the City’s website.

CITY MANAGER BAUMGARTEN: said as mentioned earlier, there are some boards and commissions – primarily advisory – that have not had the chance to meet. He stated staff training is launching with the goal of reestablishing those meetings on June 1st. He stated correspondence will be going out to the chairs of the boards and commissions to let them know what is happening and the timeline. He stated they are conducting staff training because the appropriate staff member will be the liaison to these bodies along with serving as the moderators. Mr. Baumgarten said to keep it up Berkley! He said the resident spotlight is a blast to watch. He stated they have received a ton of great stories including a bagpiper that visited Oxford Towers. He said that story has been very popular. Mr. Baumgarten said he appreciates Councilmember Gavin bringing up the Master Plan. He said by the order of City Council Berkley Master Plan Day is in two days. He wished everyone a happy Master Plan Day.

CITY ATTORNEY STARAN: stated he has no report this evening. He wished everyone best wishes for the upcoming Memorial Day weekend. Mr. Staran referenced the Governor’s order addressing opening up Northern Michigan effective on Friday. He stated he hopes everyone heading north over the weekend will enjoy themselves, but also please be careful. He said it is still dangerous out there.

MAYOR TERBRACK: said he will not repeat all of the comments he made earlier regarding the budget, but did want to thank the city manager and department directors for all of their work preparing the budget. He said we can definitely expect slashes from State Shared Revenue, but one source where we may
actually be able to receive funding is from the federal level. He stated U.S. Representative Andy Levin has been in contact with the communities he serves regarding the introduction of the Heroes Act which moved through the House on Friday. He said we will see what happens in the Senate. Mayor Terbrack said initially federal funding had a cutoff of cities with 500,000 or less and this Act changes that and would certainly impact Berkley. He said he is looking forward to that and thanks Congressman Levin. Mayor Terbrack said it has been very clear to him with conversations he has had with state or federal legislators that we are OK right now. He said we can pass our budget but, in the future, the expenses, the capital improvements, the infrastructure improvements that we are having to push off are going to come back. He said we are going to have to address those. He stated if something doesn’t change with Proposal A and Headlee or if we don’t receive support from the federal government, we are going to find ourselves in a very precarious situation in a number of years with some of those major projects. He said hopefully, this is a first step into allowing us to put those projects back in the future and do so in a fiscally responsible way while maintaining the rest of our budget. Mayor Terbrack said he participates in a ListServe with all of the mayors across the state. He said questions that come up are, “Are you guys going to override any of the Governor’s orders?” “Are you going to follow the Governor’s orders moving forward?” Mayor Terbrack said everyone agrees that we will be following the Governor’s orders and recommendations moving forward. He said we will begin to open up the City of Berkley when we are able to and begin to resume some activities that have been paused for the better part of the last couple of months. He said we will do it safely, we will do it responsibly, and we will do it with what the Governor expects us to do moving forward.

ADJOURNMENT
Mayor Pro Tem Dean moved to adjourn the Regular Meeting at 8:58 p.m.
Seconded by Councilmember Baker
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack
Nays: None
Motion Approved.
AN ELECTRONIC BUDGET WORK SESSION OF THE THIRTY-EIGHTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 6:00 PM ON TUESDAY, MAY 12, 2020 BY MAYOR DANIEL J. TERBRACK

PRESENT:  
Steven W. Baker  Dennis S. Hennen  
Jack Blanchard  Natalie Price  
Bridget Dean  Daniel J. Terbrack  
Ross Gavin

ALSO PRESENT:  
Matthew C. Baumgarten, City Manager  
Mark Pollock, Finance Director/Treasurer  
Laurie Fielder, Staff Accountant  
Victoria Mitchell, City Clerk  
Stan Lisica, Chief Innovation Officer  
Torri Mathes, Community Engagement Officer  
Matthew Koehn, Public Safety Director  
Corey Miller, Lieutenant  
Andrew Hadfield, Lieutenant  
Matthew Church, Library Director  
Jennifer Finney, Downtown Development Authority (DDA) Director  
Daniel Hill, Public Policy Assistant  
Erin Schlutow, Community Development Director  
Shawn Young, Public Works Superintendent

APPROVAL OF AGENDA
Councilmember Baker moved to approve the Agenda.  
Seconded by Mayor Pro Tem Dean.  
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack  
Nays: None  
Motion Carried.

CITIZENS COMMENTS: None

POWERPOINT PRESENTATION: Matter of receiving a PowerPoint presentation.

Mayor Terbrack made a statement regarding the times we are in today and how different this budget season is than anything the City has experienced before. He stated this is a scaled down version of the budget. He said we are looking at needs and not wants. Mayor Terbrack stated State Shared Revenue will be down along with limitations resulting from Proposal A and Headlee Amendment. He stated what they will be looking at tonight and tomorrow are the necessary items to keep the City running. He commented on the uncertainty due to Covid-19.

Finance Director/Treasurer Mark Pollock gave a presentation describing the proposed budget for 2020-2021. He echoed Mayor Terbrack’s comments and thanked everyone involved in the budgeting process.

BUDGET WORK SESSION: Matter of a discussion of the proposed 2020-2021 City of Berkley Budget.

The following budgets were reviewed:

A. City Council  
B. City Manager  
C. City Attorney  
D. City Hall  
E. Community Promotions  
F. Communications  
G. Public Safety
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H. Library
I. Information Technology
J. Downtown Development Authority (DDA)
K. Capital Project Funds
L. Public Safety Retirement Fund

The following corrections were made to the budget:

1. It was stated property taxes will not be paid on the Cummings property owned by the City.

2. Chief Koehn asked to change the description from Generator Maintenance Contract to Elevator Maintenance Contract on page 56.

A recess was taken at 9:10 p.m. The work session reconvened at 9:15 p.m.

ADJOURN

Councilmember Gavin moved to adjourn the work session at 9:34 PM.
Seconded by Councilmember Baker
Nays: None
Motion Approved unanimously.

____________________________________
Daniel J. Terbrack, Mayor

Attest:

____________________________________
Victoria Mitchell, City Clerk
AN ELECTRONIC BUDGET WORK SESSION OF THE THIRTY-EIGHTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 6:00 PM ON WEDNESDAY, MAY 13, 2020 BY MAYOR DANIEL J. TERBRACK

PRESENT:  Steven W. Baker   Dennis S. Hennen
          Jack Blanchard   Natalie Price
          Bridget Dean    Daniel J. Terbrack
          Ross Gavin

ALSO PRESENT:  Matthew C. Baumgarten, City Manager
                Mark Pollock, Finance Director/Treasurer
                Laurie Fielder, Staff Accountant
                Victoria Mitchell, City Clerk
                Stan Lisica, Chief Innovation Officer
                Erin Schlutow, Community Development Director
                Derrick Schueler, Public Works Director
                Shawn Young, Public Works Superintendent
                Theresa McArleton, Parks and Recreation Director
                Matt, Koehn, Public Safety Director
                Torri Mathes, Community Engagement Officer

APPROVAL OF AGENDA
Councilmember Blanchard moved to approve the Agenda
Seconded by Councilmember Hennen
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack
Nays: None
Motion Carried.

CITIZENS COMMENTS: None

BUDGET WORK SESSION: Matter of a discussion of the proposed 2020-2021 City of Berkley Budget.

The following budgets were reviewed:

A. City Clerk

B. Finance and Treasury

C. Community Development

D. Public Works

E. Parks and Recreation

F. Finance Debt Funds

The following corrections were made to the budget:

1. Council requested an additional $2,500 be added to the Clerk’s postage account following City Clerk Victoria Mitchell’s new calculation based on running elections in a Covid-19 environment.

2. Additional wage increases were included in the Clerk’s Department.

3. There were adjustments (decreases) to MTF in fund 202 and 203 due to Covid-19.

4. There were adjustments to payroll moving two Department of Public Works (DPW) employees from general fund to 202 (Major) and 203 (Local) Street Funds.

5. In the DPW budget, a full-time mechanic was discussed to be added to 101-442 and the vehicle maintenance in 101-442 was doubled.
6. Vehicle maintenance of $41,750 was removed from 101-755-986-000 because it was already budgeted in 101-755-760-000.

7. Revenue in the Public Works budget was adjusted due to changes in gas tax resulting from lack of sales.

8. A grant in the Parks & Recreation Department was reduced from $220,000 to $180,000.

9. Discussion continued throughout the Parks & Recreation budget presentation regarding how the budget would be adjusted based on Covid-19. Some expenses and revenue changes are known and Director Theresa McArleton stated she would discuss this with finance before the budget is adopted. Other changes would still be under consideration and would be handled as budget amendments.

A recess was taken at 8:10 p.m. The work session reconvened at 8:15 p.m.

Mayor Terbrack thanked the city manager, finance director/treasurer and staff for the 2020/21 budget presentation. He reiterated his comments from the prior evening regarding how different this budget process has been because we are dealing with something that we don’t know when it will be over and when we will recover. He said what we do know is that COVID-19 has significantly impacted not only our budget, but also the budgets at the state and federal level. He stated we have a strong fund balance that will provide the City with some flexibility in the future. Mayor Terbrack thanked Council for all the time it takes to go through these budgets and the discussions with department heads beforehand. He also thanked them for their dedication.

Mayor Pro Tem Dean echoed Mayor Terbrack’s comments and thanked all of staff. She said she is thankful we have such a cohesive group at City Hall.

ADJOURN

Mayor Pro Tem Dean moved to adjourn the work session at 9:05 PM.
Seconded by Councilmember Baker
Nays: None
Motion Approved unanimously.

________________________________
Daniel J. Terbrack, Mayor

Attest:

_____________________________________
Victoria Mitchell, City Clerk
A RESOLUTION

OF THE CITY COUNCIL OF THE CITY OF BERKLEY, MICHIGAN
REQUESTING THE CANCELATION OF THE ANNUAL WOODWARD DREAM
CRUISE EVENT FOR 2020 DUE TO PUBLIC HEALTH AND SAFETY CONCERNS
ATTRIBUTED TO THE COVID-19 PANDEMIC

WHEREAS, the Woodward Dream Cruise event developed from a grass roots community based
effort to promote a one-day non-alcoholic car event along the Woodward Avenue corridor; and

WHEREAS, the Woodward Dream Cruise is established by the community involvement of
Berkley, Birmingham, Bloomfield Hills, Bloomfield Township, Ferndale, Huntington Woods,
Pleasant Ridge, Pontiac, and Royal Oak to coordinate the event through an intergovernmental
partnership; and

WHEREAS, these communities in conjunction with Oakland County, have contracted with
media partners and hired an event management team to assist in promoting the event; and

WHEREAS, it is estimated that the annual Woodward Dream Cruise event attracts over one
million people to the Woodward corridor in Oakland County; and

WHEREAS, the annual event attracts people from around the world to celebrate car history and
car culture along Woodward Avenue in Oakland County; and

WHEREAS, on March 10, 2020, the Governor of Michigan, Gretchen Whitmer, declared a State
of Emergency across the State of Michigan due to public health concerns related to the novel
coronavirus (COVID-19); and

WHEREAS, on March 16, 2020, the Mayor of the City of Berkley, Daniel Terbrack, declared a
Local State of Emergency within the City of Berkley, which was affirmed and continued until
further action by the City Council on March 31, 2020; and

WHEREAS, the spread of COVID-19 has been attributed to social contact and has led to a
plethora of Executive Orders issued by Governor Whitmer, designed to preserve and protect public
health by means of requiring social distancing, personal protective equipment, and the temporary
prohibition of large public gatherings; and

WHEREAS, the Oakland County Health Division has also issued county-wide health orders
which further require proper social distancing, personal protective equipment usage, and employee
screening at essential businesses; and

WHEREAS, the businesses along Woodward Avenue have had their operations greatly impacted
by the orders and the continuation of the event would cause additional hardship for the businesses
and their employees; and
WHEREAS, the promotion of the 2020 annual Woodward Dream Cruise event is contributing to the current public health crisis by encouraging large crowds to convene during a worldwide pandemic, which directly contradicts the advice of the State of Michigan, Oakland County, and the U.S. Centers for Disease Control and Prevention; and

WHEREAS, many of the cities involved in the annual event have raised similar concerns for the health and safety of their residents and businesses with this event; and

WHEREAS, the event management company, WDC, Inc., through its Board of Directors, has a shared responsibility in protecting public health in relation to the management of an event of this magnitude.

NOW THEREFORE BE IT RESOLVED;

SECTION 1: That the Council of the City of Berkley, in conjunction with neighboring communities, hereby advocates to WDC, Inc. to regretfully cancel the 2020 Woodward Dream Cruise event in consideration of the following reasons:
1. The potential for increased spread of COVID-19 due to the size of the event historically surpassing one million attendees; and
2. The event’s contribution to unprecedented challenges businesses along Woodward Avenue and within our business districts are experiencing; and
3. The increased costs each community will be burdened with in an environment of reduced municipal revenues if the event and its promotion is allowed to proceed.

SECTION 2: That the City Clerk shall send a copy of this resolution to the Woodward Dream Cruise Board of Directors.

SECTION 3: That the City Clerk shall share a copy of this resolution with the Michigan Department of Health and Human Services, the Emergency Management and Homeland Security Division of the Department of State Police, the Oakland County Emergency Management Office, the Oakland County Health Officer, and the cities of Birmingham, Bloomfield Hills, Bloomfield Township, Ferndale, Huntington Woods, Pleasant Ridge, Pontiac, and Royal Oak.

Introduced and passed at a Regular City Council Meeting on Monday, June 1, 2020.

Daniel J. Terbrack, Mayor

Attest:

Victoria Mitchell
City Clerk
Moved by Councilmember ________________ and seconded by Councilmember ________________ to authorize the City Manager to enter into a one-year Professional Services Agreement with Du-All Cleaning, Inc. of Sterling Heights, Michigan to perform Janitorial Services for the City of Berkley municipal buildings, not to exceed $82,200 annually. This expenditure will be charged to account numbers 101-265-811-000, 101-310-811-000, 101-441-811-000, 101-738-811-000, and 614-105-811-000.

Ayes:
Nays:
Motion:
On Monday, April 13, 2020 the City received eight bids in response to the City’s Janitorial Services Request for Proposals, following an extended and amended process attributed to the COVID-19 Executive Orders. Packages from each bidder, as well as, the bid tabulation sheet were prepared by the City Clerk. As you can see from the bid tabulation sheet, we received bids from a variety of interested parties all with their own strengths and weaknesses, and with a broad range of pricing.

**Request for Proposal**

Within the Request for Proposal published by the City on the City’s website and through the MITN BidNet database, we outlined the services the City would require on a daily, weekly, monthly, and quarterly basis. The services include everything from vacuuming and dusting, down to disinfecting phone receivers and sanitizing light switches. Our intent with this request for proposal was to attract contractors which not only promised great prices but also promised high quality cleanliness for our municipal buildings.

**Bid Selection Process**

First and foremost, we considered the overall quality of cleaning services the City would be receiving, especially in light of the current public health crisis. In order to select the best possible contractor, a bid review committee was established and included myself representing City Hall, Library Director Matt Church representing the Library building, Parks and Recreation Director Theresa McArleton representing the Community Center building, Foreman Shawn Young representing the Public Works building, and Sergeant Scott Smith representing the Public Safety Building.

In reviewing the bids, the committee considered the following factors in selecting finalists for further consideration; cost, experience with other municipal government buildings, and a focus on the janitorial services we need in our buildings.

Upon total review of the bid packages the committee narrowed the selection to three finalists whom would undergo the process of screening via communication with company references. Once the reference checks were completed, an invitation for building walkthroughs was extended to the two final contractors which received positive reviews from current clients. In consideration of the current budgetary confines resulting from various revenue declines, we consulted each finalist and requested they consider their previous bid prices and submit revised pricing that reflects the insight acquired from an in-person walkthrough; we received revised pricing from both finalists, which has been included on a revised bid tabulation dated May 27, 2020 within the City Council Packet.
During each of the building walkthroughs the contractors were shown every corner of the buildings, subsequently asked service related questions, and further discussed factors which set their company apart from others in delivering high quality janitorial services.

**Recommendation**

Following our extensive, multi-faceted bid process I am recommending the award of this bid be granted to Du-All Cleaning, Inc. To expand on the references and factors used in determining my recommendation, please review the following considerations.

While Du-All, Inc. was not the overall lowest cost bidder, they were one of the two lowest bidders with experience in servicing municipal government buildings. This experience is a factor that helped to set them apart from their competitors, since municipal buildings come with a variety of cleaning challenges including scheduling around meetings and programs, the uniqueness of facilities compared to private sector businesses (e.g. public safety, libraries, community centers), and the amount of foot traffic associated with buildings utilized by an entire community.

Of the two finalists, both had experience in servicing municipal buildings, but Du-All stood apart from the other in their professionalism and attention to detail in the building walkthroughs. These attributes were further affirmed during reference checks. In conversation with Natalie Turner, the Executive Assistant to the City Manager for the City of Saint Clair Shores, she expressed that they have never had any major issues with Du-All and if there were any issues she is certain that they would be corrected immediately as the company, and owner Mr. Mondi Rakaj, have proven extremely responsive over their first year working together.

Scott Pruzinsky, the Facilities Supervisor for the City of Roseville, informed me that Du-All has serviced five of their municipal buildings for the past three years and they have received outstanding service. Scott echoed Natalie in the ease of working with Mr. Rakaj and Du-All, and explained that their flexibility with coming in after events has been a tremendous help and that they even come in after elections conclude late in the evening hours to ensure the building is cleaned thoroughly. Scott also expressed that Du-All has been great for service during COVID-19 and has been fully equipped and able to conduct the deep sanitization associated with mitigating the virus.

Perhaps the most glowing review came from the Bloomfield Township Facility Services Department Head, Joel Dion, who has worked with Du-All for the past six years in his current role, and an additional ten years prior to that when he was with the City of Novi. Joel explained that they are the best janitorial company he has worked with and has had no major issues, he also echoed the others in the responsiveness of the owner and his ability to resolve minute issues extremely quickly. He also stated that their ability to complete electrostatic disinfectant cleaning has been very helpful since the COVID issue arose.

**Cost of Services**

As I previously noted, Du-All, Inc. is not the lowest cost bidder but is the company that provides the best overall value. The funds for this contract will come from the following accounts and result in the need for future budget adjustments to match:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Building Account</th>
<th>Current 20/21Budgeted</th>
<th>Du-All Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>101-265-811-000</td>
<td>City Hall</td>
<td>$8,680.00</td>
<td>$15,600.00</td>
</tr>
<tr>
<td>101-310-811-000</td>
<td>Public Safety</td>
<td>$13,500.00</td>
<td>$24,000.00</td>
</tr>
<tr>
<td>101-441-811-000</td>
<td>Public Works</td>
<td>$3,210.00</td>
<td>$8,400.00</td>
</tr>
<tr>
<td>101-738-811-000</td>
<td>Library</td>
<td>$13,500.00</td>
<td>$18,000.00</td>
</tr>
<tr>
<td>614-105-811-000</td>
<td>Community Center</td>
<td>$15,000.00</td>
<td>$16,200.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$53,890.00</strong></td>
<td><strong>$82,200.00</strong></td>
</tr>
</tbody>
</table>
While the overall increase of $28,310.00 seems excessive on face value, I would like to reference that our Accounts Payable records indicate that we have been paying approximately the same rate for the past ten years. In paying the same rate for ten years, I believe the quality of our janitorial services has fallen behind the level needed to not only ensure a clean, safe environment for staff and the public, but also to further the life span of our paint, flooring, and overall building infrastructure.

**Closing Consideration**

Now, more than ever before, it is extremely important that we select a janitorial company that can adequately service our municipal buildings and ensure that they are in the best condition possible for the health and safety of our staff and the countless community members who visit our buildings every day. I have confidence that Du-All, Inc. is the company that can best service our buildings and help to ensure we are taking proper care of our infrastructure to ensure the longest life possible.

Please do not hesitate to contact me with any questions or concerns regarding this matter, and as always, I will attend the June 1st City Council meeting to answer any questions as well.

Thank you,

Daniel S. Hill  
Public Policy Assistant
### CITY OF BERKLEY

**“Janitorial Services”**

For the Office of the City Manager

**Amended Bid Opening: Wednesday, May 27, 2020 @ 6 PM**

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Address</th>
<th>Bid (Base Services)/ Experience</th>
<th>References/ Non-Collusive Affidavit</th>
<th>Conflict of Interest/ Hold Harmless/ Authorized Representative/ Iran Business Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office Heroes LLC</td>
<td>P.O. Box 66379 Roseville, MI 48066</td>
<td>Janitorial Services: $4,185.00/5+</td>
<td>Yes/Yes</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>DU-ALL CLEANING, INC.</td>
<td>35474 Mound Road Sterling Heights, MI 48310</td>
<td>Janitorial Services: $7,643.00/18</td>
<td>Yes/Yes</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>Hurricane Cleaning</td>
<td>24725 W. 12 Mile Road Suite 110 Southfield, MI 48034</td>
<td>Janitorial Services: $4,312.00/10</td>
<td>Yes/Yes</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>Master Maintenance</td>
<td>2701 I-94 Service Drive Ypsilanti, MI 48197</td>
<td>Janitorial Services: $12,045.00/28</td>
<td>Yes/Yes</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>LGC Global Energy FM</td>
<td>7310 Woodward Ave. Suite 500 Detroit, MI 48202</td>
<td>Janitorial Services: $6,688.05/25+</td>
<td>Yes/Yes</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>Company</td>
<td>Address</td>
<td>Services Description</td>
<td>Janitorial Services:</td>
<td>Janitorial Services:</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------------------------------------------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Titan Comprehensive Cleaning</td>
<td>31235 Harper Avenue Suite 226 St. Clair Shores, MI 48082</td>
<td>2/3/3/3</td>
<td>$14,804.00/2</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>IVEZA BUILDING SERVICES, LLC.</td>
<td>2167 Logan Drive Sterling Heights, MI 48310</td>
<td>5/5/5/5/3</td>
<td>$14,856.00/5</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
<tr>
<td>ALL INCLUSIVE COMMERCIAL BUILDING SOLUTIONS</td>
<td>1580 Woodcreek Blvd. Ann Arbor, MI 48104</td>
<td>9/9/9/9/9</td>
<td>$7,929.97/9</td>
<td>Yes/Yes/Yes/Yes</td>
</tr>
</tbody>
</table>
Sealed Bid

CITY OF BERKLEY

Janitorial Services

APRIL 13, 2020
DU-ALL CLEANING, INC.
35474 Mound Rd. Sterling Heights MI 48310 (586) 580-3617
April 13, 2020

City of Berkley

Janitorial Services Bid for: City Hall, Public Library, Public Safety Building, Public Works, Community Center

Dear Matthew Baumgarten,

First of all, we would like to thank you for the opportunity to bid the Janitorial services for the City of Berkley. Du-All Cleaning, Inc. is a proud Michigan-based company and nothing makes us happier than working with the cities, municipalities, government agencies and businesses that make this state great!

Du-All Cleaning, Inc. is a full-service commercial cleaning company that has been successfully providing janitorial services for customers nationwide for over 15 years. We consider ourselves to be the problem solvers of our industry. We provide our customers with quality services and full satisfaction. A key to our growth and success is due to our management’s ability to understand the customer’s needs. Along with that, our hard working and highly trained staff is well equipped for any job, allowing us to achieve customer’s satisfaction.

As a multi-million-dollar company in the building service industry, we have 2 locations in Michigan and we have recently moved to a new, larger headquarters to accommodate our growth in the industry. We currently employ over 120 full and part time Janitorial Services Associates. We take our business seriously, as we strive to be the best in our industry. Our company is always looking for better ways and better technology to do the job more efficient, more cost effective and greener.

At Du-All Cleaning Inc. our hiring practices are some of the strictest in the industry. We care who puts on the Du-All uniform and represents our company. More importantly, we care who goes into your business. We do not hire every person who applies at our company like some competitors do. We have a list of high priority hurdles they must pass to be employed at Du-All Cleaning, Inc. before they even begin the training process. All of our employees must pass a stringent background check and drug screening, as we provide janitorial services for municipalities and government offices, including police stations, court buildings, city offices as well as buildings that house State Police and Homeland Security offices.

At Du-All Cleaning, Inc. we will work with each individual facility or department noted in the contract to create a schedule of cleaning tasks that will allow for the janitorial services to be completed at times that work for our customers. Du-All Cleaning, Inc. operates 24-hours a day, 365 days a year to ensure your buildings are always in pristine condition and with minimal disruption to your operations.

Our emergency call response time will be within 30 minutes. In case of a non-emergency call, the response time will be within one hour. You may contact us via phone number (586) 580-3617 or email: mondi@duallcleaning.com or pam@duallcleaning.com .
I would like to assure you that we do all we can to continue to find the right people that will fit the professional atmosphere of the City of Berkley, and that your satisfaction is my top priority. We have a great working relationship with all of our customers and will gladly provide you with references from customers just like you.

Please feel free to call me anytime, if you have any questions or need additional information about our company. I look forward to hearing from you and creating a great relationship with the staff, residents and visitors of the City of Berkley.

Thank you and have a wonderful day.

Sincerely,

Mondi Rakaj
President
Du-All Cleaning, Inc.
mondi@duallcleaning.com
Business Organization

Du-All Cleaning and Building Services, Inc.
Corporate Headquarters
35474 Mound Rd
Sterling Heights MI 48310

586-580-3617 (Office)
586-709-9517 (Direct)

Mondi Rakaj
President
Mondi@duallcleaning.com
www.Duallcleaning.com (Website)

Du-All Cleaning and Building Services, Inc. is a corporation located and authorized to do business in The State of Michigan, as of May 2, 2002.

Guarantee

Du-All Cleaning, Inc. will honor the quoted price(s) and assigned scope of work for the entire length of the contract with the City of Berkley. Should the City of Berkley request additional services not included in the contract, Du-All Cleaning, Inc will submit a proposal for approval and request a confirmed PO Number before work will begin, with the exception of emergency services, which will be provided with authorization from an appropriate City of Berkley officer or representative. We will provide all labor, equipment, supplies and supervision necessary to complete the tasks and requirements listed in the RFP/IT3. Invoices will be submitted via approved method. Du-All Cleaning, Inc guarantees it’s work for the term of the contract.

Values Statement

At Du-All Cleaning and Building Services, Inc. we share your commitment to conservation and sustainability. We take great pride in providing building services to a variety of different buildings, always showing great care for the age and historical impact of each building. We will gladly participate in any trash disposal and recycling programs that you have in place and will partner with you to make improvements wherever possible. We offer Green cleaning chemicals and practices to minimize the environmental impact of our services.
At Du-All Cleaning Inc. We Do It All
State of Michigan Finest Janitorial Cleaning Company

- Premium Commercial Janitorial Service
- Premium Construction Services
- Painting
- Drywall
- Floor Maintenance Programs
- Hi-Tech Floor Strip and Re-Coat
- Tile Strip and Wax
- High Speed Burnishing
- Tile and Grout Cleaning and Resealing
- Epoxy Floor Maintenance Programs
- Building Maintenance Service
- Consulting Service
- On Site Training and Supervision
- Truck Mounted Carpet Cleaning
- Carpet Maintenance Programs
- Scrub and Steam Carpet Cleaning
- Extraction Spot Cleaning
- 24 Hour Flood Restoration Clean-up
- Grounds Service
- Specialty Environment Cleaning
- Uniformed and Certified Employees
- Window Cleaning
- Construction Clean-up
- Floor Care Machine Sales, Service and Rentals
- Free Building Analysis
- Biohazard Cleanup

**Du-All Cleaning, Inc. has the capability and capacity to perform emergency janitorial services 24-hours a day, seven days a week, including holidays**
1. City of Warren
   5460 Arden Ave., Warren, MI 48092
   Sq Ft: 255,000

2. City of Roseville
   29777 Gratiot Ave. Roseville MI 48066
   Sq Ft: 91,000

3. Bloomfield Township Public Library
   1099 Lone Pine Rd, Bloomfield Twp., MI 48302
   Bldg Sq Ft: 107,500

4. City of Saint Clair Shores
   27600 Jefferson Saint Clair Shores, MI 48081
   Sq Ft: 175,000
Compliance

Du-All Cleaning Inc. shall at all times observe and comply with all laws, ordinances, regulations and codes of the federal, state, county and other local government agencies, which may in any manner affect the performance of our services. We shall not discriminate against any worker, employee or applicant because of race, religion, creed, age, sex or national origin. We are consistently keeping current on all laws, ordinances, regulations and codes.

Equipment

Du-All Cleaning Inc. will furnish at its’ own cost and expense, all labor and cleaning equipment needed to complete service. All equipment will be maintained in working condition in accordance with laws and regulations of the State of Michigan. Equipment will pass any and all inspections. All Equipment for new accounts is purchased brand new.

Cleaning Chemicals and Supplies

At Du-All Cleaning Inc., we have access to a large variety of cleaning chemicals and professional training. We offer a Green cleaning program upon request to minimize the environmental impact of our services. Not only do we use top industry chemicals, but we also sell them to other cleaning companies and customers. All MSDS chemical data sheets are kept on each job site and customer copies are available. All employees are trained in chemical application and safety. We can set up our customers on a hand soap program with free dispensers and better pricing. We offer different acrylic floor finishes for different floor types and different amounts of foot traffic.

Du-All Cleaning Specializes in providing professional cleaning and building support services for municipalities, community centers, courts, police stations, government agencies, educational facilities, libraries, recreational centers, restaurants and sports venues

Du-All Cleaning, Inc 35474 Mound Rd Sterling Heights MI 48310 586-580-3617
Employee Qualifications Requirements

At Du-All Cleaning Inc. our hiring practices are some of the strictest in the industry. We care who puts on the Du-All uniform and represents our company. More importantly, we care who goes into your business. We do not hire every person who applies at our company like some competitors do. We have a list of high priority hurdles they must pass to be employed at Du-All Cleaning, Inc. before they even begin the training process.

- Du-All Cleaning, Inc. will run a criminal background check and drug screen on all potential employees. A copy of employee’s background and drug screen results can be submitted to customer upon request.
- Du-All Cleaning, Inc. will also work with your own background screening service/Police Department for background checks and fingerprinting upon request.
- Any applicant that does not pass the background and drug screen will not be employed by Du-All Cleaning, Inc.
- Drug screening is done by board certified doctors and not a test kit from the drug store. This is to assure that employee prospects are completely free of drugs.
- All employees must be in uniforms. Employees must wear Du-All Cleaning, Inc. uniforms at all times while working with no jeans or ripped clothing.
- Security badge with picture and employee number along with level of position so our customers know who is who at all times.
- All employees must be certified in job safety practices.
- All employees must be certified in several areas of cleaning and practicing.
- A general manager will conduct monthly unannounced visits to job site for quality control.
- Employees are not allowed to have visitors at the job site at any time.
- Employees must never touch anything on the desks, shelves, countertops etc.
- A mandatory building security class for each employee before they begin work. This is taught in house.
- Emergency protocol is set up for each building with the customer for fire, flood, robbery, etc.
- Police, fire dept., ambulance and all other emergency contact numbers are given to the staff.
- Additional security policies for facilities can be implemented at the request of each customer.

Du-All Cleaning, Inc 35474 Mound Rd Sterling Heights MI 48310 586-580-3617
Du-All Cleaning Inc. Employee Training Program

We are always looking for experienced workers, but each employee will receive the training in the following:

• Customer Service Training
• Security Training
• Safety Training
• Cleaning Techniques for housekeeping, restroom, windows, floors
• At Du-All Cleaning Inc. we have in house specialty crews that are trained for the following
  o Large floors strip & wax
  o Large carpet cleaning
  o Emergency flood cleanup (On call 24hrs per day)
  o Window cleaning at high level
  o Air duct cleaning
  o Chemical products & training is done through Betco Chemical - Spartan Chemical and in house training

• We also train all of our building supervisors in customer service and business communication techniques.
• Du-All Cleaning Inc. can do custom employee training for special tasks that may be needed for a unique facility.
• Our company strives to keep up with the cleaning industry’s latest techniques, chemicals and cleaning equipment. We attend trade shows annually and meet with our vendors on a quarterly basis to receive the latest in industry news.
• All uniforms have a logo and trucks are lettered with the Du-All Cleaning Inc. logo.
THIS AFFIDAVIT SHALL BE SUBMITTED WITH AND MADE A PART OF EACH AND EVERY BID PROPOSAL TO THE CITY OF BERKLEY, MICHIGAN

STATE OF MICHIGAN
COUNTY OF OAKLAND

Mondi Rakaj, President Du-All Cleaning, Inc., BEING DULY SWORN deposes and says that:

1. The bid has been arrived at by the bidder independently and has been submitted without collusion with, and without any agreement, understanding, or planned common course of action with any other vendor of materials, supplies, equipment, or services described in the invitation to bid, designed to limit independent bidding or competition; and

2. The contents of the bid have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid and will not be communicated to any such person prior to the official opening of the bid.

3. The undersigned is duly authorized to execute this affidavit on behalf of the bidder.

Authorized Signature

Mondi Rakaj
Printed Name of Signatory

Du-All Cleaning, Inc.
Company Name

35474 Mound Rd
Address

Sterling Heights, MI 48310
City State Zip Code

(586) 580-3617
Area Code & Phone Number

Please note: City of Berkley employees cannot notarize this document.
REFERENCE 1:

COMPANY NAME: City of Warren  
ADDRESS: 5460 Arden Ave Warren MI 48092  
TELEPHONE:  
CONTACT PERSON: John Grassi  
CONTRACT DATE: Start Date 10/2014  
DESCRIPTION OF WORK: Commercial Building Services, Commercial Cleaning Services

REFERENCE 2:

COMPANY NAME: City of Saint Clair Shores  
ADDRESS: 27600 Jefferson Saint Clair Shores MI 48081  
TELEPHONE:  
CONTACT PERSON: Natalie Turner  
CONTRACT DATE: Start Date February 2019  
DESCRIPTION OF WORK: Commercial Cleaning Services

REFERENCE 3:

COMPANY NAME: City of Roseville  
ADDRESS: 29777 Gratiot Ave Roseville MI 48066  
TELEPHONE:  
CONTACT PERSON: Scott Pruzinsky  
CONTRACT DATE: Start Date May 2017  
DESCRIPTION OF WORK: Commercial Cleaning Services
CITY OF BERKLEY MICHIGAN
JANITORIAL SERVICES
Conflict of Interest Disclosure Form

Date: 04/13/2020

Name: Mondi Rakaj
Title: President, Du-All Cleaning, Inc.

Company: Du-All Cleaning, Inc.
Address: Sterling Heights, MI 48310

35474 Mound Rd

Please describe any relationships, transactions, positions you hold (as owner, director or volunteer of a for profit or nonprofit organization) or other circumstances you believe could contribute to an actual or perceived conflict of interest between the City of Berkley and your personal interest. (Use additional paper if necessary.)

I have the following conflict of interest to report.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

I have the following potential conflict of interest to report.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

I have no circumstances that I believe could contribute to an actual or perceived conflict of interest.

Signature: __________________________

Date: 04/13/2020
PURPOSE:

To the fullest extent permitted by law, the CONTRACTOR expressly agrees to indemnify and hold harmless the City of Berkley (City), its elected and appointed officials, its employees and volunteers and others working on behalf of the City, from and against all loss, cost, expense, damage, liability or claims (whether groundless or not) arising out of bodily injury, sickness or disease (including death resulting at any time there from) which may be sustained or claimed by any person or persons.

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the CONTRACTOR or anyone acting on its behalf in connection with or incident to this agreement.

The CONTRACTOR shall, at its own cost and expense, defend any such claim and any suit, action, or proceeding which may be commenced hereunder. In the event of any suit, action or proceeding, the CONTRACTOR shall pay:

- Any and all judgments which may be recovered.
- Any and all expenses, including, but not limited to, costs, attorneys’ fees and settlement expenses which may be incurred.

The CONTRACTOR shall not be responsible to the City on indemnity for damages caused by or resulting from the City’s sole negligence.

PLEASE PRINT:

CONTRACTOR NAME  
Du-All Cleaning, Inc.

AUTHORIZED REPRESENTATIVE  
Mondi Rakaj, President

SIGNATURE  
Mondi Rakaj

CONTRACTOR ADDRESS  
35474 Mound Rd Sterling Heights, MI 48310

PHONE  
(586) 580-3617

WITNESS  
[Signature]

DATE  
04/13/2020

This form MUST be completed and returned with your proposal.
CITY OF BERKLEY MICHIGAN
JANITORIAL SERVICES
Authorized Representative

The City is seeking a qualified contractor that is conscientious, has integrity and is able to complete the work in a timely manner. Representatives of the selected firm must conduct themselves in an appropriate manner while on City premises.

Mondi Rakaj, President Du-All Cleaning, Inc.

Du-All Cleaning, Inc.

COMPANY NAME
35474 Mound Rd
Sterling Heights, MI 48310

ADDRESS
(586) 580-3617

PHONE NUMBER

Mondi@duallcleaning.com

EMAIL ADDRESS
CITY OF BERKLEY MICHIGAN
JANITORIAL SERVICES
Basis of Award

The City is seeking a qualified contractor that is conscientious, has integrity and is able to complete the work in a timely manner. Representatives of the selected firm must conduct themselves in an appropriate manner while on City premises.

Using the form included, provide the names, and contact information for three references, preferably government agencies, for whom similar services have been provided in the past two years. Failure to provide qualified references may be grounds for disqualification of your bid.

COMPANY EXPERIENCE: How many years has the Company been in business? 18

PRICING PER BUILDING:
Please quote a fixed monthly price for each Building:

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**CERTIFICATE OF LIABILITY INSURANCE**

**DAUL-1**

**DATE (MM/DD/YYYY)**: 02/12/2020

**PRODUCER**

Szauro Insurance Services  
169 E, Fourth St.  
Rochester, MI 48307-2021  
Kevin Gibson  
248-651-4487

**CONTACT NAME**

Kevin Gibson  
PHONE (A.C. No. Ext): 248-651-4487  
FAX (A.C. No.): 248-651-3751

**INSURER(S) AFFORDING COVERAGE**

INSURER A: EMC Insurance Companies  
NAIC # 21415

**INSURED**

Du-All Cleaning, Inc.  
Mondi Rakaj  
35474 Mound Rd.  
Sterling Heights, MI 48310

**CERTIFICATE NUMBER:**

**REVISION NUMBER:**

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**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

**CERTIFICATE HOLDER**

**CANCELLATION**

***SAMPLE CERTIFICATE***

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE**

Kevin Gibson

© 1968-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD
Employee Practices
At Du-All Cleaning Inc. our hiring practices are some of the strictest in the industry. We care who puts on that Du-All uniform and represents our company. More importantly, we care who goes into your business! We don’t hire every person who applies at our company like some competitors do. We have a list of high priority hurdles they must pass to be employed at Du-All before they even start the training process.

1. **Background Check.** This check is not done online, instead we hire a private investigative firm to do a thorough top to bottom background check.

2. **Drug screening done by a board of certified doctors.** Not a test kit from the drug store, this is to assure that this employee prospect is completely free of drugs.

3. **All employees must be uniformed.** Employees must wear Du-All uniforms at all times while working. No jeans or ripped clothing.

4. **Security badge with picture & employee number along with level of position so our customers know who is who at all times.**

5. **All employees must be certified in job safety practices.**

6. **All employees must be certified in several areas of cleaning and practicing the latest techniques.**

---

**List of Services**
- Janitorial Cleaning
- Painting
- Building Supplies
- Truck Mount Carpet Cleaning
- Vinyl Tile Floor Maintenance
- Free Building Analysis
- Parking Lot Sweeping
- Air Duct Cleaning
- Wall Washing
- Power Washing
- Window Washing Int/Ext (no hoist)
- Landscaping & Lawn Maintenance
- Cleaning/Building Supplies
- Epoxy Flooring

---

**EMERGENCY**
**24 HOUR**
**FLOOD CLEANUP**

---

**www.duallcleaning.com**
35474 Mound Rd. | Sterling Heights, MI 48310 | (586) 580-3617 | FAX: (586) 553-9715
CITY OF BERKLEY MICHIGAN
IRAN BUSINESS RELATIONSHIP AFFIDAVIT

All bids, proposals and/or qualification statements received in the State of Michigan must comply with the “Iran Economic Sanctions Act”. The following certification is to be signed and submitted with other required documents included in the request for proposal:

Pursuant to the Michigan Iran Economic Sanctions Act, 2012 P.A. 517, by submitting a bid, proposal or response, the respondent certifies, under civil penalty for false certification, that it is not an “Iran linked business,” as that term is defined in the Act.

Mondi Rakaj
AUTHORIZED SIGNATURE

Du-All Cleaning, Inc.
COMPANY

35474 Mound Rd
ADDRESS

Sterling Heights, MI 48310
ADDRESS

(586) 580-3617
PHONE NUMBER

President, Du-All Cleaning, Inc.
TITLE

04/16/2020
DATE
CITY OF BERKLEY MICHIGAN
JANITORIAL SERVICES
Basis of Award

The City is seeking a qualified contractor that is conscientious, has integrity and is able to complete the work in a timely manner. Representatives of the selected firm must conduct themselves in an appropriate manner while on City premises.

Using the form included, provide the names, and contact information for three references, preferably government agencies, for whom similar services have been provided in the past two years. Failure to provide qualified references may be grounds for disqualification of your bid.

COMPANY EXPERIENCE: How many years has the Company been in business? 18

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Please quote a fixed monthly price for each Building:

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ADJUSTED COST AS OF: MAY 27, 2020
Moved by Councilmember _______________ and seconded by Councilmember _______________ to approve the closure of Griffith Avenue from the Berkley Common building to the intersection at 12 Mile Road from June 2, 2020 to October 1, 2020. The closure is to conduct a Berkley Common Pop-Up event titled, “Uncommon Taco, Tiki, and Street Food.”

Ayes:

Nays:

Motion:
MEMORANDUM

To: Mr. Mayor and Berkley City Council

From: Matt Baumgarten, City Manager
       Erin Schlutow, Community Development Director

Subject: Berkley Common – Outdoor Dining “Uncommon Taco, Tiki, and Street Food”

Date: May 28, 2020

The owners of Berkley Common have submitted a Community Special Event permit application and site plan materials for outdoor dining on Griffith, south of Twelve Mile. The applicants have proposed a taco and tiki bar outdoor dining experience as an extension of the existing Berkley Common restaurant.

The proposal includes the road closure of Griffith from the rear of the commercial building north to Twelve Mile Rd.

The rear alleyway will remain open, as well as a portion of the south side of Griffith, in order to provide pedestrian access from Twelve Mile to the rear parking area. This would serve the public and ease of access for patrons to frequent other Twelve Mile Rd businesses from the rear parking areas. The rear parking area and alleyway would also serve as carry-out pickup areas for the restaurant, so as to avoid the construction and closures on Twelve Mile Rd.

The submitted site plan includes 12 tables, with six (6) chairs each. Two tables are proposed to be on the sidewalk along Berkley Common, north of Griffith, and the other ten (10) tables are proposed to be located on Griffith itself.

The applicant has noted outdoor dining operation hours, Tuesday – Sunday, 12pm – 10pm, to be used summer and fall 2020. The nature of the proposed outdoor dining area does not provide for easy set up and take down or storage options; therefore, the applicant is requesting the outdoor dining area to remain as a permanent area as proposed through the summer and fall seasons.

Food and beverages will be served in the outdoor dining area, serviced from the rear kitchen doorway. Patrons will have access to the restrooms, which will be accessible from a separate doorway from the kitchen. The owners have acknowledged that approvals from the health department will be required, as well as an amendment to their liquor license; both of which they are working to achieve if their proposed outdoor dining area is approved.
The owners of Berkley Common have stated that the tiki bar structure included in the renderings are for hostess area and aesthetic design purposes only, and that alcoholic beverages will not be kept outdoors, with the exception of bottled beverages. They have noted that any outdoor bar type area will not have running water or electricity, wherein a full-scale bar is not possible.

City staff have been working and collaborating with all departments and the City Attorney for most beneficial and efficient ways in which to assist local business owners and relax some of the ordinance regulations related to outdoor dining, sales, demonstrations, etc. The submitted proposal from Berkley Common comes ahead of the larger discussion that we hope to discuss with City Council at the June 15, 2020 meeting.
May 26, 2020

Erin Schultow  
Community Development Director  
City Of Berkley  
3338 Coolidge Hwy.  
Berkley MI 48072

Dear Erin,

Please find attached Berkley Common’s proposed site plan for outdoor seating on Griffith Street for the summer and fall of 2020. We are proposing the following:

• Picnic style tables 6 ft apart adhering to all social distancing guidelines set forth by state and CDC.  
• Secure tenting over the seating. We would like to have a tent with open sides to make sure we have adequate shade and ventilation. We would employ an outside company who specializes in semi-permanent tent structures to install tent.  
• Wood and cement barrier as pictured would be placed around the area to create a perimeter.  
• Planters and TIKI design would add to the outdoor friendly and inviting atmosphere.  
• A host and monitoring stand would be placed at the rear of tent to instruct patrons on seating and direct flow. A hand sanitizer station would be placed at host stand for all customers who enter the space.  
• Proposed hours of operation would be Tuesday through Sunday 12pm-10pm.  
• A special permit would be required from the state to serve alcoholic beverages.  
• Food and drink would be served to outside tables from the kitchen and bar area from the doors located on Griffith Street.  
• Food and drink would be served on disposables and plastic glasses. Ample trash receptacles would be supplied for waste. Berkley Common would be responsible for keeping outdoor area cleaned and sanitized.  
• Bathrooms located inside of building. Enter through side door on Griffith Street directly to bathrooms.  
• Quality of life for close neighbors would be respected and all outdoor activity would be closely monitored by Berkley Common Staff.

Please take our plans under serious consideration as we believe this is the only solid model for the safety and health of our patrons and staff. In addition, we feel this is our best chance of survival due to the immense loss of business we have endured over the last three months. Unfortunately without support from our city, and an alternative outdoor dining plan, we will have to consider closing the business.
We appreciate your time and are happy to answer any questions you may have.

Sincerely,

Kathrine Kutscher
Christine Gross
Terrence Fouts
CITY OF BERKLEY, MICHIGAN
COMMUNITY SPECIAL EVENT APPLICATION

Name of Event: **Berkley Common POPUP** "Uncommon TACOS! TIKKI!
STREET FOOD"

Organization / Contact:
Name of Organization: JLG Hospitality
Contact's Name: Kase Kutscher
Address: 3087 12 Mile
City: Berkley
State/zip: MI 48072
Telephone: 248-677-0795
Fax: 248-658-3301

If event will be on private property owned by someone else, then a letter of permission from the property owner must be submitted with the application.

Event Location:

If the event involves city streets or sidewalks, include a map showing the location.

Event Location: [Site plan submitted]

Dates and Hours of Event:
**Tuesdays - Sundays 12PM - 10PM**

How many employees or volunteers?

12

How will site be secured during off-hours?

Furniture will be gathered and chained together

What type of merchandise will be sold?

Food & Beverage

If you are selling food, include a copy of your receipt from Oakland County Health Department. N/A

Will there be any electricity outside the building (e.g., extension cords, heaters, lights)?

Yes, an electrical inspection by the City will be required after set up and before opening.

Include a Site Plan showing where merchandise will be sold, how pedestrian and vehicular traffic will circulate on the site. [Attached site plan submitted]

What are your plans for setup and removal?

Include the following documents:

☐ Internal Revenue Service tax exempt documentation for the organization.
☐ Organization's financial report for the preceding fiscal year.
☐ Proof of Commercial Liability Coverage on an "occurrence basis", naming the City of Berkley as additional insured, with no less than $1,000,000 per occurrence and/or combined single limit, Personal injury, Bodily injury, and Property Damage.
☐ Liquor Liability, $500,000 per occurrence and $500,000 aggregate. (If applicable)
☐ Special Event Hold Harmless Agreement signed by an authorized representative

By Ordinance, each Community Special Event is limited to a maximum of 7 days.

Applications must be received at least 45 days prior to the event. Events involving the public right of way will require City Council approval. I understand that a representative of the organization will need to attend the City Council meeting. The City will notify me of the meeting date and time.

An application will be denied or an event shut down if complete and accurate information is not provided.

Signature of Applicant: [Signature]

Date: 5/27/20
# APPROVALS

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<td>5/28/20</td>
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<td>Notify SMART, ambulance, and waste collection of any road closures.</td>
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For City Use Only:

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Fee Waived: Yes
City Manager's approval required: MB
City Manager's Signature: Matthew Baumgarten
Date: 5/28/20

IF APPLICABLE:

Motion Number:

Conditions (if any):

Is fee to be reimbursed?
DPS approves with the following stipulations:

- The applicant must provide barricades that will block/stop a vehicle on both sides of the Griffith road closure and be responsible for deploying/removing them and the beginning/end of each event
- The applicant must receive approval from the MLCC to serve alcohol prior to the events (or not serve alcohol)

Upon approval of the City Council, DPS will prepare a TCO.

Thanks.

On Thu, May 28, 2020 at 12:15 PM Victoria Mitchell <vmitchell@berkleymich.net> wrote:
[Quoted text hidden]
Hi Victoria-

Public Works has reviewed the special event application for Berkley Common Pop Up proposed for summer and fall of 2020 on Griffith just south of 12 Mile.

Please find below our comments for your use and distribution to the applicant:

1. As you know, RCOC has a major road project on 12 Mile from Greenfield to Coolidge scheduled to start in early June and last through late fall. A new road surface will be added and there will be sidewalk work along 12 Mile and the side streets. While its not clear when the construction activities will begin in around Griffith, the applicant shall be aware that there will be timeframes that Griffith will need to be open to traffic to facilitate this project. RCOC will be milling and paving on Griffith near 12 Mile and will also be doing sidewalk work directly adjacent to Berkley Common. The applicant can get more information on the construction project by visiting the RCOC website www.rcocweb.org - click on the "Road Projects" button in the middle of the home page and then select "12 Mile (Greenfield to Coolidge)".

2. The application notes this is an extended event throughout the summer and fall months of 2020, Tuesday through Sunday from 12 PM to 10 PM. It is not clear if the actual road closure would also follow these days and hours or if it would be in place 24-7? Additionally, it is not clear if the applicant will be providing the traffic control devices or what City resources are requested?

Attached for reference is a traffic control plan for Robina that was designed and implemented a few years ago. These plans are developed by a professional engineer in accordance with state regulations for proper signage related to an extended public road closure. Similar plans would need to be developed for Griffith with signs made, placed and maintained.

3. We recommend the applicant provide written notification to the businesses and residents in the immediate area, especially given this is a new event for 2020.

4. The application shall be signed/dated and a Hold Harmless Agreement provided.

5. Public Safety will need to produce a Temporary Traffic Control (TCO) for the event.

Thank you.

---

Derrick L. Schueller
Director of Public Works
City of Berkley
3238 Bacon Ave.
Berkley, Michigan 48072
248.658.3499 direct
SPECIALSEVENHOLDHARMLESSAGREEMENT

This Special Event Hold Harmless Agreement ("Agreement") is made and entered into this ___29th___ day of May, 2020, by JLG HOSPITALITY LLC, a Michigan limited liability company, doing business as "THE BERKLEY COMMON" ("The BC"), whose address is 3087 Twelve Mile Road. Berkley, Michigan 48072.

RECATALS:

A. The BC is a bar/restaurant located at 3087 Twelve Mile Road. Berkley, Michigan 48072 (the "Business Location").

B. The BC is submitting a Community Special Event Application (the "Application") to the City of Berkley (City Clerk’s Office), located at 3338 Coolidge Highway. Berkley, Michigan 48072 (the "City"). The purpose of the Application is for The BC to be able to provide outdoor seating and food/beverage service to its customers at the Business Location from Tuesdays through Sundays from 12:00 pm to 10:00 pm (EST).

C. The name of the event for such outdoor seating and service, as designated by The BC in its Application, is "Berkley Common Pop Up, ‘Uncommon Taco, Tiki, Street Food’" (the "Event").

D. In connection with the submission of the Application to the City, the City requires that The BC execute and deliver this Agreement, in which The BC agrees to hold the City harmless from any liability in connection with the holding of the Event. The BC has agreed to hold the City harmless, all in accordance with the terms set forth herein.

NOW, THEREFORE, in consideration of the covenants and agreement hereby set forth. The BC, intending to be legally bound, hereby agrees to the following, all for the benefit of the City:

1. **Hold Harmless.** The BC shall hold harmless the City, its employees, elected officials and agents, from and against any and all liability, claims, actions, and damages for all negligence arising out of or in any way related to the Event.
2. **Miscellaneous.** This Agreement: (a) shall be binding upon The BC, its successors and assigns; (b) may only be amended in writing and signed by The BC; and (c) represents the entire Agreement herein.

This Agreement is executed by an authorized representative of The BC on the day and date set forth in the introductory paragraph above.

"THE BC"

**JLG HOSPITALITY.**

a Michigan limited liability company,

doing business as "The Berkley Common"

By: [Signature]

Its: Manager and Authorized Representative
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CON芙ERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
The Whims Insurance Agency
322 Main Street
Suite 200
Rochester
MI 48307

INSURED
JLG Hospitality LLC
The Berkley Common
3087 W12 Ml/a Rd
Berkley
MI 48072

INSCRIBER(S) AFFORDING COVERAGE
INSCRIBER A: Fremont Insurance
NAIC #: 13994

COVERAGE

CERTIFICATE NUMBER: CL2052724376
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

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COVERAGE

CERTIFICATE HOLDER
The City of Berkley
3338 Coolidge Hwy
Berkley
MI 48072

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.
June 1, 2020 City Council Meeting

Moved by Councilmember ___________________________ and seconded by Councilmember ___________________________ to approve the one-year contract extension of the 2015-2018 bargaining agreement between the City of Berkley and the Berkley Public Safety Command Officers Association (BPSCOA).

Ayes:

Nays:

Motion:
Collective Bargaining Agreement One Year Extension

The City of Berkley (hereinafter, “City”) and the Police Officers Labor Council Command Officers Association, (hereinafter, “Union”) are parties to a Collective Bargaining Agreement which expires June 30, 2020;

WHEREAS; Presently the City and the Union are parties to a Collective Bargaining Agreement for the period of July 1, 2015 - June 30, 2020;

WHEREAS; The Parties wish to extend the terms and conditions of the Collective Bargaining Agreement for an additional one-year period;

WHEREAS; The provisions of the Collective Bargaining Agreement shall remain unchanged except for as specified below.

NOW THEREFORE, the Parties agree as follows:

1. The current Collective Bargaining Agreement shall be extended for a period of one (1) year, which shall now expire on June 30, 2021.

2. The City shall opt-out of Employee Premium sharing as defined in State of Michigan PA 152 and as outlined in section 1906.2 of the Agreement between the parties.

3. All members of the Union shall receive a 2% pay raise effective July 1, 2020 and a one time signing bonus of $500.00.

4. The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force and carry over until the expiration date contained in this Extension Agreement and this Extension agreement is conditioned upon the acceptance by the Patrol Officers Association.

City of Berkley

By: Date:

By: Date:

By: Date:

Police Officers Labor Council COA

By: Date: 4/21/2020

By: Date: 4/21/2020

By: Date: 4/21/2020

By: Date: 4/21/2020
Moved by Councilmember ____________________________ and seconded by Councilmember ____________________________ to approve the one-year contract extension of the 2015-2018 bargaining agreement between the City of Berkley and the Berkley Public Safety Officers Association (BPSOA).

Ayes:

Nays:

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Collective Bargaining Agreement One Year Extension

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3. All members of the Union shall receive a 2% pay increase effective July 1, 2020 and a one time signing bonus of $500.00 which shall be payable upon ratification.

4. The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force and carry over until the expiration date contained in this Extension Agreement and this Extension agreement is conditioned upon the acceptance by the Command Officers Association.

FOR THE ASSOCIATION:
BERKLEY PUBLIC SAFETY OFFICERS ASSOCIATION

Robert Beatty, BPSOA President

Daniel Schewe, BPSOA Vice President

Steven Mueller, BPSOA Treasurer

FOR THE CITY:
CITY OF BERKLEY, MICHIGAN

Daniel Terbrack, Mayor

Matthew C. Baumgarten, City Manager

Duane Smith, Field Representative
Police Officers Labor Council
Collective Bargaining Agreement One Year Extension

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WHEREAS: The provisions of the Collective Bargaining Agreement shall remain unchanged except for as specified below.

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3. All members of the Union shall receive a 2% pay increase effective July 1, 2020 and a one time signing bonus of $500.00 which shall be payable upon ratification.

4. The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force and carry over until the expiration date contained in this Extension Agreement and this Extension agreement is conditioned upon the acceptance by the Command Officers Association.

FOR THE ASSOCIATION:
BERKLEY PUBLIC SAFETY OFFICERS ASSOCIATION

Daniel Terbrack, Mayor

Matthew C. Raumgarten, City Manager

Duane Smith, Field Representative
Police Officers Labor Council

FOR THE CITY:
CITY OF BERKLEY, MICHIGAN

John Staran, City Attorney
June 1, 2020 City Council Meeting

Moved by Councilmember ________ and seconded by Councilmember ________ to appoint the Public Works Director, Derrick Schueller, as the City of Berkley's representative and City Manager, Matthew Baumgarten as the alternate representative to the Southeastern Oakland County Resource Recovery Authority (SOCRRA) Board of Trustees for the fiscal year beginning July 1, 2020; and instruct the City Clerk to send a copy of this motion to the SOCRRA Board.

Ayes:

Nays:

Motion:

I, Victoria Mitchell, being duly appointed City Clerk of the City of Berkley; hereby certify that this is a true and correct copy of Motion No. M-28-20, which was approved by the Berkley City Council at its regular meeting held on Monday, June 1, 2020.

Victoria Mitchell, City Clerk
June 1, 2020 City Council Meeting

Moved by Councilmember ____________________________ and seconded by Councilmember ____________________________ to appoint the Public Works Director, Derrick Schueller, as the City of Berkley's representative and City Manager, Matthew Baumgarten as the alternate representative to the Southeastern Oakland County Water Authority (SOCWA) Board of Trustees for the fiscal year beginning July 1, 2020; and instruct the City Clerk to send a copy of this motion to the SOCWA Board.

Ayes:

Nays:

Motion:

I, Victoria Mitchell, being duly appointed City Clerk of the City of Berkley; hereby certify that this is a true and correct copy of Motion No. M-29-20, which was approved by the Berkley City Council at its regular meeting held on Monday, June 1, 2020.

________________________________________
Victoria Mitchell, City Clerk
June 1, 2020 City Council Meeting

Moved by Councilmember _______________ and seconded by Councilmember _______________ to appoint the Chief Innovation Officer, Stan Lisica, as the City of Berkley’s representative and City Manager, Matthew Baumgarten as the alternate representative to the Intergovernmental Cable Communications Authority (ICCA) Board for the fiscal year beginning July 1, 2020; and instruct the City Clerk to send a copy of this motion to the ICCA Board.

Ayes:
Nays:
Motion:

I, Victoria Mitchell, being duly appointed City Clerk of the City of Berkley; hereby certify that this is a true and correct copy of Motion No. M-30-20, which was approved by the Berkley City Council at its regular meeting held on Monday, June 1, 2020.

______________________________
Victoria Mitchell, City Clerk
June 1, 2020 City Council Meeting

Moved by Councilmember ___________________________ and seconded by Councilmember ___________________________ to appoint the Community Engagement Officer, Torri Mathes, as the City of Berkley’s representative to the Community Media Network Public Access TV (CMNtv) Board of Trustees for the fiscal year beginning July 1, 2020; and to instruct the City Clerk to send a copy of this motion to the CMNtv Board.

Ayes:

Nays:

Motion:

I, Victoria Mitchell, being duly appointed City Clerk of the City of Berkley; hereby certify that this is a true and correct copy of Motion No. M-31-20, which was approved by the Berkley City Council at its regular meeting held on Monday, June 1, 2020.

______________________________
Victoria Mitchell, City Clerk