

CITY OF BERKLEY PUBLIC NOTICE
REGULAR CITY COUNCIL MEETING
Monday, April 4, 2022
7:00 P.M. – City Hall
248-658-3300

CALL 39th COUNCIL TO ORDER
APPROVAL OF AGENDA
INVOCATION – PASTOR ADAM GROH
PLEDGE OF ALLEGIANCE
PUBLIC COMMENT
ORDER OF BUSINESS

Consent Agenda

1. **APPROVAL OF THE MINUTES:** Matter of [approving the minutes](#) of the 39th Regular City Council meeting on Monday, March 21, 2022.
2. **PROCLAMATION NO. P-08-22:** Matter of [proclaiming and recognizing](#) the volunteers of the City of Berkley and declaring the week of Sunday, April 17–Saturday, April 23, 2022 as Volunteer Week.

Regular Agenda

1. **RECOGNITIONS/PRESENTATIONS:** Matter of any recognitions or presentations from the Consent Agenda.
2. **MOTION NO. M-36-22:** Matter of [authorizing the Knights of Columbus](#), 2299 W. Twelve Mile Road, Berkley, Michigan, to conduct a Tootsie Roll Drive in the City of Berkley from Friday, April 8th through Sunday, April 10th from 8 a.m. to 7 p.m. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.
3. **MOTION NO. M-37-22:** Motion to [approve the appointments](#) to various boards and commissions.
4. **RESOLUTION NO. R-04-22:** Matter of [authorizing publication](#) of a notice of public hearing to be held on April 18, 2022 regarding reprogramming of certain 2020 and 2021 Program Year Community Development Block Grant Funds.

COMMUNICATIONS

ADJOURN

Note: The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, 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).

Note: Official minutes of City Council Meetings and supporting documents for Council packets are available for public review in the City Clerk's Office during normal working hours. Anyone wishing to submit correspondence for the meeting may send an email to clerk@berkleymich.net or call 248-658-3310 by 5 p.m. on the day of the meeting.

**THE REGULAR MEETING OF THE THIRTY-NINTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN
WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, MARCH 21, 2022 BY MAYOR TERBRACK**

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

APPROVAL OF AGENDA

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

INVOCATION: Pastor Zack Dunlap

PUBLIC COMMENT

Sen. Marshall Bullock, Fourth District, introduced himself and stated due to the new Independent Redistricting Committee, where he lives now, will encompass a great deal of Detroit up to Birmingham, including Berkley. He listed out the numerous Committees he chairs and sits on including the Marihuana Regulatory Agency & Racial Equity. He said his prior background is working in Detroit Mayor Duggan's Office for six years. He stated whatever he can do to help the City moving forward, whether he is Berkley's representative or not, he would appreciate that relationship to make sure he can get things done in Lansing.

Gary Leitner, Berkley, stated he is in attendance to discuss the Kenmore/Cornwall water main and pavement project. He distributed a letter to Council that he received from the City Clerk in response to a FOIA request dated Feb. 22nd. He said the information received on March 15th was missing one of the larger items he asked for and the distributed letter stated the information does not exist. He said the specific safety report asked for was referenced in a town-hall-style Zoom meeting. He stated that he felt this report was a large basis of the discussion surrounding emergency vehicles and parking on one side of the road. He said residents would like to park on both sides of the road as it has been. He said another item referred to during the Zoom meeting was arborist reports. He said he would like to see that information as well. He said the City said there would be another Zoom meeting and he would like to know when that would happen. He read other questions he has regarding this project including who made all of the decisions. He read letters into the record from the following residents:

1. Linda & Joe Long, Berkley, expressed concern regarding the Kenmore/Cornwall project. They stated they have lived in their home for many years and take pride in their property. They stated they have a large family and have the following concerns:
 - a. Driveways are not long and limiting parking to the east side won't provide enough parking.
 - b. There won't be enough parking during city festivals and events like Woodward Dream Cruise.
 - c. Where would they put all of the leaves in the fall since they live on the east side which would be designated for parking? Also, if people park on top of their raked leaves, that would be a fire hazard.

They asked why the first block of Kenmore/Cornwall is the only portion impacted and not all of Kenmore? They said if some trees need to come down, they are ok with that because they know

new ones will be planted. They stated they want parking on both sides of the street as it has been for the 43 years they have lived there.

2. Aliehs Zepke, Berkley, stated she is opposed to reducing the parking by 50 percent. She stated if the threshold for parking on both sides of the street is 25 feet, then let's be exempt from that by adding 6 inches to our street. She stated it does not have to be one or the other in regards to trees and parking. She said they could still be known as St. John Woods with patience and long-term vision. She stated reducing the parking by 50 percent has several negative impacts including asking residents to live differently in their daily lives and impacting future potential growth as families are looking for wide open streets. She stated new trees can be planted. She reiterated her message regarding the importance of available on-street parking in front of their homes. She stated the project also presents a safety concern for neighborhood children. She stated city employees have done a lot to make this a great community and she would like to see everyone working together to protect certain rights.

Ryan Duffy, Berkley, stated he is here to speak regarding the lessening of the street width. He stated he would like to have a better explanation regarding this city-wide initiative including how it was determined, who determined it, and what creates the need for this new safety width. He stated there seems to be little information regarding project specifications. He stated another consideration is because we are going to be the first in Berkley for this project, we should poll every street that could be impacted by this decision and possibly see a lot more resistance. He stated to look at New York or Chicago where parking is at a premium. He stated there is a lot of value with being able to put a couple of cars on the street in front of you. He said parking around the block isn't going to make life convenient. He read a letter into the record from the following resident:

1. Michele Ash, Berkley, asked if this project would get rid of the flooding in the street without pushing water into our basements? She stated the rains we have create water that go up to many of the porches and the ground is clay. She stated that she feels reducing the street size will not help. She said realtors in her family have said that parking on one side of the street is not good for resale value. She stated there could be a fight to get street parking for some. She stated she is worried about room for her son to ride his bike to school safely. She asked where she would put her leaves after raking them? She stated cars parking on leaves is a fire hazard. She stated she is not against trees, but said she thought we were supposed to mix the ages of the trees anyhow. She stated she does not agree that saving trees that are too close to the street is worth giving up parking, safety, and the value of her property. She asked about the impact when delivery trucks double park and if there will be digging down to her connection along with bonding concerns.

Mr. Duffy said one other concern he has is the people who cut-through to avoid the Coolidge and 12 Mile light. He said he has two young daughters and is worried they will run out into the street. He thinks parking on one side encourages speeding.

Michael McGuinness, Downtown Development Authority Executive Director, invited everyone to participate in some downtown initiatives now through the end of March including participating in the Downtown Leprechaun Scavenger Hunt, exploring the downtown leprechaun fairy doors, and winning literal pots of gold and gift certificates thanks to Zalman's Treasures. He stated the DDA partnered with Berkley Public Library in offering the Leprechaun Story Stroll. He stated this event was inspired by the successful Parks & Recreation Tail on the Trail. He stated there will be multiple stops on 12 Mile Road and Coolidge Highway and free coloring books and crayons at Vibe Credit Union. He stated the first Ladies Night Out event of the season will take place on Thursday, April 7th. For more information, visit downtownberkley.com.

City Clerk Victoria Mitchell read the following two emails:

1. Paul Jordan, Berkley, stated he believes the three-minute rule for public comment should apply to all agenda items at every meeting. He also stated he does not favor increasing the number of

marihuana licenses from three to five. He stated Council already adopted an ordinance that addressed ties. He asked councilmembers to vote “no” on O-02-22.

2. Amy Keely, Berkley, stated she does not want more marihuana dispensaries and big foots.

Consent Agenda

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

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 39th Regular City Council meeting on Monday, March 7, 2022.

WARRANT: Matter of approving Warrant No. 1372.

PROCLAMATION NO. P-04-22: Matter of proclaiming April 2022 as Child Abuse Prevention and Awareness Month.

PROCLAMATION NO. P-05-22: Matter of proclaiming April 2022 as Sexual Assault Awareness Month.

PROCLAMATION NO. P-06-22: Matter of proclaiming April 2022 as Autism Awareness Month.

PROCLAMATION NO. P-07-22: Matter of proclaiming April 2022 as Fair Housing Month.

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

Nays: None

Motion Approved.

Regular Agenda

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

1. Councilmember Vilani read into the record P-04-22 in its entirety.
2. Mayor Pro Tem Dean read into the record P-05-22 in its entirety.
3. Councilmember Hennen read into the record P-06-22 in its entirety.
4. Councilmember Price read into the record P-07-22 in its entirety.

MOTION NO. M-30-22: Matter of approving the “Berkley Art Bash” event on Saturday, June 11, 2022 from 10 a.m.-6 p.m. on 12 Mile Road for the Berkley Area Chamber of Commerce, P.O. Box 72-1253. Approval is conditional upon the submission of required items and documents prior to event dates. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.

Councilmember Hennen moved to approve Motion No. M-30-22

Seconded by Councilmember Price

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

Nays: None

Motion Approved.

MOTION NO. M-31-22: Matter of approving the “Berkley Street Art Fest” event on Saturday, July 16, 2022 from 11 a.m.-5 p.m. on Coolidge Highway, between Catalpa and Beverly, for the Berkley Area Chamber of Commerce, P.O. Box 72-1253. Approval is conditional upon the submission of required

items and documents prior to event dates. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.

Councilmember Baker moved to approve Motion No. M-31-22

Seconded by Mayor Pro Tem Dean

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

Nays: None

Motion Approved.

MOTION NO. M-32-22: Matter of approving the purchase and installation of a Water System Fixed Network Gateway at a total cost of \$59,381.48 from Ferguson Waterworks of Warren, Michigan.

Councilmember Gavin moved to approve Motion No. M-32-22

Seconded by Councilmember Hennen

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

Nays: None

Motion Approved.

MOTION NO. M-33-22: Matter of approving the purchase of a 2,350-gal Anti-Ice Tank Assembly and Skid at a total cost of \$32,735 from Truck & Trailer Specialties, Inc. utilizing the MITN Cooperative Bid Contract.

Councilmember Vilani moved to approve Motion No. M-33-22

Seconded by Councilmember Hennen

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

Nays: None

Motion Approved.

MOTION NO. M-34-22: Matter of authorizing the Mayor to execute a third party Specialized Services Operating Assistance contract between SMART and the City of Berkley for public transportation services primarily designed for senior citizens and persons with disabilities. The contract period for this program is from October 1, 2021 to September 30, 2022.

Mayor Pro Tem Dean moved to approve Motion No. M-34-22

Seconded by Councilmember Price

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

Nays: None

Motion Approved.

RESOLUTION NO. R-03-22: Matter of approving a Resolution of the Council of the City of Berkley, Michigan establishing an 'Ad Hoc Woodward Dream Cruise Committee' coordinating the 2022 Cruisfest events for the City of Berkley.

Councilmember Baker moved to approve Resolution No. R-03-22

Seconded by Councilmember Gavin

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

Nays: None

Motion Approved.

Public Comment for O-02-22:

Bill Scarmeas, 1878 Rosemont, stated he backs to a proposed facility. He thinks we should stick exactly to the approved licensing and to the original parameters. He said he saw in past meetings that there is concern that if we increase to five that could give us a dubious distinction of having more licenses than other communities of similar size and demographics. He said he doesn't believe that is good optics for the community. He read from a letter that he submitted to Council regarding the concern he has regarding the zoning of Lume, which he said could be 500 feet from his home and within 500 feet from an established early learning center, KinderCare. He stated he and his wife both object to the proposed Lume dispensary on 12 Mile Road. He said they encourage City Council and the Planning Commission not to approve Lume

Dispensary. He said the couple, and some of their neighbors, is concerned about property values and safety. He said it struck him after looking at the city's ordinance that it is silent on the issue of dispensaries being close to Pre-K centers. He stated his concerns regarding this issue, including there is a fine line of differentiation between a 5- and 6-year-old. He said the state being silent on this matter is something he will contact state legislators about, but the city being silent, that is something else. He referred to an article citing a survey conducted by CS Mott Children's Hospital that he previously sent to Council. He said this study had mass appeal and was well referenced by news organizations. He said the bottom line is that a majority of parents want a say-so in where provisioning centers/dispensaries are located. He said the main concerns are the safety and potential intoxication of those that are on marijuana around our children. He discussed the red zones that are around K-12 schools. He shared some other items that were presented like crime, violence and cash businesses. He stated the presence of having a Schedule 1 narcotic that the federal government doesn't acknowledge the monetary value of and still considers illegal is a nonstarter for him. He asked Council to think outside the box a little bit. He discussed THC and recalls. He cited a study stating 56 percent of people using medical marijuana admitted to driving high. He said he loves Berkley. He said he hasn't been to a city council meeting in 30 years. He asked Council to think about the studies he presented and all of the ramifications. He asked Council to please vote "no" on the Lume Dispensary on 12 Mile Road.

James Campbell, 1591 Catalpa, said he made his position clear at the last meeting so he won't beat a dead horse. He said he's also not going to fight back against what seems to be a foregone conclusion. He said an article in the "Woodward Talk" piqued his curiosity enough to listen to the council playback online. He said it ticked him off when the attorney from Attitude Wellness threatened the city with a lawsuit. He said he understands from the vote during the first reading where this is going to go. He said Attitude Wellness has now laid bare its strategy on how it is going to deal with the City of Berkley. He cautioned city leaders that when dealing with this organization, it has to go by the book. He said they need to caution the Planning Commission to go by the book or there will be more lawsuits. He said these guys have gotten their way through threats. He said everyone is worn out by marijuana, including government at every level. He said as a CPA, he can say that the tax court doesn't want to hear another marijuana case. He said he would be interested to hear commentary from the MML on how this matter has worn the citizenry and government down. He said they got their way.

Mayor Terbrack clarified that no licenses are being granted this evening. He said as mentioned previously, that process will be followed up by the Planning Commission. He said they are looking at the ordinance today in relation to increasing the cap from three to five as discussed and outlined by the city manager and city attorney.

Councilmember Hennen said if the goal is going from three to five is to avoid litigation, he just really isn't sure how it's going to help. He said they just heard a pretty convincing argument that if these folks don't get their way during any step in the process, they will probably go after us guns a-blazing. He said the City is already at five lawsuits, which is up one from the last time they were here. He stated if any of the five lawsuits prevail, they could very well end up with a tie again, requiring a tie-breaker and making this entire exercise fruitless and counter-productive. He said he wants to emphasize that this is brand new to all of us and for example, it is crystal clear already the parking requirements we have are wrong. He said several of these sites that's going to push parking into the neighborhoods. He said we don't know yet what other things we have gotten wrong, but once we grant these licenses, the parking problems could last literally forever. He said he would rather that Council figures it out at three sites rather than unnecessarily expanding the problem to five sites otherwise we are headed down the path of

another Vinsetta Garage situation where we cause an undue burden on our residential neighborhoods. He said he sees increasing the number of licenses as bad policy that is going to have negative impacts on our residents, probably not going to solve the problems we are trying to avoid, and it's just rolling over to legal bullying. He said he would love to hear from everybody that supports increasing to five licenses what their reasoning and rationale for supporting that is.

ORDINANCE NO. O-02-22: Matter of considering the Second Reading and Adoption of an Ordinance of the City Council of the City of Berkley, Michigan to Amend Section 30-807 of Article XV of Chapter 30, Marihuana Businesses, to increase the License Limit and to Modify Penalties.

Councilmember Price moved to approve Ordinance No. O-02-22

Seconded by Mayor Pro Tem Dean

Ayes: Price, Vilani, Dean, and Terbrack

Nays: Hennen, Baker, and Gavin

Motion Approved.

MOTION NO. M-35-22: Matter of authorizing the amendment of the 2021-22 Budget as presented.

Mayor Pro Tem Dean moved to approve Motion No. M-35-22

Seconded by Councilmember Vilani

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

Nays: None

Motion Approved.

COMMUNICATIONS

COUNCILMEMBER VILANI: stated her updates are brief since many of her items were covered earlier. She said from the Berkley Area Chamber of Commerce - Art Bash is back in June. She said it will take place on Saturday, June 11th from 10 a.m.–6 p.m. on 12 Mile Road. She stated they are accepting applications for artists, food vendors, and sponsors and anyone interested may visit berkleyartbash.com to apply. She stated the Berkley Street Art Fest will take place on July 16th from 11 a.m.– 5 p.m. on Coolidge between Catalpa and Beverly. She said they are accepting applications for shop-for-good vendors, sponsors, and food vendors. She said to visit berkleystreetartfest.com for more information.

COUNCILMEMBER GAVIN: stated there has not been a Planning Commission meeting since the last Council meeting. He said the next Planning Commission meeting will take place on March 22nd at 7 p.m. in the council chambers. He stated the next Environmental Advisory Committee meeting will take place on April 21st at 6:30 p.m. on the second floor of the public safety building. Councilmember Gavin congratulated former councilmember Jack Blanchard for doing a great job of presenting at the Michigan Municipal League on Emergency Preparedness. He also congratulated Councilmembers Hennen and Price and Mayor Pro Tem Dean for completing their differing levels of the elected official's academy. He said he enjoyed being able to attend the conference again as well as moderating one of the sessions.

MAYOR PRO TEM DEAN: talked about the Michigan Municipal League (MML) Conference and how Council attended as a whole. She explained how the conference is an opportunity for elected officials throughout the state to gather, exchange ideas, and network. She said one of the highlights was seeing former Councilmember Jack Blanchard as one of the presenters. She said his presentation was about Emergency Management Training for Local Government. She discussed how even though Mr. Blanchard is not on Council anymore, he continues to serve the City well in a professional manner and how lucky they are to have a resident like him. She thanked Mr. Blanchard for giving his time and talent to the City of Berkley. Mayor Pro Tem Dean discussed the updates going on at Jaycee Park. She said as mentioned earlier in one of the proclamations about equity and accessibility, the updates to the park will do just that. She said Jaycee Park was accepted into the Public Spaces Community Places Program. She explained that it is a place making initiative from the Michigan Economic Development Corporation (MEDC). She

stated the City of Berkley has until Monday, May 9th to raise \$50,000 and mentioned that anyone may donate by visiting patronicity.com/jayceepark. She said the MEDC will match up to \$50,000 of funding. She said this is a critical piece of funding for the park so that there will be more inclusivity so more kids can use the park. She emphasized how important it is that residents get behind this project since it will truly be a benefit to all. Mayor Pro Tem Dean talked about the next senior event which is the Senior Hoping into Spring Bingo event on April 20th at noon. She said those interested may sign up at the Community Center or call (248) 658-3470. She said registration for spring and summer programming continues online and to check the Berkley Buzz for more information. Mayor Pro Tem Dean offered a shout out to Parks and Recreation Director Theresa McArleton and her team, as well as Community Engagement Officer Torri Mathes, for elevating the Berkley Buzz and making it more user-friendly, a nicer publication, and really putting Berkley in its best light.

COUNCILMEMBER BAKER: stated the Historical Committee encourages everyone to continue celebrating that it was 90 years ago this month that Berkley made the transition from a village to a city. He said the Historical Museum will be opening a special display on April 1st featuring the Holland Hardware Fire of 1978 on 12 Mile Road. He said it was the biggest fire in Berkley history. He said everyone that stops in will receive a free gift including children who will receive a junior fire chief helmet. He stated the new edition of the quarterly museum newsletter is available by visiting the Historical Museum's website and at the Historical Museum, City Hall, and the library. He said the hours for the Berkley Historical Museum are Wednesdays from 10 a.m. to 1 p.m. and Sundays from 2 p.m. to 4 p.m. He encourages everyone to visit online at berkleyhistory.com. Councilmember Baker said the Downtown Development Authority (DDA) last met on March 9th. He said some of the items discussed during that meeting included façade grants, additional mural opportunities, and crosswalk enhancements with a particular focus on Coolidge. He talked about March downtown events such as the Leprechaun Scavenger Hunt running March 9th– 31st and the Leprechaun Story Stroll running March 17th– 31st. He said to visit downtownberkley.com for more information. Councilmember Baker quoted current Energy Secretary and former Michigan Governor Jennifer Granholm, "America needs to be able to be energy-independent, and the electric vehicle, and the battery technology is one way of getting there." He talked about attending the Michigan Municipal League conference and specifically talked about one of the sessions he attended discussing providing electric vehicle charging infrastructure at the municipal level. He said Council is beginning to look at electric vehicle infrastructure opportunities within the City. He asked everyone to please stay safe and hug someone they love.

COUNCILMEMBER PRICE: talked about how she also had the opportunity to attend the Michigan Municipal League Capital Conference in Lansing. Some of the highlights she mentioned included learning more about municipal emergency management from former Councilmember Jack Blanchard, networking with councilmembers from other communities, and learning best practices for lobbying leaders in Lansing so the City can get the resources it needs to support the infrastructure and essential services for its residents. She discussed sitting down to breakfast with Berkley's State Rep. Regina Weiss who also serves on the State's Appropriations Committee. She mentioned how they shared their priorities for the State's budget with Berkley in mind. She said since Representative Weiss is a former City of Oak Park councilmember, she understands what cities need from Lansing. Councilmember Price said she is grateful to have someone like her advocating on the City's behalf. Councilmember Price expressed her appreciation for all of the volunteers that bring events into the City like Berkley Days, Berkley Art Bash, Berkley Street Art Fest, and Berkley Cruise Fest. She said if anyone is looking for more volunteers to join their organization, they may reach out to the Citizens Engagement Advisory Committee (CEAC) through its Berkley Community Resources Facebook Group.

COUNCILMEMBER HENNEN: stated the Zoning Board of Appeals (ZBA) met to consider two dimensional variances to replace an existing home. He said Board members approved the smaller on one side, but denied the larger request on the other side. He said the ZBA will meet in April for a sign variance at the House of Renew on Woodward Avenue near 12 Mile Road. Councilmember Hennen said he

recently attended a workshop from the Michigan Association of Planners on Managing Risk: Making Sound Planning and Zoning Decisions. He said he learned a lot, saw the things the City is doing well, and saw the things the City could improve as well as some very recent appellate court cases that we need to be monitoring. Councilmember Hennen said he was also at the Michigan Municipal League conference and everything he wanted to say was said that evening. He congratulated now retired Public Safety Officer Greg Betts. He said he was able to attend his retirement along with Councilmember Price and City Manager Baumgarten. He said after 25 years of service to the City of Berkley, it is clear that he is well accomplished and well loved and will be missed in Berkley.

CITY MANAGER BAUMGARTEN: said he also wanted to put out a note on the Michigan Municipal League (MML) conference. He said it is a state-wide gathering of elected officials everywhere from Monroe to Iron Mountain. He said the fact that Berkley had all of its councilmembers there is impressive and rare. He said he hopes people at home know that the roles councilmembers serve are not only in this room, but also include efficacy across the state and interacting with neighbors all while holding down fulltime jobs. He stated he was impressed and was able to impress others as he bragged on his Council's level of commitment. He said kudos to them all. He said it was a great event and great to be back in person. He said he came back with a notebook full of items that he wants to work into the day-to-day operations in the team he leads at City Hall. He said he is incredibly grateful to the Michigan Municipal League.

ATTORNEY CHRIST: stated the U.S. Treasury Department finalized its rule effective April 1, 2020 with respect to the Coronavirus state and local recovery funds which will be coming to communities across the state as provided under the American Rescue Plan. He said it will be effective April 1st.

MAYOR TERBRACK: thanked his colleagues and the city manager regarding the Michigan Municipal League (MML) conference. He said you see a lot of folks at the Capital Conference that have one or two people from communities, but Berkley's reputation is significant, not only because of the involvement of many of his colleagues and their certification levels, but also as moderators. He said he can guarantee now that the City of Berkley is the leader in the State in Emergency Management. He said anytime anyone has a question, they are going to look to Berkley and former Councilmember Jack Blanchard. He said Mr. Blanchard wanted to do that because of how important it is to him and he wants to make sure other communities understand all of the intricacies. He said the Emergency Management session will continue. He said the way Berkley is known for its commitment, involvement, and activity in the MML is certainly commendable. He thanked his colleagues for putting in time that takes away from other responsibilities to learn, ask questions, and interact with other folks in similar situations. He said he appreciates being able to get feedback and guidance from the MML and for all that the League does. Mayor Terbrack said everything else he was planning to say was already mentioned. He thanked former Public Safety Officer Greg Betts on his retirement from the community and stated Council will have another opportunity to thank him.

ADJOURNMENT

Councilmember Hennen moved to adjourn the Regular Meeting at 8:53 p.m.

Seconded by Mayor Pro Tem Dean

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

Nays: None

Motion Approved.

A PROCLAMATION
of the Council of the City of Berkley, Michigan
Recognizing the Volunteers of the City of Berkley and
Declaring the week of Sunday, April 17 – Saturday, April 23, 2022
as Volunteer Week

- WHEREAS,** Throughout the history of the United States, the State of Michigan, and right here in the City of Berkley, citizens have actively volunteered their time, talent, and energy to improve the community; and
- WHEREAS,** Volunteers in Berkley enhance the quality of life of others by volunteering with service organizations, in schools, places of worship, hospitals, youth groups, as members of community boards, and with other organizations that benefit our community; and
- WHEREAS,** Volunteer service has been needed more than ever since the onset of the COVID-19 pandemic, with many individuals stepping up to assist others in need; and
- WHEREAS,** The spirit of volunteerism grows stronger in the face of even the most challenging situations; and
- WHEREAS,** National Volunteer Week was established 48 years ago in 1974 by President Nixon, as a special time to recognize the amazing contributions of volunteers.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF BERKLEY HEREBY PROCLAIMS

- SECTION 1:** That the week of Sunday, April 17 – Saturday, April 23, 2022, shall be recognized as *Volunteer Week* in the City of Berkley.
- SECTION 2:** The Council of the City of Berkley extends immense gratitude to the many Berkley volunteers that devote countless hours each year to enhance and uplift our entire community.

Proclaimed this 4th day of April 2022 at a Regular Meeting of the Berkley City Council.

Attest:

Daniel J. Terbrack, Mayor

Victoria Mitchell, City Clerk

April 4, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to authorize the Knights of Columbus, 2299 W. Twelve Mile Road, Berkley, Michigan, to conduct a Tootsie Roll Drive in the City of Berkley from Friday, April 8th through Sunday, April 10th from 8 a.m. to 7 p.m. Council reserves the right to rescind the permit due to State and/or County health and pandemic protocols.

Ayes:

Nays:

Motion:



City Clerk's Office
 3338 Coolidge Hwy.
 Berkley, MI 48072
 248-658-3300
 Fax: 248-658-3301
 www.berkleymich.org

CITY OF BERKLEY, MICHIGAN

CHARITABLE SOLICITATION

PERMIT APPLICATION DISPOSITION CHECKLIST

Event Name: Knights of Columbus Tootsie Roll Drive

<i>Event Date(s)</i>	<i>Location(s)</i>	<i>Event Hours</i>
April 8-10, 2022	12 Mile & Coolidge / 11 Mile & Coolidge	8:00 am - 7:00 pm

ORGANIZATION:

Organization Name: Knights of Columbus			
Headquarters Street Address: 2299 W 12 Mile Rd			
City: Berkley	State: MI	Zip Code: 48072	Phone:
Website: https://holyrosaryhall-berkley.square.site/ www.mikofc.org			

Tax Exempt Status (as defined by the US Internal Revenue Service):

Non-Profit
 501(c)(3)
 N/A
 Other (specify) _____

The following documents have been submitted:

- | | |
|---|-----------------|
| Completed application | ✓ YES ___ NO |
| Valid IRS tax exempt verification | ✓ YES ___ NO |
| Financial report for the preceding fiscal year | ✓ YES ___ NO |
| Proof of Commercial Liability Coverage | ✓ YES ___ NO |
| Estimated cost to execute the solicitation / event | ✓ YES ___ NO |
| Charitable Solicitation / Special Event Hold Harmless Agreement | ✓ YES ___ NO |

Application reviewed by:
 Public Safety NJK 3-29-22
 Public Works [Signature] 3-30-22
 Building Official N/A

Comments:

Presented to City Council:

Date: _____	Approved: ___ YES ___ NO	Organization Notified ___ YES ___ NO
-----------------------	------------------------------------	--



City Clerk's Office
3338 Coolidge Hwy.
Berkley, MI 48072
248-658-3300
Fax: 248-658-3301
www.berkleymich.org

CITY OF BERKLEY, MICHIGAN

CHARITABLE SOLICITATION PERMIT APPLICATION

Event Name: Knights of Columbus Tootsie Roll Drive

<i>Event Date(s)</i>	<i>Location(s)</i>	<i>Event Hours</i>
<u>April 8-10, 2022</u>	<u>12 Mile & Coolidge / 11 Mile & Coolidge</u>	<u>8 am - 7 pm</u>

ORGANIZATION INFORMATION

Name: Knights of Columbus			
Street Address: 2299 W. 12 Mile Rd			
City: Berkley	State: MI	Zip Code: 48072	Phone:
Website: https://holyrosaryhall-berkley.square.site/ www.mikofc.org			

Tax Exempt Status (as defined by the U.S. Internal Revenue Service):

Non-Profit
 501(c)(3)
 N/A
 Other (specify) _____

CONTACT PERSON (Authorized Representative)

Name Jim Nitkiewicz Email _____ Title Grand Knight Phone _____

AGENTS/OFFICERS OF ORGANIZATION

Name Jim Nitkiewicz Title Grand Knight Phone _____

Address _____

Name Tom Bewick Title Financial Secretary Phone _____

Address _____

Name Chris Hickner Title Deputy Grand Knight Phone _____

Address _____

Describe the type and purpose of the solicitation and how collected funds be used.

Knights of Columbus semi-annual Tootsie Roll Drive to collect money to be distributed to charities who support children and adults with intellectual disabilities. Funds will be distributed to the Michigan Special Olympics and other local charitable organizations.

The amount of wages, fees, commissions, expenses to be paid to any person in connection with the solicitation, together with the manner in which such wages, fees, expenses, commissions are to be paid:

\$0

Estimated cost of the solicitation

\$0 - already have supplies (tootsie rolls, yellow vests, collection containers)

The following documents must be submitted with this application, pursuant to *Chapter 34 Charitable Solicitations, Article I* of the City of Berkley Code of Ordinance:

1. Internal Revenue Service tax exempt documentation for the organization
2. Organization's financial report for the preceding fiscal year
3. Proof of Commercial Liability Coverage on an "occurrence basis" with no less than \$500,000 per occurrence and/or combined single limit, Personal Injury, Bodily Injury, and Property Damage. The insured endorsement portion of the Certificate of Insurance must read EXACTLY as follows:
The City of Berkley, including all elected and appointed officials, all employees, and volunteers, all boards, commissions, and/or authorities and their board members, employees, and volunteers.
4. Charitable Solicitation Hold Harmless Agreement signed by an authorized representative of the organization.

If the above information cannot be furnished, please provide a detailed statement of the reason.

I hereby solemnly swear that no solicitor will be paid, either directly or indirectly, a salary, wage, commission or benefit for his/her service.


Applicant Signature

James A Nitkiewicz / Grand Knight
Print Name/Title

3/25/2022
Date

For City Use Only

Approved by

Title

Signature

Date



City Clerk's Office
 3338 Coolidge Hwy.
 Berkley, MI 48072
 248-658-3300
 Fax: 248-658-3301
 www.berkleymich.org

CITY OF BERKLEY, MICHIGAN CHARITABLE SOLICITATION HOLD HARMLESS AGREEMENT

This Hold Harmless Agreement is between Knights of Columbus 3830, (the Organization) and the City of Berkley, Michigan, (City) for the date(s) specified below.

Organization Name Knights of Columbus 3830
 Address 2299 W. 12 Mile Rd
 City Berkley State MI Zip 48072 Phone _____
 Event Name Knights of Columbus Tootsie Roll Drive
 Event Location(s) 12 Mile & Coolidge / 11 Mile & Coolidge Event Date(s) April 8-10, 2022

To the fullest extent permitted by law, the Organization expressly agrees to indemnify and hold harmless the City of Berkley, 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 participating in the above named event.

This includes damage or destruction of any property (including loss of use) based on any act or omission (negligent or otherwise) of the Organization or anyone acting on its behalf in connection with or incidental to this agreement. The Organization 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 Organization 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 Organization shall not be responsible to the City on indemnity for damages caused by or resulting from the City's sole negligence.

Authorized Representative James A. Nitkiewicz Title Grand Knight
(Please print)
 Signature *James A Nitkiewicz* Date 3/25/22

KNIGHTS OF COLUMBUS
3830 QUEEN OF THE HOLY ROSARY
% DAN IRWIN
2299 W 12 MILE ROAD
BERKLEY MI 48072-1855



006777

E

Dear Taxpayer:

Thank you for your inquiry of Oct. 04, 2017.

Your employer identification number (EIN) is . Please keep this letter in your permanent records. Enter your name and EIN on all federal business tax returns and on related correspondence.

You can get any of the forms or publications mentioned in this letter by calling 800-TAX-FORM (800-829-3676) or visiting our website at www.irs.gov/forms-pubs.

If you have questions, you can call us at 1-800-829-4933.

If you prefer, you can write to us at the address at the top of the first page of this letter.

When you write, include this letter and provide in the spaces below, your telephone number with the hours we can reach you. Keep a copy of this letter for your records.

Telephone number () _____ Hours _____

Sincerely yours,



Kim A. Billups, Operations Manager
Accounts Management Operations 1

Enclosures:
Copy of this letter



KNIGHTS OF COLUMBUS
MAKING A DIFFERENCE FOR LIFE

09/29/2017

Date

CERTIFICATE OF EXEMPTION

TO WHOM IT MAY CONCERN:

RE: FEDERAL INCOME TAX EXEMPT STATUS
Knights of Columbus: **QUEEN OF THE HOLY ROSARY COUNCIL 3830**
A Knights of Columbus affiliated Council
Instituted: 04/25/1654

This certifies that the above Council was duly constituted and is recognized by the Supreme Council of the Knights of Columbus, the central organization, as an affiliated unit at its institution date and is an active Council in good standing. This Council is included under a group exemption ruling from the Internal Revenue Service initially issued in 1940 to the Knights of Columbus Supreme Council, exempting it from Federal Income Tax pursuant to Internal Revenue Code Section 501(c)(8). The attached are true copies of the most recent supplemental rulings received regarding this exemption.

KNIGHTS OF COLUMBUS

A handwritten signature in cursive script, appearing to read "Michael J. O'Connor".

Michael J. O'Connor
Supreme Secretary

TJR/rdf
attachments



COUNCIL NO. 3830

CITY Berkley

STATE MI

SCHEDULE A – MEMBERSHIP

ADDITIONS	INS. ASSO. TOT.			DEDUCTIONS	INS. ASSO. TOT.		
	INS.	ASSO.	TOT.		INS.	ASSO.	TOT.
Total members start of period				Suspensions			
Initiations				Deaths			
Transfers from other councils				Withdrawals			
Transfers—assoc. to insurance				Transfers—assoc. to insurance			
Transfers—ins. to associate				Transfers—ins. to associate			
Re-entries				Transfers to other councils			
Total for period				Total deductions			
Minus total deductions							
Number members end of period							

Do not include inactive insurance members in this section.
See Knights of Columbus Leadership Resources (#5093) booklet.



SCHEDULE A – ALTERNATIVE

Our council uses Member Management/Member Billing. The requirement for completing Schedule A is satisfied.

SCHEDULE B – CASH TRANSACTIONS

FINANCIAL SECRETARY		TREASURER	
Cash on hand beginning of period	\$ <u>0</u>	Cash on hand beginning of period	\$ <u>2431.73</u>
Cash received—dues, initiations	\$ <u>2764.58</u>	Received from financial secretary	\$ <u>6099.27</u>
Cash received from other sources:		Transfers from sav./other accts.	\$ <u>—</u>
(Explain kind and amount)		Interest earned	\$ <u>—</u>
<u>Special Assessmt \$695.00</u>		Total receipts	\$ <u>8531.00</u>
<u>MI Drive \$757.10</u>		Disbursements	
<u>Miscellaneous \$1582.67</u>		Per capita: Supreme Council	\$ <u>9.01</u>
Total cash received	\$ <u>6099.27</u>	State council	\$ <u>—</u>
Transferred to treasurer	\$ <u>6099.27</u>	General council expenses	\$ <u>302.97</u>
Cash on hand at end of period	\$ <u>0</u>	Transfers to sav./other accts.	\$ <u>—</u>
		Miscellaneous	\$ <u>2364.50</u>
		Total disbursements	\$ <u>2676.48</u>
		Net balance on hand	\$ <u>5854.52</u>

SCHEDULE C – ASSETS AND LIABILITIES

ASSETS		LIABILITIES	
Cash:		Due Supreme Council:	
Undeposited funds	\$ <u>—</u>	Per capita	\$ <u>—</u>
Bank – Checking acct.	\$ <u>5854.52</u>	Supplies	\$ <u>—</u>
– Savings acct.	\$ <u>—</u>	Catholic advertising	\$ <u>—</u>
– Money market accts.	\$ <u>—</u>	Other	\$ <u>—</u>
Due from <u>Number</u> members	\$ <u>—</u>	Due state council	\$ <u>839.50</u>
Total current assets	\$ <u>—</u>	Advance payments by <u>Number</u> members	\$ <u>—</u>
Less: current liabilities	\$ <u>839.50</u>	Misc. liabilities	\$ <u>—</u>
Net current assets	\$ <u>5015.02</u>		\$ <u>—</u>
Other Assets:			\$ <u>—</u>
Short term CD	\$ <u>—</u>		\$ <u>—</u>
Money Market	\$ <u>—</u>	Total current liabilities	\$ <u>839.50</u>
Mutual Funds	\$ <u>—</u>	Signed this <u>27th</u> day of <u>JULY</u> 20 <u>21</u>	
Misc. assets	\$ <u>—</u>	<u>James A. Kattar</u> Grand Knight	
Total other assets	\$ <u>—</u>	<u>Robert H. ...</u> Trustee	
Total assets	\$ <u>5015.02</u>	<u>James P. ...</u> Trustee	
		<u>Robert ...</u> Trustee	

Please complete all items. Insert "None" where no figures are to be shown.

SEND ONE COPY TO: Council Accounts
Email: council.accounts@kofc.org
Fax: 855-228-1396
Mail: 1 Columbus Plaza, New Haven, CT 06510

COPIES TO: State Deputy, District Deputy, Council File

Available in electronic format at kofc.org/forms



KNIGHTS OF COLUMBUS

SEMIANNUAL COUNCIL AUDIT REPORT

FOR PERIOD ENDED DECEMBER 31, 2021

Due By: FEBRUARY 15

COUNCIL NO. 3830

CITY Berkley

STATE WI

SCHEDULE A - MEMBERSHIP

ADDITIONS	INS. ASSO. TOT.			DEDUCTIONS	INS. ASSO. TOT.		
	INS.	ASSO.	TOT.		INS.	ASSO.	TOT.
Total members start of period				Suspensions			
Initiations				Deaths			
Transfers from other councils				Withdrawals			
Transfers—assoc. to insurance				Transfers—assoc. to insurance			
Transfers—ins. to associate				Transfers—ins. to associate			
Re-entries				Transfers to other councils			
Total for period				Total deductions			
Minus total deductions				Do not include inactive insurance members in this section. See Knights of Columbus Leadership Resources (#5093) booklet.			
Number members end of period							

SCHEDULE A - ALTERNATIVE

Our council uses Member Management/Member Billing. The requirement for completing Schedule A is satisfied.

SCHEDULE B - CASH TRANSACTIONS

FINANCIAL SECRETARY		TREASURER	
Cash on hand beginning of period	\$ <u>NONE</u>	Cash on hand beginning of period	\$ <u>5847.52</u>
Cash received—dues, initiations	\$ <u>151.00</u>	Received from financial secretary	\$ <u>4873.88</u>
Cash received from other sources:		Transfers from sav./other accts.	\$ <u>NONE</u>
(Explain kind and amount)		Interest earned	\$ <u>NONE</u>
<u>Mt Drive \$1393.04</u>		Total receipts	\$ <u>10721.40</u>
<u>Other Charity \$2890.84</u>		Disbursements	
<u>Miscellaneous \$439.00</u>	\$ <u>4732.88</u>	Per capita: Supreme Council	\$ <u>NONE</u>
Total cash received	\$ <u>4873.88</u>	State council	\$ <u>1528.50</u>
Transferred to treasurer	\$ <u>4873.88</u>	General council expenses	\$ <u>3528.91</u>
Cash on hand at end of period	\$ <u>NONE</u>	Transfers to sav./other accts.	\$ <u>NONE</u>
		Miscellaneous	\$ <u>160.00</u>
		Total disbursements	\$ <u>5210.91</u>
		Net balance on hand	\$ <u>5510.49</u>

SCHEDULE C - ASSETS AND LIABILITIES

ASSETS		LIABILITIES	
Cash:		Due Supreme Council:	
Undeposited funds	\$ <u>20.00</u>	Per capita	\$ <u>-</u>
Bank - Checking acct.	\$ <u>5510.49</u>	Supplies	\$ <u>-</u>
- Savings acct.	\$ <u>NONE</u>	Catholic advertising	\$ <u>-</u>
- Money market accts.	\$ <u>NONE</u>	Other	\$ <u>-</u>
Due from <u>Number</u> members	\$ <u>NONE</u>	Due state council	\$ <u>-</u>
Total current assets	\$ <u>5530.49</u>	Advance payments by <u>Number</u> members	\$ <u>-</u>
Less: current liabilities	\$ <u>842.80</u>	Misc. liabilities	
Net current assets	\$ <u>4687.69</u>	Postage	\$ <u>92.80</u>
Other Assets:		3 <u>Uncashed checks</u>	\$ <u>750.00</u>
Short term CD	\$ <u>-</u>	Total current liabilities	\$ <u>842.80</u>
Money Market		Signed this <u>23rd</u> day of <u>JANUARY</u> 20 <u>22</u>	
Mutual Funds	\$ <u>-</u>	<u>James A. Pitterman</u> Grand Knight	
Misc. assets	\$ <u>-</u>	<u>William F. Kozlowski</u> Trustee	
Total other assets	\$ <u>-</u>	<u>James P. Smith</u> Trustee	
Total assets	\$ <u>4687.69</u>	<u>James P. Smith</u> Trustee	

Please complete all items. Insert "None" where no figures are to be shown.

SEND ONE COPY TO: Council Accounts
Email: council.accounts@kofc.org
Fax: 855-228-1396
Mail: 1 Columbus Plaza, New Haven, CT 06510

COPIES TO: State Deputy, District Deputy, Council File

Available in electronic format at kofc.org/forms

1295 12/16

All U.S. Councils must file form 990 with IRS annually. For info call 203-752-4281 or refer to Officer's Desk Reference.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/7/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS 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 Arthur J. Gallagher Risk Management Services, Inc. 1690 Watertown Place #500 East Lansing MI 48823	CONTACT NAME: Roxanne Gazella	
	PI 'HON E (A A/C, No Ext): FAX (A/C): E-MAIL ADDRESS:	
INSURED Michigan State Knights of Columbus	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Scottsdale Insurance Company	41297
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	

COVERAGES CERTIFICATE NUMBER: 1971138845 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.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y	CPS7531316	4/1/2022	4/25/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The City of Berkley, including all elected and appointed officials, all employees, and volunteers, all boards, commissions, and/or authorities, and their board members, employees, and volunteers are additional insureds on General liability policy as it pertains to work performed by the named insured per written contract, per policy conditions. per attached additional insured form GLS-150s (7-06). (THIS CERTIFICATE REPLACES PREVIOUS ISSUED CERTIFICATE REVISED ATTACHMENT).

CERTIFICATE HOLDER

CANCELLATION

City of Berkley
2395 12 Mile Rd.
Berkley MI 48072
USA

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

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ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.
	04/01/2022	MICHIGAN STATE KNIGHTS OF COLUMBUS	22009

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

With respect to this endorsement, **SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract, written agreement or written permit which must be:

- a. Currently in effect or becoming effective during the term of the policy; and
- b. Executed prior to the "bodily injury," "property damage," or "personal and advertising injury."

The insurance provided to these additional insureds is limited as follows:

1. That person or organization is an additional insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by:
 - a. Your acts or omissions; or
 - b. The acts or omissions of those acting on your behalf.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

2. With respect to the insurance afforded to these additional insureds, the following exclusions are added to item 2. **Exclusions of SECTION I—COVERAGES:**

This insurance does not apply to "bodily injury," "property damage" or "personal and advertising injury" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
 - b. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
3. The limits of insurance applicable to the additional insured are those specified in the written contract, written agreement or written permit or in the Declarations for this policy, whichever is less. These limits of insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations for this policy.
 4. Coverage is not provided for "bodily injury," "property damage," or "personal and advertising injury" arising out of the sole negligence of the additional insured.
 5. The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of an architect's, engineer's or surveyor's rendering of or failure to render any professional services including:

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- a. The preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and
 - b. Supervisory, inspection, architectural or engineering activities.
6. Any coverage provided hereunder will be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis unless a

written contract specifically requires that this insurance be primary.

When this insurance is excess, we will have no duty under **SECTION I—COVERAGES** to defend the additional insured against any "suit" if any other insurer has a duty to defend the additional insured against that "suit." If no other insurer defends, we will undertake to do so, but we will be entitled to the additional insured's rights against all those other insurers.

AUTHORIZED REPRESENTATIVE

DATE

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Victoria Mitchell <vmitchell@berkleymich.net>

Charitable Solicitation Permit for KofC Tootsie Roll Drive, April 8-10 2022

Derrick Schueller <dschueller@berkleymich.net>
To: Victoria Mitchell <vmitchell@berkleymich.net>

Tue, Mar 29, 2022 at 12:41 PM

No issue from Public Works.

[Quoted text hidden]

--
Derrick L. Schueller
Director of Public Works
City of Berkley
3238 Bacon Ave.
Berkley, Michigan 48072
248.658.3499 direct
248.658.3491 fax
dschueller@berkleymich.net



City of Berkley
Department of Public Safety



INTEROFFICE CORRESPONDENCE

DATE: March 29, 2022
TO: Matthew Baumgarten, City Manager
FROM: Matt Koehn, Director of Public Safety *MJK*
SUBJECT: KNIGHTS OF COLUMBUS TOOTSIE ROLL DRIVE

The Knights of Columbus Queen of the Holy Rosary Council 3830 has submitted an application for "Tootsie Roll Drive" scheduled for April 8, 2022 through April 10, 2022. Knights of Columbus members will be soliciting donations and passing out "Tootsie Rolls" to motorists at the intersections of Coolidge Highway and 11 Mile Road, Coolidge Highway and 12 Mile Road, and eastbound 12 Mile at Woodward between the hours of 8 AM and 7 PM.

The Department of Public Safety has reviewed the application and discussed the event with Mr. Jim Nitkiewicz, Grand Knight of Knights of Columbus Council 3830. The Knights of Columbus Council 3830 has a 508(c)(8) tax exempt status (EIN 38-1584733) and proceeds from this event will benefit local organizations which provide services to mentally impaired persons. It was stressed to Mr. Nitkiewicz that, for safety reasons, all members who are soliciting must wear a safety vest and not interfere with moving traffic.

The Knights of Columbus Council 3830 has submitted all of the required accompanying documentation.

This event has been held in the past with no concerns and the Department of Public Safety recommends approval of the Tootsie Roll Drive and will monitor all locations during the event.

April 4, 2022 City Council Meeting

Moved by Councilmember _____ and seconded by Councilmember _____ to approve the appointments to various boards and commissions.

Beautification Advisory Committee

Lynn Khadra, appointment to a partial term expiring July 1, 2024.

Board of Review

Cherene Reese, appointment to a partial term expiring July 1, 2027.

Citizens Engagement Advisory Committee

Emily Kemner, appointment to a partial term expiring July 1, 2023.

Adrienne Penney, appointment to a partial term expiring July 1, 2023.

Parks & Rec Advisory Board

Mike Dooley, appointment to a partial term expiring July 1, 2024.

Technology Advisory Committee

Lynn Khadra, appointment to a partial term expiring July 1, 2023.

Heather Damron, appointment to a partial term expiring July 1, 2023.

Tree Board

Holly Tylenda, appointment to a partial term expiring July 1, 2024.

Ayes:

Nays:

Motion:

A RESOLUTION OF THE CITY OF BERKLEY, MICHIGAN
AUTHORIZING PUBLICATION OF A NOTICE OF PUBLIC HEARING REGARDING THE
REPROGRAMMING OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Whereas, under the Housing and Urban - Rural Recovery Act of 1983, as amended, the City of Berkley is eligible to receive Federal Community Block Grant funds for certain expenditures in cooperation with the United States Department of Housing and Urban Development, through the County of Oakland; and

Whereas, it is the intent of the Berkley City Council to establish the date, time and location of the public hearing on the reprogramming of federal Community Development Block Grant funds and to authorize publication of a notice of the public hearing in a newspaper of general circulation within the municipality.

NOW THEREFORE THE CITY OF BERKLEY RESOLVES,

SECTION 1: That the Berkley City Council will hold two public hearings on the reprogramming of federal Community Development Block Grant funds during the course of its regular city council meeting to be held on April 18, 2022; and

SECTION 2: That the Finance Director is hereby directed to cause a notice, to publish one time in a newspaper of general circulation, announcing two Public Hearings on Monday April 18, 2022 at 7:00 pm at a regular city council meeting as follows:

NOTICE OF PUBLIC HEARING
BERKLEY CITY COUNCIL

Notice is hereby given that in accordance with Community Development Block Grant (CDBG) requirements, two Public Hearings will be held by the City of Berkley on Monday, April 18, 2022 at 7:00 p.m. at Berkley City Hall, 3338 Coolidge Hwy. to receive written and verbal comments regarding the reprogramming of federal CDBG funds. Funds for ADA Sidewalk replacement from the 2020 PY are being reprogrammed from the same category of Public Facilities and Improvements-Remove Architectural Barriers to retrofit sidewalks and paths in existing City Park locations to meet ADA standards. Also, 2021 PY CDBG funds designated for the same project are required to add a location that was omitted on the original project summary. The changes proposed are as follows:

Existing - 2020 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Multiple intersections four locations
Amount	\$25,692.00

Proposed - 2020 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Community Park/Friends Park/Jaycee Park/Kiwanis Tot Lot
Amount	\$25,692.00

Existing - 2021 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Community Park/Friends Park/Jaycee Park
Amount	\$26,230.00

Proposed - 2021 Program Year

Activity Number	731619
Activity Description	Remove Architectural Barriers
Location	Add to Locations: <u>Kiwanis Tot Lot</u>
Amount	\$26,230.00

The City of Berkley will make reasonable arrangements to accommodate special needs upon receiving 72-hour advance notice. Contact Victoria Mitchell, City Clerk at (248) 658-3319 at Berkley City Hall for special services.

Introduced and Passed at a Regular City Council Meeting on Monday, April 4, 2022.

Daniel J. Terbrack, Mayor

Attest:

Victoria Mitchell, City Clerk

City of Berkley

Finance Department

To: Matt Baumgarten, City Manager

From: Mark Pollock, Finance Director

Subject: 2020 CDBG PY Reprogramming and 2021 PY Reprogramming for Location Addition

Date: March 28, 2022

We are planning to have two Public Hearings for two CDBG Reprogramming items. The first item will reprogram the 2020 Program Year (PY) Public Facilities and Improvements/ADA Sidewalk money in the amount of \$25,692.00 to the Remove Architectural Barriers Parks sidewalk and path restoration project. This amount would be combined with the 2021 PY monies for the same project.

We are also reprogramming the 2021 PY CDBG Public Facilities and Improvements in the amount of \$26,230.00 to simply to add "Kiwaniis Tot Lot" as an additional location, since it was not included in the original project summary.

When the 2020 PY amount is reprogrammed and combined with the 2021 PY CDBG monies for the same project of \$25,403.00 this will total \$51,095.00 in total CDBG funds for this project. HRC has advertised and is accepting bids for the 2021 PY CDBG project for the Kiwanis Tot Lot and will coordinate and administer this CDBG project.

Council must first set the Public Hearing at the April 4th City Council Meeting for the April 18th City Council Meeting.

The plan is to make our Berkley City Park paths accessible and ADA compliant. This project is being completed in conjunction with the all-inclusive design of our Kiwanis Tot-Lot playscape.

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Amount	\$26,230.00

Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 72-hour advance notice. Contact Victoria Mitchell, City Clerk at (248) 658-3319 at Berkley City Hall for special services.